FINDING COMMUNITY AFTER INCARCERATION: THE IMPACT OF COLLATERAL CONSEQUENCE LAWS ON WOMEN IN URBAN AND RURAL ENVIRONMENTS

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Abstract

As female incarceration rates increase across the country, more women than ever before are dealing with collateral consequence laws that impact how they are able to reintegrate into their communities after incarceration. Understanding how these laws impact women is instrumental for legislators attempting to reform the laws and for organizations offering support to these women. This research attempts to determine if women in rural and urban environments are impacted by collateral consequence laws differently. To accomplish this, this project conducts a case study analysis comparing two states, one urban and one rural, that have similar collateral consequence laws: New Jersey and North Dakota. By comparing the recidivism, homelessness, and housing rates of female ex-offenders as well as their personal experiences collected through a newspaper search and interviews with reentry service employees, this project presents evidence that women in urban areas are more impacted by collateral consequence laws than women in rural areas.

Keywords: Incarceration, women, rural-urban divide, community reentry, female incarceration, collateral consequence laws, comparative analysis

Introduction

When individuals are faced with a prison or jail sentence, they often do not realize just how long that punishment might last; long after they have served their time, ex-offenders still have to deal with collateral consequence laws (Tripkovic 2017). Collateral consequence laws are laws that impact offenders after they have served their sentence, often following them for their entire lives. These laws can impact formerly incarcerated individuals in almost every facet of their lives; they range from felon disenfranchisement, to preventing those convicted of drug crimes from applying for TANF or SNAP benefits, to prohibiting ex-offenders from applying for certain professional licenses (Travis 2002). The sheer scope of these laws means that they have an immense impact on the lives of formerly incarcerated individuals, making it incredibly difficult for them to reenter their communities after serving their sentence (Hoskins 2014).

Recently, collateral consequence laws have been getting a lot of attention, as many activists have urged states to loosen ex-offender restrictions, arguing that they are too harsh (Beitsch 2017). While these laws impact all formerly incarcerated individuals, they are especially damaging to women, who often rely on a lot of the services that collateral consequence laws concern (McConnell 2017). While overall incarceration rates across the country are slowing down, incarceration rates for women, , as well as concerns around incarceration and the impact of collateral consequence, are increasing ("Incarcerated Women and Girls" 2020). Specifically, it seems like the states with the highest levels of female incarceration (Idaho, Oklahoma, Kentucky, South Dakota, and Wyoming) tend to be more rural, while states with the lowest levels of female incarceration (Massachusetts, Rhode Island, New Jersey, New York, and Maine) tend to be more urban ("Incarcerated Women and Girls" 2020). While this data cannot be used to make any strong conclusion, it does seem to imply that rural areas have higher levels of female incarceration than urban areas; more incarcerated women means more women facing collateral consequences.

This brings up an important question, do collateral consequence laws affect women differently in rural and urban environments? Incarceration looks very different in rural and urban areas (Eason, Zucker, and Wildeman 2017), so collateral consequences will likely have very different impacts on women living in rural and urban areas since woman in urban areas rely more on the welfare programs that collateral consequence laws impact (Allard 2004). This paper will attempt to determine if collateral consequences impact women in rural and urban spaces differently and how this might impact the rate of female re-incarceration. I predict that women in urban environments will face more challenges brought on by collateral consequence laws, making it more difficult for them to reintegrate into their communities after incarceration. To test this hypothesis, I will analyze quantitative data on recidivism, housing, and homelessness for female ex-offenders, as well as qualitative data on the experiences of women returning to their communities that I collect from newspapers and interviews with workers at reentry organizations.

Literature Review

The body of research focusing specifically on incarcerated women is growing, although a lot of it is relatively recent, as many past scholars ignored the unique ways women interact with the criminal justice system. Recent research has begun to fill this gap by analyzing the experiences of women and girls who have been incarcerated or been involved with the criminal justice

system in some other way. This work is especially timely, as the incarceration rate for women and girls has been climbing steadily and the number of incarcerated women and girls has increased by 700% since 1980 ("Incarcerated Women and Girls" 2020). While this body of research is quickly growing and is far more well analyzed than it was a few years ago, it is still a relatively new topic of analysis and there are many gaps left to be filled.

One specific area that has not been analyzed deeply yet is how collateral consequence laws impact women in urban and rural areas differently, which is what my paper will focus on. While there is a lack of research on this specific topic, there is research on the connecting topics that I will rely on to guide my research. Specifically, I will build my research off past research done on the impact of collateral consequence laws, the challenges incarcerated women face, and the urban-rural divide in incarceration.

Mass Incarceration and Collateral Consequences

In recent years there has been a large increase in the amount of research surrounding collateral consequence laws, but before the early 2000s there was a clear lack of such research. In 2002, Jeremy Travis coined the term "invisible punishments" to refer to the "the laws and regulations that serve to diminish the rights and privileges of those convicted of crimes" after they have served their sentence (Travis 2002, 16). In this essay, he argued that invisible punishments are specifically designed to exclude ex-offenders from public life, isolating them from the communities they are seeking to return to and making it more difficult for them to return to their lives before incarceration. These laws often impact "public housing, welfare benefits, the mobility necessary to access jobs that require driving, child support, parental rights, the ability to obtain an education, and, in the case of deportation, access to the opportunities that brought immigrants to this country" which makes it far harder for ex-offenders to reintegrate into their communities after incarceration by eliminating the social safety net they often rely on (Travis 2002, 18).

Travis expanded on this term in 2005, arguing that what makes these punishments so devastating for formerly incarcerated individuals is the fact that they are invisible (Travis 2005). Because these laws exist outside of the traditional criminal justice system, many, including those impacted by them, do not even realize they exist. This makes it far more difficult for individuals involved in the criminal justice system to make educated decisions, because they may not understand the full impact of those decisions on their futures. For example, someone may decide to take a plea deal rather than going to court, thinking it will be quicker, not realizing that there are collateral consequences that may be associated with the deal that they could avoid if they were found not guilty in court. Furthermore, since many do not know about the existence of these laws, they are not included in the discussion of mass incarceration, giving legislators unbridled power to expand the reach of these laws without any outside intervention. Travis best explains the enormous risk these laws hold by stating that "this universe of criminal sanctions has been hidden from public view, ignored in our national debate on punishment policy, and generally excluded from research on the life course of ex-offenders or the costs and benefits of the criminal sanction" (Travis 2005, 64).

Travis's research brought the impacts of collateral consequence laws into focus and lead to a dramatic increase in research on invisible punishments. Michelle Alexander is one of the first to expand on Travis's work in her book The New Jim Crow (Alexander 2012). In this work, Alexander uses a racial lens to analyze the impacts of invisible punishments specifically on

Black offenders. She argues that the current impact of these laws on Black people mimics the impacts that Jim Crow laws had on Black people until 1964. Although these laws are not explicitly racist, since Black people are far more likely to be incarcerated, their impacts disproportionately impact Black people and should be analyzed with race in mind. Later, Wheelock continued Alexander's analysis on the impact of collateral consequences on Black men, determining that the system of collateral consequences helps to maintain racial inequality (Wheelock 2005)

A lot of analysis surrounding collateral consequences focuses on the constitutional and legal interpretations of these laws. Ben Geiger, began this course of analysis in 2006, finding that current constitutional interpretations allow collateral consequences to stay in law books despite their devastating consequences for many ex-offenders because ex-offenders are not considered a suspect class in need of additional constitutional protections. Geiger argues that ex-offenders should be granted additional protections based on the mistreatment they undergo while incarcerated. He also contends that returning to prison is already difficult since many ex-offenders lose years or even decades with their families and in their communities that they can never get back and that piling on additional challenges after incarceration should be considered cruel and unusual punishment under the Eighth Amendment (Geiger 2006).

Christopher Bennett (2017) approaches the debate around collateral consequences from a new light. He argues, like Geiger, that collateral consequences are wrong, but not because they cause harm to individuals. Bennet argues that a decision maker may have to make a choice that will cause harm to one individual in order to protect others, so collateral consequence laws are understandable from this view (Bennett 2017). The core of his argument rests on the idea that ex-offenders and citizens are in a relationship that requires citizens to take steps to alleviate the harms that ex-offenders face. In essence, it is not society's responsibility to completely eliminate harm, but to support people when they face it (Bennett 2017).

Shifting from constitutional interpretations of these laws, in 2014, Zachary Hoskins conducted an in-depth analysis of the impacts of collateral consequences on ex-offenders to determine if these laws are effective. He finds that collateral consequence laws are not unique to the United States but the U.S.'s are far more pervasive than those in other countries. Because these laws are not part of criminal codes and are not considered punishments by the court, there is almost no constitutional limit to what these laws can concern, so they can have extreme impacts on the daily lives of ex-offenders and can even harm the communities they are returning to. Hoskins argues that these restrictions actively prevent many ex-offenders from establishing a place in their community, making them counter to the goal of reintegration (Hoskins 2014). Furthermore, Hoskins argues that while collateral consequence laws cause more harm than good and should be eliminated, if legislators decide they must exist, "such policies should be tailored as much as is feasible to avoid over-inclusiveness;" in other words, collateral consequence laws have to be very strictly tailored to ensure they do not affect more people than necessary (Hoskins 2014, 44).

More recently, in 2017, Gabriel Chin built on this research to propose a list of reforms to collateral consequence laws. She argues that currently, they are too difficult for both ex-offenders and legal professionals to understand and must be more specifically tailored to make them fair and just. She specifically recommends that collateral consequences should be: "(1) collected and published, so that defendants, lawyers, judges and policymakers can know what they are; (2) incorporated into counseling, plea bargaining, sentencing and other aspects of the criminal

process; (3) subject to relief so that individuals can pursue law-abiding lives, and regain equal status; and (4) limited to those that evidence shows reasonably promote public safety" (Chin 2017, 1). In a response to Chin's work, Milena Tripkovic focuses on Chin's last requirement, that collateral consequence laws should specifically be used to promote public safety, to determine if this requirement is underinclusive (Tripkovic 2017). Tripkovic finds that Chin's standard is effective in most cases, but argues that there may be "other possibly legitimate reasons to impose some of the collateral consequences that exist today" (Tripkovic 2017, 20).

Despite the growing scholarship discussing collateral consequences and how they make it more difficult for ex-offenders to reintegrate into society, there is a lack of empirical evidence supporting this claim. Tracy Sohoni attempts to support this claim with quantitative analysis by conducting a study comparing the rates of recidivism across states based on how restrictive the collateral consequence laws in those states are (Sohoni 2014). Sohoni ultimately found that there is a negative correlation between strictness of collateral consequence laws and recidivism, meaning that states with more restrictive laws had lower rates of recidivism. While this data was very surprising and seems to go against a lot of previous scholarship, it could mean that these laws discourage people from reoffending (Sohoni 2014). Despite this conclusion, Sohoni admits that she relies on aggregate not individual data, which could lead to flawed conclusions.

With the body of research surrounding collateral consequences growing, researchers are beginning to turn toward more specific topics of study. Recently, analysis concerning the impact of Covid-19 on collateral consequences has begun. Golembeski, Irfan, and Dong found that the Covid-19 pandemic has only exacerbated the problem of food insecurity that many formerly incarcerated individuals face, as thousands of offenders were released from prisons and jails to prevent the spread of Covid (Golembeski, Irfan, and Dong 2020). This research just stresses how impactful collateral consequence laws can be on ex-offenders and how important it is to continue to study these laws so we can understand exactly how ex-offenders deal with them.

Incarcerated Women and Girls

As mass incarceration has increased and research surrounding it has become more well-rounded, scholars have started to point out that women are often left out of the conversation. This realization has led to an increase of research focusing on the experiences of women and girls in the criminal justice system, but there is still a distinct lack of it. There is an assumption that incarceration and policing will impact women the same way it will impact men and that the criminal justice system is gender neutral, but this is not true. Saxena, Messina, and Grella were early to this conversation, finding that gender-responsive substance abuse treatment for incarcerated women can greatly help them recover from past trauma (Saxena, Messina, and Grella 2014). This study reveals how important it is for treatment both during and after incarceration to be specifically designed for women. Assuming that the criminal justice system is gender neutral can have devastating consequences for women.

Continuing research surrounding female incarceration covers a wide range of topics. Opsal analyzes how after release, women use employment and work not just as a way to provide financial stability, but to establish a post-incarceration identity and reintegrate into society (Opsal 2012). Using a survey of women in high-security prisons, Harner and Riley found that having trauma-informed care in prisons is imperative to protecting the mental health of incarcerated women (Harner and Riley 2013). In their analysis of data concerning pregnant women in prison,

Bronson and Sufrin find a significant lack of data and argue that tracking prison pregnancies is essential to ensuring incarcerated women get proper pre-natal care (Bronson and Sufrin 2019). A recent study found that after incarceration women tend to have more sexual partners, which could lead to increased risk of contracting STIs (Knittel et al. 2020). While focusing on different aspects of the female incarceration experience, all these studies indicate that incarceration cannot be assumed to be gender neutral.

Along with the increased research concerning incarcerated women, there has been an increased focus on how both race and gender impact incarceration. In 2012 Kimberlé W. Crenshaw was one of the first scholars to examine this relationship. She argued that the war on drugs forced many women and girls into the criminal justice system, making them the " fastest growing populations under criminal supervision" (Crenshaw 2012, 23). Yet, much of the discourse surrounding the criminal justice system, especially discourse that involves discussion of race, fails to consider how women are impacted by it. A lot of attempts to reform the system leave women, specifically Black women, out of the conversation, forcing them to fend for themselves in a system that is not designed for them. Along with Crenshaw's research, Dorothy Roberts also analyzed how over policing disproportionately impacts poor women of color (Roberts 2012). In her work, Roberts finds that the prison and foster care system "work together to maintain unjust social hierarchies in the United States" by punishing Black mothers (Roberts 2012, 1500).

Finally, and most relevant to this research, a few researchers have examined how collateral consequence laws specifically impact women. Torrey McConnell argues that research concerning the increasing number of incarcerated women that takes an intergenerational approach is paternalistic and fails to truly address the issues of increased female incarceration; in other words, by focusing on how female incarceration impacts children and families, researchers decenter women in their analysis (McConnell 2017). McConnell's (2017) analysis focuses on the fact that women are more likely to be convicted of "crimes of survival" than men. During the War on Drugs, the federal government passed legislation placing disproportionate collateral consequences on crimes of survival and since women are convicted of crimes of survival more often than men, they are more impacted by collateral consequence laws. In order to counter these impacts, McConnell proposes a comprehensive approach that includes "sentencing reforms, gender-focused treatment programs, employment legislation, access to public benefits, and community-based sentencing alternatives" (McConnell 2017, 493).

George Lipsitz continues this research by examining the intersections of collateral consequence laws, race, and gender (Lipsitz 2011). He finds that women of color are often forced to take plea deals when they are charged with a crime, which leads not just to incarceration, but collateral consequences that will have immense impacts on the rest of their lives. These women already face extra barriers when it comes to finding employment and housing, and these restrictions that they face after incarceration only make it more difficult for them to support themselves and their families (Lipsitz 2011). In order to respond to these issues, it is imperative that policies reforming collateral consequence laws consider both race and gender.

A lot of the unique challenges that women face during incarceration can also follow them as they return to their communities after they are released. Women returning to their communities often need gender responsive treatment and support to help them transition back into their communities (Berman 2005). The challenges that women face in reentry differ from those that

men face in many ways, Berman highlights a few: women are more likely to have a history of sexual and physical abuse, women deal with substance abuse and mental illness in unique ways, women are more likely to be economically disadvantaged, and women are likely to have to care for their children and families. Berman examines the experiences of women returning to their communities within five "basic life areas," subsistence/livelihood, residence, family/relationships, health/sobriety, and criminal justice compliance and in all these areas finds that women benefit from gender responsive services (Berman 2005).

Additionally, and most relevant to my research, Berman briefly touches on how women in rural and urban environments may need different types of support after incarceration. "Rural communities tend to have fewer housing options and other services and women are more likely to need to rely on family and friend networks to avoid homelessness. While that could be a positive development if the family is sufficiently healthy and supportive, it could also place a woman back in a situation that is either dangerous and/or conducive to relapse" (Berman 2005, 23). Berman posits that limited access to resources makes women in rural areas more reliant on support from their community, something I will examine further in my research.

The Urban Rural Divide of Incarceration

I will now shift slightly from looking at research concerning collateral consequence laws to examine what research has been done on crime in urban and rural spaces. There is currently a distinct lack of research analyzing how collateral consequence laws impact ex-offenders differently in rural and urban areas, and I hope to fill this gap in research with this study. Urban spaces are almost always associated with crime and are presumed to have higher rates of incarceration than rural areas, but recent data shows an increase in rates of incarceration, specifically jail incarceration are rising in rural areas (Henrichson and Fishman 2016). With this new data, many researchers began to take more of an interest in the impacts of incarceration in rural areas. Recent analysis has sought to understand what factors influence the different rates of incarceration in rural and urban spaces and has sought to understand how crime and incarceration may differ in these spaces (Eason, Zucker, and Wildeman 2017; Weiss Riley et al. 2018; Bonds 2009; Thorpe 2014; Simes 2018). While these authors do not agree on how exactly incarceration differs in rural and urban areas, they do agree that it does differ, and I will be examining these differences more in my work.

Other scholars still have looked at how mass incarceration impacts rural and urban communities, which will be most useful for my research since collateral consequence laws influence community reintegration. In his research specifically examining urban communities Nicholas Freudenberg found that community health is heavily tied to incarceration policies; he argues that supporting ex-offenders with community and social services will support reintegration and uplift the community as a whole (Freudenberg 2001). In another study concerning the health of incarcerated women, researchers found that women incarcerated in both rural and urban areas faced significant health problems, but that urban women reported higher levels of health service utilization (Staton-Tindall et al. 2007). Furthermore, rural women that used community services before incarceration had better mental health while incarcerated.

With the rate of female incarceration increasing, despite nationwide attempts to curb mass incarceration, it is incredibly important to study and understand how incarceration impacts women and girls. Specifically, understanding how collateral consequence laws will impact how

women exiting incarceration will interact with their communities is essential to limiting recidivism and promoting community reintegration. When analyzing the relationship between incarcerated individuals and their communities, it is also important to acknowledge that not all communities will be impacted the same ways, which is why this research will seek to understand why female incarceration tends to be higher in rural areas than urban areas and what these means for the women returning from prison and the communities they are returning to. Collateral consequence laws will most likely impact these women and their communities differently in these different settings and understanding these differences will make it possible to improve their reintegration into communities after incarceration.

Study Design

The goal of this research is to determine if similar collateral consequence laws impact ex-offenders differently in rural and urban environments. I predict that in comparing states with similar collateral consequence laws, women in those with predominantly urban communities will have more negative experiences returning to their communities than women in predominantly rural states. Since people in urban environments tend to rely more on many of the social services to which ex-offenders lose access to (Allard 2004), and access to these resources can be incredibly important for people returning from incarceration (Yang 2017), it will be more difficult for women in this environments to reintegrate into their communities. To test this hypothesis, I will be completing a case study comparing two states, one considered rural and one urban, with similar collateral consequence laws to determine how the urbanity of an environment impacts the experiences of formerly incarcerated individuals. The states I will be comparing are New Jersey and North Dakota, the table below summarizes the basic reasons for selecting these two states:

Table 1: Case Selection Comparison

Variable	Case 1: New Jersey	Case 2: North Dakota
Controls		
Poverty rate	9.98%	10.68%
Per capita income	$54,502	$53,219
Percent of families with children	42.95%	43.82%
Percent Single Female Headed Families with Children	8.84%	8.19%

Percent of population with high school degree or higher	90%	93%
Percent of population with bachelor's degree	24.24%	21.80%
Percent of population receiving SNAP benefits	8.05%	6.51%
Collateral Consequence Laws	Not harsh	Not harsh
Cause		
Hypothesis: State urbanicity	Urban	Rural
Predicted Outcome		
Experiences of women returning to their communities after incarceration	Women will have a more difficult time reintegrating into their communities. They will have higher recidivism rates, lower rates of employment, experience more housing insecurity, and find less support in their transition back to the community.	Women will have an easier time reintegrating into their communities. They will have lower recidivism rates, lower rates of employment, experience less housing insecurity, and find more support in their transition back to the community.

I will be comparing the post-incarceration experiences of women in these two states on three different levels. I will first look at recidivism rates among women in these two states to determine if they are able to establish a place in their community outside of incarceration. Second, I will examine the lives of women after incarceration by looking at housing and employment data. Finally, I will examine the personal experiences of women returning to their communities in these states to figure out how these women actually see collateral consequence laws impacting their lives. I predict that women in New Jersey (the urban state in my analysis) will have higher rates of recidivism, find less success in community supervision programs, and will all around face more challenges when returning to their communities than women in North Dakota.

Definition and Explanation of Variables

The vast majority of the control variables in this study are quantitative, have relatively simple operational definitions, and are taken directly from another source. Below is a table containing the source and definition for each control variables (except collateral consequence laws, which will be addressed later) to make it clear exactly what each variable is measuring:

Table 2: Operationalization of Control Variables

Variable	Source	Definition
Poverty rate	"Estimated Percent of All People That Are Living in Poverty as of 2015-2019." 2015	A person is considered in poverty if their family income is lower than their family threshold
Per capita income	"How Rich Is Each US State? | Chamber of Commerce" 2021	2018 state GDP divided by 2018 state population
Percent of families with children	"Estimated Percent of All Families That Have Children, between 2015-2019." 2015	"Estimated percent of families that are living with their own children, between 2015-2019. A family consists of a householder and one or more other people living in the same household who are related to the householder by birth, marriage, or adoption."
Percent Single Female Headed Families with Children	"Estimated Percent of All Families That Are Single Female Headed with Children, between 2015-2019" 2015	"Estimated percent of families that are single female-headed families (female households with no husband present) with own children, between 2015-2019."
Percent of population with high school degree or higher	"Educational Attainment by State 2022" 2022	Percent of state population that has received at least a high school degree
Percent of population with bachelor's degree	"Estimated Percent of People with a Bachelor's Degree, between 2015-2019." 2015	"Estimated percent of population 25 years and older with a Bachelor's degree, between 2015-2019."
Percent of population receiving SNAP benefits	"Percent of Population That Received Food Stamps in July 2018" 2018	The number of Food Stamp recipients in July 2018 divided by the Census Population Estimate.

The final control variable, and arguably the most important for this analysis, collateral consequence laws in the states, is more complicated than the other variables. Since each state has

hundreds of pieces of legislation that impact collateral consequences for ex-offenders, it is difficult to easily condense down into one variable, but for this study, I am going to try. The basis for this variable is the ranking system created by the Collateral Consequence Research Center (Love and Schlussel 2020). This system ranked every states collateral consequence laws based on nine factors: (1) loss and restoration of voting rights (2) pardon (3) felony expungement, sealing & set-aside ("felony relief") (4) misdemeanor expungement, sealing & set-aside ("misdemeanor relief") (5) non-conviction relief (6) deferred adjudication (7) judicial certificates of relief (8) employment and (9) occupational licensing (Love and Schlussel 2020). In this system, New Jersey was ranked 12th and North Dakota was ranked 10th.

This scorecard considers barriers when it comes to voting, employment, and access to records, all very important aspects of collateral consequence laws, I also wanted to ensure that the two states have similar laws about access to welfare programs like Temporary Assistance for Needy Family (TANF) and the Supplemental Nutrition Assistance Program (SNAP). Looking at the North Dakota and New Jersey statues surrounding access to TANF and SNAP, they both place similar restrictions on the programs. Under New Jersey law, previously incarcerated individuals are not eligible for TANF or SNAP and those convicted of drug felonies must undergo additional treatment before they can be eligible again (N.J. Admin. Code § 10:87-11.2, N.J. Admin. Code § 10:90-18.6, N.J. Admin. Code § 10:90-2.8). Similarly, the North Dakota statutes ban participation in TANF and SNAP while incarcerated and impose more strict rules on those convicted of drug crimes, banning them from receiving support for seven years after their last felony conviction, with some exceptions (ND Admin Code § 75-02-01.2-79, ND Admin Code § 400-19-45-95-10, ND Admin Code § 430-05-75-25). Based on the ranking by the Collateral Consequence Research Center and my own analysis of state laws on welfare programs, I have categorized both North Dakota's and New Jersey's collateral consequence laws as "not harsh," at least when compared to other states.

The independent variable in this study, the urbanicity of the selected states, is also not as easy to analyze as many of the control variables. Since I am conducting this research at the state level, it was necessary to find one state that is predominantly urban and one that is predominantly rural. To determine which states I would consider rural and urban for this project, I relied on a report by the CDC that categorized each county in the U.S. into one of six classifications: large central metro, large fringe metro, medium metro, small metro, micropolitan, and noncore (Rothwell, Madans, and Arispe 2014). I classified an "urban state" as any state with only large central metro, large fringe metro, and medium metro counties and "rural states" as any state with a majority of counties classified as micropolitan or noncore with only minimal counties classified as small metro. By these definitions, New Jersey is considered urban and North Dakota is considered rural.

My overall dependent variable in this research is what the experiences of women are after they return to their communities from incarceration, but I will be dividing this into multiple variables (recidivism rate for women, employment rates and houselessness rates after incarceration, and personal experiences of women) to make it easier to analyze. The recidivism rate is the percent of female offenders that reoffend within three years of release. This percent is specifically women that were rearrested, so this does not necessarily mean they were reincarcerated. This definition of recidivism is consistent with the Association of State Correctional Administrators' (ASCA) definition of recidivism which is also the definition used by the North Dakota Department of Corrections (Beitsch 2017). Employment rates are based on

the percent of formerly incarcerated women that are able to secure any form of employment within two years of being released. The definitions for housing rates differ slightly between the two states. The definition for North Dakota is any houseless woman that had been incarcerated at any point in 2021; the definition for New Jersey is any houseless woman that listed jail or prison as their prior residence or listed incarceration as their primary cause of houselessness.

For my final dependent variable, the personal experiences of women after incarceration, the definition is more complicated since it is not quantitative. I will be focusing on how women specifically interact with their communities as they are leaving incarceration and if they are able to establish lasting connections in their communities. This variable will measure how easy it is for women to establish a life after incarceration with a specific focus on connecting with their communities as well as how easy it is to find healthcare, housing, and employment.

Methods of Analysis

The independent variable for my study concerns the experiences of women returning to their communities and how successfully they reintegrate. I will be examining this variable using three sets of information: state recidivism data, data on the state of women after incarceration, and the personal experiences of women returning to their communities. Together, all this data will allow me to determine if the experiences of women returning to their communities in North Dakota and New Jersey differ. I will be focusing on data from the last five years to ensure that the laws are still similar to the ones currently in place, but at some points I pull from older data to provide some context for more current data. I am also considering the re entry period for my research the time from first release to three years after release.

I will be able to access state recidivism data through the state governments as well as through some federal sources like the Department of Justice and this will give me a good starting point to determine if the women in these states were ultimately able to establish a place in their community post-release. If a woman returning to her community is unable to find housing, employment, or provide for her family, all things that may be affected by collateral consequence laws, she may have to turn back to crime to survive. So, understanding the recidivism rate among women is important to understanding how collateral consequences impact their post-incarceration experiences.

To complement this recidivism data and to achieve a more detailed understanding of the experiences of women returning to their communities and how they are readjusting to life after incarceration, I will also collect data on housing and employment rates for formerly incarcerated women. This data will help add depth to the recidivism data I find by providing me with a more nuanced understanding of the challenges women face when reentering their communities after incarceration. I will not be able to find this data directly from the state governments since they do not track ex-offenders unless they are participating in probation or parole, so I will have to turn to other sources for this information.

For housing data, I am specifically trying to determine if women were able to secure stable housing after their release or if they are experiencing homelessness. So, while it will be difficult to figure out how many women were able to get housing, it will be easier to determine if they were not able to. Every year the U.S. Department of Housing and Urban Development requires states to complete a Point-in-Time Count of all people experiencing homelessness in the country. This count is conducted by volunteers across the country, usually organized by a non-profit organization within each state. In New Jersey this organization is Monarch Housing Associations

and in North Dakota this organization is the North Dakota Continuum for Care. Volunteers for these Point-in-Time attempt to speak with all persons living in emergency shelters, transitional housing programs, safe havens, and living on the streets or other locations not fit for dwelling. When they speak with these people, they ask a variety of questions about their demographics and situation.

The questions volunteers ask vary between states, but both states collect data on the last place a person lived before the time of the Count, with jail or prison being an option. While the complete datasets from the Point-in-Time Counts are not published, I will reach out to these organizations to collect data on the percent of homeless women that were in prison or jail directly before experiencing homelessness. I will specifically be asking for the number of women that list jail or prison as a prior residence and the total number of women included in the count, this will give me a sense of how many unhoused women in these two states were incarcerated before. Although this data is not perfect, as it will only account for women that were in jail or prison immediately before the Point-in-Time count occurred, it will give me a sense of how being incarcerated can impact a woman's ability to find housing.

Finding data on employment rates for formerly incarcerated women will be more difficult, as this is not as actively tracked by any organizations. Even though this is not specifically tracked by the government or any organizations, there has been some research done on employment for ex-offenders that will be able to help with my research. In "Work and opportunity before and after incarceration" Adam Looney and Nicholas Turner use a combination IRS database of incarcerated individuals and tax returns from those individuals to determine employment rates for ex-offenders (Looney and Turner 2018). They have released the data that they used for this research, which includes data on the employment rate two years post incarceration for men and women divided by state. Unfortunately, Looney and Turner did not calculate the employment rates if the sample size was below 100 people, which was the case for women in some states, including North Dakota. Ultimately, Looney and Turner calculated the male and female employment rates for forty-three states and the federal rate and the male employment rates for all fifty states. So, to get the data necessary for my research, I will create a scatter plot comparing the employment rate for men and the employment rate for women with the forty-four points available and then graph a regression line for this data. I then will calculate the female employment rate in North Dakota and New Jersey using the equation for the regression line and the employment rate for men in North Dakota and New Jersey respectively.

Finally, I will research the specific experiences of women in these communities to complete my understanding of what their life is like after incarceration. For this research I will rely on firsthand accounts from and interviews with women that have been incarcerated and are now returning to their communities in the two states. I will not be conducting my own interviews for this research, but rather relying on past research studies done as well as interviews done by organizations and publications. I will start by identifying organizations that do work researching and combatting mass incarceration and unjust criminal justice policies like the Urban Institute, the Prison Policy Initiative, and the Vera Institute for Justice to see if they have blogs or reports highlighting the stories of women returning to their communities, specifically identifying stories of women in North Dakota and New Jersey.

From there, I will identify organizations and resources specifically serving formerly incarcerated individuals from these states. I specifically identified resources that served the entire state and either focused on women or had services designed for women. I also only selected

organizations that I was able to get in touch with, as many did not have up-to-date phone numbers. For New Jersey I will focus on the Reentry Coalition of New Jersey, the New Jersey Reentry Corporation, and Education & Health Centers of America. For North Dakota I will focus on the Centre Fargo Female Transition Facility, Ministry on the Margins, and F5 Project. By determining what resources are offered to these women and what advice advocacy organizations provide women in these states, I will be able to gain an idea of what barriers women in these states will face. I will also reach out to these organizations and ask the employees that work with these individuals every day about what issues women specifically face when returning to their communities. I will rely on a specific set of questions to ask all the organizations I am able to get in contact with, but I will also ask additional questions based on the answers they provide. The questions I will be asking are:

- How does the work your organization does support ex-offenders?
- What issues do you see women facing as they reenter their communities?
- How do collateral consequence laws impact the ability of women to reintegrate into their communities?
- What resources do women have access to through your organization and other organizations in the state?
- Do you see a difference in the challenges that women in rural and urban environments face as they return to their communities?

To finish this research, I will search through local newspapers, news reports, and other publications from New Jersey and North Dakota for reports and stories about formerly incarcerated women that are reintegrating or have reintegrated into their communities. I will specifically search the websites of local newspapers like NJ Spotlight News, NJ.com, and Tap into for New Jersey and the Bismarck Tribune, the Billings Gazette, and Grand Forks Herald for North Dakota. Based on preliminary research, these seem to be the most common papers for local news in New Jersey and North Dakota respectively. In addition to searching these sites, I will also rely on databases like NexisUni and Factiva to search multiple papers at once for articles concerning women returning to their communities after incarceration in these two states. For this search, I will use keywords like "women," "female," "incarceration," "community reentry," "ex-offenders," "formerly incarcerated," and "reentry." These articles will help supplement the rest of the data that I collect on reentry for formerly incarcerated women and give me a more well-rounded idea of what challenges women face after incarceration and how difficult it is for them to reestablish their lives.

I suspect that the data I find through this last phase of analysis will be more difficult to properly analyze than the quantitative data I collect in the first steps, so I will rely on the quantitative data from recidivism rates and communicating supervision and reintegration data to support the qualitative data I find. I expect that women in both states will face similar challenges, but women in New Jersey will have specific issues reintegrating into their communities. This will look like having more difficulty reaching out to family and friends, having access to fewer resources that focus on community building, and not feeling as accepted in their communities.

While conducting my qualitative research, I will specifically look at how women in these states handle employment, housing, and community building so I can compare it to the quantitative data I collect. Through all these different sources I will be able to able to gain an accurate understanding of the experience that formerly incarcerated women go through in New Jersey and North Dakota. With this data I will be able to compare the experiences of women in

the two states, to determine if I am correct about collateral consequence laws having a more negative impact on women in urban areas than women in rural areas.

Research and Results

I ultimately found that women in New Jersey are more impacted by collateral consequence laws so they had a more difficult time reentering their communities after incarceration, supporting my hypothesis that collateral consequence laws have more of an impact on women in urban areas, hampering their ability to return to and establish a life in their communities post-release. The rest of this section will go into more detail about how I reached these findings and what they mean for my hypothesis but below is a chart summarizing my research findings:

Table 3: Research Findings

Data Collected	New Jersey	North Dakota
Recidivism rate[1]	40.1%	29.9%
Homelessness rate	3.1%	2.9%
Employment rate	37.4%	62.6%
Reentry experiences	Women faced issues finding housing, employment, caring for children, obtaining healthcare, and finding community support from others that had not been incarcerated.	Women faced issues finding housing, employment, caring for children, obtaining transportation to resources, and mending ties with family members, but the role of community was stressed in reentry programs.

Female Recidivism Data

To begin this research, I wanted to develop a basic understanding of how women in New Jersey and North Dakota reintegrate into their communities by collecting data on recidivism among women. This data does not provide a complete picture of what returning to communities is like for women that have been incarcerated, but it helped to provide a base that I will build on with the rest of my research. The data that I will be using for these two states comes from two separate years, so there are potentially some other factors that influenced the difference between recidivism in these two states that I will keep in mind while analyzing my data.

The New Jersey recidivism rate for women in the 2015 cohort was 40.1% (Murphy, Oliver, and Hicks, n.d.). The recidivism rate for female offenders in North Dakota in 2017 was 29.9% (Bohn 2022). It is important to note, that using the ASCA definition, both of these numbers include women that were rearrested but might not have been incarcerated or even convicted; it also includes women who were rearrested for technical violations. So, while these numbers are

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[1] The recidivism rate represents the percent of women in a specific release cohort that were rearrested after three years. The New Jersey data is from the 2015 release cohort and the North Dakota data is from the 2017 release cohort.

broad, it provides an accurate idea of how many women may come into contact with the criminal justice system again after they have been incarcerated.

Women in New Jersey were over 10% more likely to be rearrested three years after release than women in North Dakota. This means that it is more difficult for women in New Jersey to establish a life for themselves after incarceration that does not involve crime, which supports my hypothesis. While collateral consequence laws obviously impact women in both New Jersey and North Dakota, they may have a stronger influence on women in New Jersey, limiting their ability to reintegrate into their communities post-incarceration. The rest of my analysis will attempt to determine what exactly makes it more difficult for women in New Jersey to establish themselves after incarceration.

Female Homelessness Data

Finding housing data for formerly incarcerated women is incredibly difficult, since after release, unless women are participating in a community supervision program, there is no entity that would be tracking their housing situations. So rather than approaching this data through organizations that track data on ex-offenders, I looked for housing data that may include information about incarceration within it. Using data from the yearly Point-in-Time Counts that states are required to perform by the federal government, I was able to find data on the percent of homeless women that were incarcerated before the Count occurred. While this data is limited, as it does not account for women that may have failed to find housing and are now living with family or women that may have found temporary housing immediately after their release, it still helps to determine if it is truly more difficult to find housing in urban areas than rural areas after incarceration.

To collect the data in New Jersey, I spoke with Kasey Vienckowski, an associate at Monarch Housing Associates, who was able to provide me with data on homelessness in New Jersey from the most recent Point-in-Time Count, which took place in 2022. This Count included data from 3,316 women who were experiencing homelessness at the time of the Count and of those 3,316 women, 27 of them listed jail or prison as their residence immediately prior to experiencing homelessness and 78 women listed recent incarceration as their primary cause of homelessness (Vienckowski 2022). This means that 3.1% of women experiencing homelessness on the night the Count was performed had been in jail or prison prior to experiencing homelessness.

The data I was able to access from the North Dakota Continuum of Care was also from the Count that took place in 2022. Kim Seitz provided me with the total number of women from the 2022 count, 1164, and the number of women who had been incarcerated at any point in 2021, 34 (Seitz 2022). This means that 2.9% of women surveyed in the North Dakota Count had been incarcerated in 2021.

Again, it is important to understand that this data only provides a glimpse into the housing conditions of women after incarceration. This data only accounts for women who were recently incarcerated before the Count and does not include women who were not actively homeless at the time of the Count but still did not have access to stable housing. The data from the two states also is not exactly the same data but is similar enough to be compared. These limitations will be discussed more later. But even with these limitations, the data from both New Jersey and North Dakota contains the same limitations, so they can be compared for the sake of this research.

Although the percentage of women who were incarcerated prior to experiencing homelessness is slightly higher in New Jersey (3.1%) than in North Dakota (2.92%), this difference is not large enough to draw any conclusions from. In order to determine if there is a significant difference between the percent of women experiencing homelessness after incarceration in North Dakota and New Jersey, it would be necessary to collect more data. While this data does not support my hypothesis, it is not strong enough data to disprove it, especially when analyzed with the rest of the data I have collected. This data suggests that finding housing is just as difficult for women in North Dakota and New Jersey, implying that at least when it comes to finding housing, collateral consequence laws do not impact women differently in urban and rural areas.

Female Employment Data

Because the data I obtained from Looney and Turner's 2018 research did not include the employment rate two years after incarceration for women in North Dakota, I could not just rely on the exact data, I instead had to run a linear regression analysis using the data I had access to in order to predict a value for female unemployment in ND. Although the employment rate for men and women was different for every state, there was a clear correlation, so by creating a regression line with the forty-four data points I had, I was then able to estimate the employment rate for women in a given state using the employment rate for men in that state (which I had for every state). While this will only result in an estimate, and thus not be as accurate as if I had access to the actual employment rate for women in these two states, it would still provide a sense of how easy it is for women in New Jersey and North Dakota to find jobs.

Figure 1: Regression line comparing employment rate for women with employment rate for men
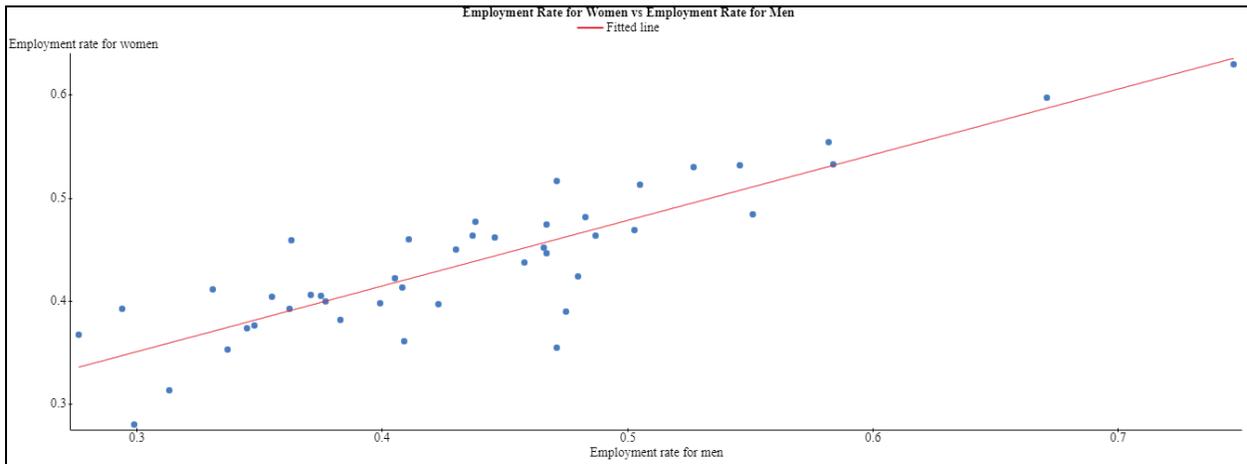
Above is the regression line I graphed using forty-four complete points of data. Each point represents one state or the federal average of all states. For this graph R=0.87 and R^2=0.75, meaning that this regression line is very accurate for predicting the Y value (employment rate for

women) based on a certain X value (employment rate for men). The equation for this line is Y = 0.16 + 0.64x.

Based on the data I obtained from Looney and Turner's research, the employment rate for men in New Jersey is 0.35 and the employment rate for men in North Dakota is 0.732 (Looney and Turner 2018). Using the equation above, I was then able to calculate that the employment rate for women in New Jersey is 0.374 (or 37.4%) and the employment rate for women in North Dakota is 0.626 (or 62.6%).

As I mentioned, since I am using estimates of the female employment rate for these two states, my data is slightly less accurate than if it had been possible to calculate it using the IRS and tax data. But the large difference between these two employment rates, implies that even if this estimate is slightly inaccurate, there would still be a significant difference between female employment rates in North Dakota and New Jersey. The New Jersey employment rate for women is almost 30% lower than the North Dakota employment rate for women. This means that women in New Jersey find it much more difficult to find jobs after incarceration than women in North Dakota do. Finding stable employment is incredibly important for anyone reentering their community after incarceration, but it is even more important for women, who are often responsible for caring for their children as well as themselves (Lipsitz 2011). If a woman cannot find employment soon after being released from incarceration it will be far more difficult for her to be able to establish a life for herself in her community.

The fact that more women in New Jersey struggle more to find employment after release than women in North Dakota supports my hypothesis that collateral consequence laws have a larger impact on women in urban environments. This is most likely because urban areas no longer offer as many opportunities for labor that do not require high levels of education as they once did, and many of the jobs available in urban areas require licenses, something that collateral consequence laws make it difficult for ex-offenders to access (Autor 2019). This means that when women exit incarceration, they are not just competing with each other for these positions, but also men being released as well as individuals that may not have high levels of educational attainment.

Female Reentry Experiences

As the final step of my research, I wanted to get a sense of the actual experiences of women returning to their communities in New Jersey and North Dakota. To accomplish this, I conducted a search of newspapers in the two states to find stories concerning the challenges that women face after incarceration. These stories helped me determine what issues were most discussed by the media which are often prominent issues in the lives of women post-incarceration, but this is also not the most accurate source of data since the news is influenced by a lot of outside factors. To compliment the newspaper analysis, I also researched organizations in New Jersey and North Dakota that assist ex-offenders with their transition back into their communities, I then read any stories these organizations had posted about women that they helped after incarceration and called them to ask directly about the challenges that they saw women facing as they reentered their communities.

New Jersey Analysis

Throughout my research, I analyzed eight articles from women in New Jersey, mostly from NJ.com, NJ Spotlight News, and TAPinto NJ as well as some from national outlets. Women in New Jersey face a wide variety of issues when they are returning to their communities, but one specific challenge that was addressed in almost all the articles I found was access to healthcare.

Part of this focus on healthcare is most likely because New Jersey recently instituted a program to help women find healthcare after incarceration (Nelson 2021; TAPinto Staff n.d.; O'Donnell 2021). Although this program most likely increased the number of articles highlighting the importance of healthcare, this does not mean it is still not incredibly important for women leaving prison to have. Other articles, not written about the new program, stress that women have needed access to reproductive health services and mental health services for a long time, so this issue is still incredibly relevant (Friedman 2009; Steele 2009).

Many articles also highlight how difficult it can be for women to deal with their family and their relationships. Incarcerated women are often recovering from sexual assault and abusive relationships, and it can be easy for them to return to their abusers if they do not have the proper support (Stainton 2019; O'Donnell 2021). This is also an issue that came up in almost every interview I had with representatives from reentry organizations. Women leaving incarceration are dealing with PTSD, anxiety and panic disorders, and sexual abuse without any real support system or healthcare to rely on (Unstence 2022). Women often do not address their trauma or substance abuse issues since they are focused on finding employment and housing, attempting to just push them aside, which of course makes it more difficult for them to readjust to life after incarceration (Adams 2022).

Another issue that was brought up both in the interviews I conducted and the articles I analyzed, was the importance of women having access to a strong support system to help them after incarceration. Although the amount of resources for ex-offenders has increased in recent years, most resources are geared to men and while women are not prevented from accessing these resources, they are often not as effective for women (McHugh 2022). Without resources that are directly aimed at women, women have to find other support systems to help them through their transition back into their communities (Unstence 2022). Often, these additional support systems come from family or friends, but women in urban areas may have less access to friends and family members who are not also readjusting to life after incarceration or involved in criminal behavior, making it more difficult for them to find a stable support system (McHugh 2022). Even if women do have family members that they could potentially turn to for support, they have often hurt their family members in some way, so their family may not be willing to take them in and help them find stability (Adams 2022).

Ultimately, I was able to speak with representatives from three organizations in New Jersey that assist offenders with their transitions: Reentry Coalition of New Jersey, New Jersey Reentry Corporation, and Education & Health Centers of America. When I asked my interviewees about the difference in the challenges that women in urban and rural communities faced, most felt that the challenges were not different, but rather heightened for women in urban areas (McHugh 2022; Unstence 2022; Adams 2022). They did mention that the demographics of women facing incarceration in urban environments is different; more Black and Latina women are incarcerated in urban areas, and their race is going to impact their experiences returning to their communities (McHugh 2022). Interviewees also stressed that the community women are returning to is very different in urban and rural areas. Urban communities are not as close-knit as many rural communities, so women in urban areas can struggle to establish a place in their community again after incarceration (Adams 2022). The organizations that I researched focused on connecting women with services to help them find jobs, healthcare, and housing rather than forming community; although community was still important, it was not the focus so a lot of women in

New Jersey rely more on government services than their communities for support when leaving incarceration (McHugh 2022).

Most of the support systems and programs available in New Jersey center on connecting women to resources that they can use. Kevin McHugh from the NJ Reentry Coalition explained how they identify what resources women need most and help them gain access to these resources. This organization starts by identifying how to help each individual, determining "these are reasons this person ended up here and these are the resources they need," then they start connecting people with resources "they get reintroduced to their family, they get an opportunity to find a job, they get an opportunity to earn some money, we help them with finding housing if they don't have it, all those sorts of things" (McHugh 2022). This quote highlights how methodical the methods in New Jersey are; they identify needs and they find resources to respond to those needs.

North Dakota Analysis
Unsurprisingly, my analysis showed that women in New Jersey and women in North Dakota face similar issues when returning to their communities, although to different extents. I analyzed sixth articles focusing on North Dakota, mostly from the Bismarck Tribune and the Billings Gazette. Some of the primary challenges that women have to face when returning to their communities are finding housing and employment to ensure that they are able to find stability after incarceration (Wernette 2015). Finding a place to stay and a way to make money is often the first priority for women when they exit incarceration (Erickson 2022). Laws impacting ex-offenders make it especially hard to rent, which is often all these women can afford, and employers tend to discriminate against them, making finding employment incredibly difficult (Arthaud 2022).

One of the major reasons that women in North Dakota wanted to find housing and employment is so that they can regain custody of their children and provide for their family (Emerson 2022). A lot of the time women's children are placed into foster care or left with family members while they are incarcerated, so once they are released regaining custody of their children can be a long and tedious process that can be incredibly difficult for women (Emerson 2022). And regaining custody is not the end of the struggle; these women often have not seen their kids for years (families are less likely to visit women in prison than men), so it can be incredibly difficult to rebuild the family dynamic they may have had before incarceration (Atkinson 2022).

For this research, I spoke to employees at four transition services in North Dakota: Centre Fargo Female Transition Facility, Ministry on the Margins, the F5 Project, and Bismarck Transition Center. One of the major challenges they listed for rural women returning to their communities was lack of access to resources; rural areas often lack transportation for these women to access services and offer fewer services to begin with (Arthaud 2022; Atkinson 2022; Erickson 2022). Like women in urban areas, women in rural areas often need support finding housing, employment, healthcare, and mental health services, but their environments may offer fewer of these resources.

Another issue I saw repeatedly mentioned when researching the experiences of women post-incarceration in North Dakota, was how hard it could be to reintegrate into their community, which are often very close-knit. Incarceration changes these women, they do not come back the same as they were before, and that can be hard for both them and their loved-ones to accept

sometimes (Martin 2017). This makes transition facilities and services even more important to these women, who might need some additional guidance as they try to navigate the new community dynamics they are dealing with, and this has been true for years (Michael 2008). It helps for women to be connected with resources directly in their community, as this will not just provide them with resources they need to help them reestablish their life, but will also help them reform connections within their community (Bismarck Tribune 2006; Grueskin 2016; Atkinson 2022). Women are often isolated very far away from their friends and family during incarceration because there are fewer facilities to hold them, which makes readjusting to their communities even more difficult (Salling 2020).

Community is strongly stressed in rural areas and there is often a strong bond holding communities together, which can be a "blessing and a curse" for women as they return from incarceration (Atkinson 2022). While close community ties can make it easier for women to reintegrate into their communities, especially if their family and friends are supportive, it may also make it next to impossible for women to "start fresh" (Atkinson 2022). Often, before women are incarcerated, they damage their relationships with their community, so family and friends may be reluctant to offer support without proof of real change (Arthaud 2022). In rural areas where community is such a large part of most people's lives, this lack of community connections can be incredibly damaging, especially for women that tend to rely on these connections even more than men (Atkinson 2022).

This emphasis on community was very clear in my interview with Sister Kathleen Atkinson of the Ministry on the Margins. She says that establishing a support system is their top priority because it "is primary and is going to make or break whether a woman is able to establish herself" (Atkinson 2022). The Ministry focuses on connecting these women with their families and communities, even organizing a group for families and women to get reintroduced. "We have a group for families both while they are incarcerated and after, to start that relationship early" (Atkinson 2022). This focus on creating relationships within families and communities was prevalent in a lot of my research on North Dakota.

Comparison

There is a lot of overlap between the challenges women in New Jersey and North Dakota face when returning to their communities after incarceration. Challenges finding affordable housing, stable employment, and caring for children were common themes throughout my research and seemed to be the top priorities for most women upon return (Emerson 2022; Adams 2022). Women in both North Dakota and New Jersey relied on transition services a lot to help them reestablish a life post-incarceration, but access to these services differed. While it seems that there were more organizations dedicated to supporting reentry in urban areas than rural areas, these resources were very overburdened and often could not offer the same direct support that rural services could (McHugh 2022); essentially, while services in rural areas can often offer extended one-to-one support for ex-offenders, urban services are dealing with way more cases and cannot commit the same amount of time or really establish a connection with those they help.

The clearest difference between the experiences of women in rural areas and urban areas was how their communities supported them. In urban areas, women often did not have family they could turn to or friends they could turn to who were not dealing with the same issues as themselves. This could make finding stability after incarceration very difficult. While the family

and friends of women in rural areas were returning to might be able to provide more support, they were often reluctant to, having lost their trust in these women (Erickson 2022). Many of the organizations in North Dakota I reached out to work to heal this broken trust, allowing women to reintegrate into their communities more comfortably (Atkinson 2022); the organizations in New Jersey focused more on connecting women with services and resources, and while community was important, it was not stressed in the same way (Unstence 2022). Without access to community support, women have to rely on support from the government, which can often come with a lot of contingencies and is very limited by collateral consequence laws, so quality community support is incredibly important for these women. Based on my research and analysis, the lack of focus on community in urban environments for women leaving incarceration, makes these women more reliant on government services, and therefore more impacted by collateral consequence laws.

Limitations and Opportunities for Further Research

My research is intended to start the conversation on how collateral consequence laws may impact women differently in rural and urban environments. As such, I did not have a lot of previous research on this subject to guide my research, so there are many limitations to my research and many places that others can build on in the future. This research is a starting point and while my findings support that collateral consequence laws impact women in urban environments more than women in rural environments, there is still a lot of research that should be done to confirm my findings.

While I was careful to ensure that the states I chose for this research were as similar as possible to avoid the influence of confounding variables, there are still some differences between New Jersey and North Dakota that could be responsible for the differences in the experiences of female ex-offenders I observed in this research. Primarily, the collateral consequence laws in these states are not exactly the same. I did choose these two states specifically because they had such similar collateral consequence laws and not only did my research find the state laws similar, but other research supported these findings (Love and Schlussel 2020). Despite this, I was not able to read and analyze every single law on the books in these two states concerning ex-offenders. It is possible that although the slight differences between the laws in North Dakota and New Jersey may not seem impactful, they do actually influence the experiences of women returning to their communities after incarceration.

Any research done comparing different states will encounter this problem, since finding two states with exactly identical collateral consequence laws is nigh impossible. One way to minimize this impact while examining states would be to limit the scope, focusing on one aspect of collateral consequence laws (voting, employment, housing, welfare, etc.). This would mean researchers would be comparing fewer laws, so it would be easier to find states with laws that do not differ as much. Although, even getting more specific, researchers would struggle to find the exact same laws in two states, so researchers may want to instead compare areas within the same state. This would ensure the laws governing the women in the areas of interest would be exactly the same, since the laws are set at the state level.

In addition to different collateral consequence laws, there are other demographic differences in the states that could have impacted this research. For example, New Jersey's prison population is predominantly Black and remains one of the states with the worst racial discrepancies in incarceration (Nellis 2021). The experiences of Black people and white people both during and

after incarceration differ greatly, and this could account for the variation I saw between the two states. North Dakota also has one of the highest employment rates in the country, which could explain why the employment rate for women after incarceration was so much higher in North Dakota than New Jersey ("State Jobs and Unemployment" 2022).

In order to address this issue, future research should expand beyond New Jersey and North Dakota. If this phenomenon exists when comparing other states, that would suggest it is in fact a pattern that exists across urban and rural areas. Researchers should compare other states with similar characteristics to see if it is possible for them to replicate this research. It is also important to replicate this research using units of analysis other than states, as this will allow for more specific and accurate research. Although New Jersey has very few rural areas and North Dakota very few urban areas, there are still a few (small) areas in each state that may not fit within the classification I assigned, and it is possible this influenced my results. Further research could compare the experiences of formerly incarcerated women in rural and urban areas within one state. This smaller scale research would ensure the laws remain perfectly constant between the units of analysis and would allow researchers to ensure that each area being examined is clearly fully urban or rural.

I was also limited by the data that I had access to which limited my ability to compare the experiences of women leaving incarceration in these two states. To begin with, I only examined a few aspects of women's lives after incarceration, specifically housing and employment, and community building; while these are certainly important challenges women face on return, there are a lot of other aspects of their lives impacted by collateral consequence laws, such as voting and access to welfare. I was not able to access any specific data concerning these issues, so I was not able to discuss it extensively in my research. Future research should expand on these issues. Additionally, the data I was able to collect is limited and cannot be used to make any strong conclusions. I was forced to estimate the employment rate for formerly incarcerated women, and while likely accurate, it would have been more convincing if I could calculate the actual employment rate. The housing data I was ultimately able to access also excludes a lot of female ex-offenders, only providing data on those who listed prison or jail as their prior residence. More detailed information on women that considers incarceration the primary cause of their homelessness and on women who were actually able to rent or buy a place to live without assistance would help make any conclusions sound.

Finally, because in my research I was looking at collateral consequence laws and their impacts generally, I was not able to go into immense detail concerning any of the areas I was researching. I was attempting to get a very general sense of how all collateral consequence laws impact women returning to their communities, so I had to select variables that I thought would best help me accomplish this. The dependent variables I chose to look at and the collateral consequence laws I focused on when comparing the states, concerned the issues that most impact women as they exit incarceration, but there are of course other variables. Looking into other variables will help to build on my research and make it more well-rounded. It will also help to conduct more narrow versions of my research focusing on just one aspect of collateral consequences laws (housing, employment, health care, etc.). More specific research will help to build on the research presented in this paper and determine if my conclusion can be applied in other scenarios.

Conclusion

Understanding how collateral consequence laws impact women differently in urban and rural environments is incredibly important as many states begin to repeal or change these laws. If legislators want to change these laws to limit the impact they have on ex-offenders while still protecting the public, they need to understand what aspects of these laws hurt ex-offenders the most so they can change them. Criminal justice reforms often assume gender-neutrality, operating on the assumption that reforms that benefit men will also benefit women, but this is not always true, women are often dealing with additional trauma and face gender discrimination before, after, and during incarceration (Berman 2005). In order to ensure that reforms to collateral consequence laws impact women equally, it is necessary for legislators to consult research analyzing how women are impacted by collateral consequence laws. Furthermore, these changes may not impact women in urban and rural areas equally, so local reentry organizations and activists should be aware of what additional support women in their areas may need.

The research presented here suggests that women living in urban areas may be more negatively impacted by collateral consequence laws than women in rural areas are. While more research is needed to confirm if this is a pattern that can be applied to all rural and urban areas, not just New Jersey and North Dakota, this research provides a starting point. I examined a few different variables to get a sense of how collateral consequence laws impact women, most of which imply that these laws are more impactful on women in urban environments. Women in New Jersey had a higher recidivism rate than women in North Dakota, highlighting that they struggle to build a life for themselves without turning to crime. Additionally, women in New Jersey had lower rates of employment, showing that collateral consequence laws make finding stability after incarceration more difficult for women in urban areas. Although the data on housing I collected did not suggest that there is a difference in the number of homeless women that were formerly incarcerated in North Dakota and New Jersey, the rest of my data suggests that the experiences of these women do differ. Finally, the research I conducted on the personal experiences for incarcerated women revealed that community building is a focus in a lot of North Dakota reentry services, while women in New Jersey are connected to services that will make them more reliant on government assistance. My findings suggest that women in urban areas will feel the impacts of collateral consequence laws more than women in rural areas, opening this topic up for further research and development.

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