

National Institute of Corrections Virtual Conference 2016 Transcript for Interview with Emily Salisbury

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And now... here's a sneak peek!

National Institute of Corrections: The objective of your presentation is to inform criminal justice stakeholders, that gender responsive policies and practices are evidence based and improve outcomes for justice involved women. This presentation will focus on the gender responsive principles of effective intervention. Specifically it will inform the audience on how risk, need, and responsivity principles, each look different for women in both theory and practice, and why it is no longer accepted practice to relegate gender to responsivity principles.

Evidence from various gender responsive research inquiries will be used to inform the presentation. Including the NIC University of Cincinnati Women's Risk Needs Assessment, WRNA. Gobeil and colleagues' recent meta-analysis published in *Criminal Justice and Behavior*, on the effectiveness of gender responses programming in comparison to gender neutral programming. So that was a mouthful. A lot of research in there. So I think that we should begin maybe from the very beginning. So even before we get into this topic, let's just go all the way back and just discuss why this topic of gender studies, gender responsive Criminal Justice approaches. Why this is something that's important to you.

Emily Salisbury: To me personally? Yeah. Well, it's an important issue really because like a lot of different disciplines and a lot of other fields, we start off with men in mind and then apply policies and practices and procedures to women, as if women behave and live the same lives as

men. Whether we're talking about education or public health or medicine or pharmaceutical drugs. I mean pick the field of study and we oftentimes start with men and then apply research knowledge to women.

That always isn't good strategy, because women as we know live very different lives, and have very different needs across the spectrum of many many different disciplines, including criminal justice and corrections. So for far too long in criminal justice, of course we've been primarily focused on the violent male. Our criminal justice system really was founded upon handling and managing and supervising and treating men, and haven't really focused as much on women who are just as involved.

We make a lot of assumptions in our criminological and correctional discipline, when we think that women serve time the same ways or if their pathways to crime are the same or if their criminogenic or crime producing needs are the same. So we have quite a bit of evidence in the last 30 to 40 years really, that demonstrates that women are different even in the criminal justice system. So this talk is really intended to sort of outline some of the evidence behind those strategies, and why we need to be thinking about women differently because they have very different supervision and treatment needs.

NIC: So what kind of research have you been doing that's led you up to this point today?

Salisbury: So as part of my dissertation when I was a student back at the University of Cincinnati, a doctoral student, I used to work with Pat van Voorhis, and of course still do. So Pat is a mentor of mine and she helped me sort of start to understand the real importance of seeing women's needs very differently. As part of my dissertation, I worked with her on developing really quantitatively, which means sort of statistically testing a lot of the life history narratives, the stories that female offenders and justice involved women would tell us when we would ask them.

When prior researchers would sort of talk to women about what got them in trouble in the system. We oftentimes heard the same stories and those stories oftentimes included starting off with a lot of abuse and neglect and victimization of children, leading to mental health issues, which lead to substance abuse and sort of numbing out. Numbing out or self medicating the trauma and pain of that abuse and victimization.

Some of my research has really looked at whether or not those pathways to crime that we hear and those stories from women are statistically held up, and so the research that I've seen shows that, yeah, they actually do matter. Those pathways are generalizable to a lot of different women who are justice involved.

NIC: So it sounds like that this is not just something that you can attribute to a specific type of woman or a woman in this...in a particular region, but perhaps this is a systemic...the result of systemic factors going on in communities and cultures and such.

Salisbury: Definitely. Yeah. So there's...and there's different pathways to crime across women too. Not every woman of course has suffered from prior abuse and trauma and victimization, but the very vast majority of women in corrections, at least in prisons, women prisoners have experienced trauma and victimization. So I just got back from the Czech Republic recently and developing...well really putting a new risk assessment tool specifically designed for women offenders, which is the WRNA.

We specifically tailored it for the Czech Republic female prisoner population. So these pathways are...and these sort of criminogenic needs, we're looking to see if they're also predictive or predictive of women's anti-social behavior in Eastern Europe too. This is not a new topic and it's not a topic that's just sort of only focused on a certain proportion of women.

NIC: Why do you suppose this has been allowed to fester for so long? I mean we...just as you said, this is something that we've realized even in the medical profession, where we can't just apply necessarily all the things that we know about men's health to women's health or the way boys learn and the way girls learn things like that. While there are some similarities, there are differences. Why do you suppose that it's been allowed to continue, despite the fact that we are so aware of these differences?

Salisbury: I think of a lot of it has to do with just the fact that we live in a patriarchal or sort of male dominated society. That doesn't mean that men are evil or that men are not the root of all of this cause. No, it just simply means that masculinity is the normative kind of role in our society. Criminal justice has been dominated and has been dominated by men historically and the vast majority of people who are in the criminal justice system of course are men. One of the strongest

predictors of whether or not somebody will become an offender is his or her gender. At the same time, we know that close to 25% of probationers are women.

So because we've had the vast majority of people in the criminal justice system being men, both in terms of staff and of course offenders, it's just simply been overlooked, but at the same time, I think we need to really start thinking about how these policies apply differently of course. It's festered in some ways because a lot of Departments of Corrections continue to unfortunately overlook women offenders and think that they're an afterthought, which means sometimes that they're ignored. It happens.

NIC: So what sort of corrective measures do you think that we should be undergoing as a society? I mean it's not just a men's problem, women are also part of the solution. So what would you say is something that we should all be doing right now?

Salisbury: Yeah, it's not a men's problem, it's not a woman's problem, it's a...we all have a hand in the solution of course, and that's why with this perspective of gender responsive strategies is called gender responsive strategies, and not women responsive strategies. We understand that gender roles and the way that people behave dictate what might happen to them in the criminal justice system. So it's not...you're right, it's not just a men's problem or a women's problem.

NIC: Now I'm also just going to throw this out here. The other issue of talking about gender when you have individuals who do gender differently from what is expected. This could go into discussions about transgendered individuals or what have you. Does the research that you've done or that you're embarking on, does this at all touch upon any other things that might affect that community?

Salisbury: I have not particularly done work with transgender populations, but of course this perspective focuses...it does focus on transgender populations and their specific needs when it comes to correctional supervision and treatment, but I in particular have not worked and done research with transgender populations. So the risk assessment tool that I'll be talking about has not been validated for transgender populations. I'm actually not aware of any risk assessment that's been validated with that population, because unfortunately there's such a small population.

So from a research perspective, from my perspective, it's difficult to do because you need a certain number of people who identify as transgender to do that work. So it would need to be a very big study across multiple jurisdictions to look at the research that I kind of do. We certainly need to do as much as we can to serve that population too because we know they are disproportionately...LGBTQI populations are disproportionately held in solitary confinement and victimized in institutions. So without a doubt, they're a population that needs to be served more effectively.

NIC: Definitely. So there's a lot here with what you're working on, but for the presentation itself, can you talk with us about what we can expect from your session.

Salisbury: Yeah, absolutely. So really the kind of take away from my presentation is, I feel like there is a lot of misperceptions about gender responsive strategies, and what it means and a lot of mythology about it. I feel like agencies out there in the field and correctional professionals think that if they're considering or...considering or actually implementing gender responsive strategies in one shape or another, that they think that they're not doing evidence based practices.

So this presentation is really about setting it straight in terms of the evidence that supports gender responsive strategies, and then really starting to understand the evidence that suggests that we should start reformulating what we currently know as risk, need, and responsivity or the principles of effective correctional intervention for women.

So for the last 40, 50 years, these principles of correctional intervention, of effective correctional intervention have really transformed the way we do business and supervision and treatment in corrections, and definitely for the better, but we now have enough evidence and scientific data to be state of the art in terms of updating those principles of risk, need and responsivity particularly for women. So if our criminal justice system started with women in mind, which is sort of my...the lens in which I began my research.

How would our system look different and how would risk, need, and responsivity as principles that we know to be effective, that we're not going to abandon with women offenders, but how do they change both theoretically and in practice with female offenders, because women are just not nearly as dangerous as men. It doesn't mean that they're not capable of dangerousness or being violent, but we have to understand

that they pose less of a risk. So risk means something different for that population.

So we're going to talk about what that means, what the additional criminogenic needs look like for women offenders, in comparison to what we typically see with men. So thinking about also programming for women, understanding too that if some of those crime producing or predictive risk factors for women look different compared to men. Some of them are similar, but some of them are very different. How should that drive different programming that exists for women. So we're going to get into all of that discussion in terms of thinking about this idea that risk, need, and responsivity really needs to be reformulated for female offender populations.

NIC: Now, I just want to back up just a little bit. So you had said that some people are under the impression that evidence based practices and gender responsive strategies do not align. Where does that kind of thinking come from? Where...I mean how could someone say that that would not...that that wouldn't [crosstalk 00:16:59].

Salisbury: There's been a lot of pushback just in academia and somewhat in the discipline too to think about women differently. Any time you discuss gender, people get uncomfortable. People get a little bit uncomfortable because we're thinking about different policies across populations, and so there's this mythology that when you do gender responsive strategies, that A, you're not holding women accountable or that we're going to blame men for women's problems that they have, and the reasons why they're incarcerated.

That's nowhere near what the spirit of gender responsive strategies really is about. The spirit of the idea is truly about understanding the psychological, sociological and cultural differences that women experience in this world, and that a woman's experience is not the same as a man's experience. Just like a black woman's experience is also not the same as a Native American woman's experience or a Latino's experience. Being culturally sensitive.

So there's been some thought that agencies sometimes feel like they're at a loss because they feel like they have to be doing the same exact thing or have same exact policies and procedures for women as they do for men. Because an inmate is an inmate is an inmate or an offender is an offender is an offender. I understand of course where that thinking comes from because we want to make sure that we have safe and

secure institutions. If we treat everybody as if they're same, as if they are at the same risk of committing crimes or being dangerous, then we never get caught off guard so to speak.

NIC: Right and...

Salisbury: But the reality is they're very different and so equality really means parity and understanding those differences. So there's all kinds of case law of course that supports that idea, that we actually shouldn't be doing the same things. We can actually harm women because we're holding them for example in more severe or austere conditions due to custody classifications that are the same across men and across women. We have seen that over and over again, just as one example of how it can backfire.

NIC: Right. Yes. When you were explaining the difference, what occurred to me is that, when you said parity it seems that people are confusing the parity with the equitable punishment. Meaning that there's this thing like when you're working with two people, you can't be seen as if you're favoring one person over the other person and say, well, but she committed the same crime or something rather like that, and so therefore you want to punish them both equally, but there are other factors, other risks that have to be taken into consideration.

Salisbury: Right. Effective rehabilitation and effective crime control and reducing that...if two individuals, a man and a woman commit the same crime, you can look at crime control as retributive. I mean I'm getting kind of philosophical here, but as retributive or rehabilitative. I mean there's different correctional philosophies. If you take a retributive or sort of deterrent philosophy or a punishment philosophy, you would punish the crime not that person.

If you take a rehabilitative stance, which hopefully most of our audience recognizes that we can no longer have conversations about reducing future crime without talking about rehabilitation, because that's actually where the scientific evidence lies in terms of reducing future crime. It's the most effective strategy at reducing crime in the future. It actually has doubled the effectiveness rates of something, even like cardiac bypass surgery. So we prescribe cardiac bypass surgery all the time for people who have a risk of heart attack, and who have had a cardiac event to reduce their likelihood of having a cardiac event.

Well, the rehabilitation if it's done correctly with all populations, men or

women, actually has double the effectiveness of cardiac bypass surgery. So we don't prescribe rehabilitation as much as we should and then if we drill down into understanding that what does rehabilitation and effective rehabilitation look like with women, of course it looks different. It just means that we can either be punishing that crime or we can actually start rehabilitating those two individuals.

If we're talking about rehabilitation, we have to understand that they come to us with different problems and different needs and their likelihood of committing future crimes are based on different things. Some of them are the same, but many of them are very different. Including parental responsibilities, including prior trauma and victimization, unhealthy relationships with intimate partners, unsafe housing.

There's a lot of different things that just simply haven't traditionally been included on sort of risk assessment tools in the past, that really need to be recognized. So if we're not asking the right questions at the beginning of intake, whether we're talking community supervision or institutional supervision. If we're not asking the right questions on an assessment tool, then it will never get programmed and we won't be serving that woman in the best way possible and our overall communities.

NIC: Yes. What you're talking about also reminds me of another program that a colleague of mine is doing here at NIC, and that's on dosage probation. It's very reminiscent of exactly what you're talking about here. So I believe that we'll probably hear more about this type of rehabilitative approach and fitting the right sanction to fit the person. Therefore I think we are going to hear a lot more of that in the future.

Salisbury: Absolutely.

NIC: Now, is there anything that I did not ask you that I should have or that you want to share with everyone listening?

Salisbury: Yeah, let me think. I'm just looking at my slides. Yeah. So maybe it would be good to just kind of emphasize that, I understand that we have focused on...that our system has primarily focused on men. I understand why that has been the case and with the vast majority of people who are incarcerated and on community supervision being men, but every policy and practice that's designed for men and then applied to women affects all women 100% of the time.

Each woman is affected 100% by those policies and not 7%. 7% is the proportion of people, of women who are incarcerated. At the end of the day, if we want to really reduce offending and extend positive outcomes to families and children and communities, we have to know and address women's criminogenic or crime producing needs and build upon their strengths. So I'm really excited to give this talk and to think about how these principles of effective intervention can really be tailored to be more effective with justice involved women.

NIC: Okay. Thank you.

Salisbury: Yeah.

Announcer: This has been a broadcast of the National Institute of Corrections. The views presented are those of the speakers and do not necessarily represent the policies or position of the National Institute of Corrections.

We hope you enjoyed this broadcast.

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