



*Research Article*

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## **Reentry Education in Women's Prisons: A History of Activism and Reform in the Midwest**

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### **Abstract**

In the 1970s, incarcerated women challenged gendered and racialized prison curriculums that failed to set them up for reentry. Prisons relied on home economics courses steeped in gendered stereotypes that did little to help women find economic independence once they were free. Relying on ideals of the civil rights movement and women's liberation, incarcerated women built coalitions with activists and attorneys to pursue litigation and reform that sought equality and meaningful opportunities for women. This article explores the ways incarcerated women demanded equal access to reentry, education, job training, and the courts. It draws on prison litigation and traces reentry proposals and their shortcomings. Focused on prisons in the Midwest, the article analyzes archival documents from civil rights groups, federal courts, state archives, historical newspapers, and private collections to demonstrate how incarcerated women advanced principles of social justice movements through their work on prison reform and reentry education.

**Keywords: Prison reform, Equality, Incarcerated women, Reentry, Gender**

### **Introduction**

In 1986, a formerly incarcerated woman reflected on the lack of educational programs that had been available while she was incarcerated in Indiana. She told *The Indianapolis Star*, "The prison wants to keep prisoners illiterate. Illiterate and stupid makes for a smoother program." She was not alone in her frustration. Another incarcerated woman contended, "I would like to see us get a full-time education counselor. Someone actually qualified to help us. We're supposed to learn to accept responsibility, and we're not given any. You can't learn if you can't practice." The prison offered a paltry number of courses that were largely preparing incarcerated students for homemaking. There was a cosmetology class, but the prison prohibited women from touching each other, making it difficult to engage in meaningful training ("Women say courses are for benefit of prison," 1986). With the help of the American Civil Liberties Union (ACLU) National Prison Project, incarcerated women had filed a

federal lawsuit alleging sex discrimination in Indiana's women's prison in 1981 and they were increasingly frustrated with the gap in opportunities between men and women's prisons several years later. Prisoners recalled how the state constructed an education building in 1983 under the threat of further litigation, but it sat vacant for an entire year (Segal, 1986).

Incarcerated women, especially in midwestern prisons, complained, organized, and battled punitive politics. In the 1970s and 1980s, they demanded that prisons deliver on their promise to offer meaningful reform through education. They deployed arguments seeking equality in job training, education, and experiences that would pave the road for a smooth transition toward freedom. Their efforts sparked new plans for prison reform and highlighted how political framings of racial and gender equality outside the prison influenced reform proposals for improving reentry education and prison conditions for women. Midwestern prisons had benefitted from reform movements in the Progressive era, that had established separate state prisons for women and implemented curriculums based on gender differences. Those courses were left largely intact for much of the twentieth century. Indiana had a "Family Living" program for incarcerated women, with courses offered on three-month terms that included sewing, home cooking, and household budgeting. One instructor refuted a description of the courses that said they amounted to outdated "Suzy homemaker" classes and argued that skills gained in the domestic arena translate directly to professional settings ("Prison educators know their classes won't benefit all," 1986). Those programs struck many prisoners as useless by the 1970s. Major federal lawsuits arguing for gender equality in prison programs were filed by incarcerated women in midwestern prisons. Workers in major cities like Detroit and Chicago and smaller regional industrial hubs like Gary, Indiana also navigated late-twentieth century neoliberal economic shifts. Meanwhile, the rapid expansion of punitive policing, harsh sentencing, and overcrowded prisons depleted political power and economic opportunities in urban areas (Thompson, 2010). The convergence of these factors make the Midwest a compelling region to analyze reentry education and reform in women's prisons. In the final third of the twentieth century, incarcerated women joined the prisoners' rights movement, a legal, political, and social movement in which incarcerated people sought major prison reform, expansion of civil rights, and changes to their social standing in American society (Berger, 2014; Thuma, 2019). Incarcerated people expressed different demands of this movement through rebellions and a litany of class-action lawsuits. For example, the 1971 killing of George Jackson, an incarcerated Black man in California's San Quentin prison, ignited protests across the country. The Attica prison uprising occurred a few weeks later when incarcerated men usurped control of the prison and issued a series of practical demands and proposals for reform. During the violent takeover of the prison, the state of New York killed over forty people (Thompson, 2016)

On a basic level, incarcerated people who participated in the prisoners' rights movement demanded humane treatment. For example, the Attica Brothers stated, "WE are MEN! We are not beasts and we do not intend to be beaten or driven as such... What has happened here is but the sound before the fury of those who are oppressed" (Attica Brothers, 1971). The proposals that emerged from prison rebellions were far reaching, but many emphasized education and reentry. This article will focus on the organizing in women's prisons primarily in the Midwest, where incarcerated women focused their efforts on securing rehabilitative programs and accessing educational and vocational training that would help them live meaningful, economically independent lives once they regained their freedom.

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Scholars have examined how mass incarceration bulldozed communities of color across the country and created huge disparities in economic, political, and social resources (Alexander, 2010; Gottschalk,

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2006; Thompson, 2010; Van Cleve, 2016). This article contributes to a growing carceral studies field that examines how incarcerated people critiqued the prison and worked toward a more humane criminal legal system, even as it rapidly expanded. Incarcerated women focused their demands on education, job training, and reentry resources. In the wake of prison uprisings in the late 1960s and early 1970s, state legislatures grew nervous that their own prison systems were vulnerable to protests as they watched incarcerated people briefly seize control of large prisons in several states (Berger, 2014; Thompson, 2016). Building upon the momentum of what Dan Berger and Toussaint Losier have called the “prison rebellion years” from 1968 to 1972 (2018), incarcerated women seized an opening when states feared their prison system would host the next major rebellion. Women created proposals and presented reforms to prison wardens, state officials, and federal courts to remedy the massive gaps in opportunities for incarcerated women and men.

This article analyzes documents from state archives, historical newspapers, and litigation focused on reform and reentry to explore how different expressions of the prisoners’ rights and women’s movements sustained critiques and reforms in women’s prisons. With a focus on education and rehabilitation, incarcerated women encouraged state officials to nurture a humane, equitable, and rehabilitative criminal legal system, but they confronted insurmountable obstacles in institutions. The article begins with a discussion of early-twentieth-century reentry and penal reform in women’s prisons. The article then provides analysis of major class-action lawsuits in the Midwest. Tracing the movement for equal treatment and access to educational and vocational training in late-twentieth-century women’s prisons provides an avenue to explore the parameters of debates regarding reform and educational opportunities that ultimately generated new conversations of justice and rehabilitation in the final decades of the twentieth century.

Reentry programs in prisons encompass courses that supply incarcerated people with skills, tools, and resources to successfully transition from the prison to freedom. Criminologist Joan Petersilia defines reentry programming in the following way: “...all activities and programming conducted to prepare [formerly incarcerated people] to return safely to the community and to live as law-abiding citizens” (Petersilia, 2003, p.3). This article focuses on the ways incarcerated women articulated the desire for resources supporting a diffuse and historically devalued transition. Reuben Miller contends reentry should be understood as an “interactive process and a social institution...” because, “It is at once an event in the lives of almost all prisoners, something almost all former prisoners do, and something that is done on their behalf” (2014). This article embraces the application of a broad definition of reentry education and advances the idea that educational, vocational, and reentry programming support incarcerated people working to build their lives beyond the prison.

### **Shortcomings of Mid-twentieth-century Women’s Prison Reform**

**T**he model of a more benevolent, feminine method of incarceration was steeped in gendered norms and gained popularity in women’s prisons across the Midwest. Indiana opened the country’s first women’s reformatory in 1873, and the institution embraced what scholar-activist Angela Davis calls, the “feminization of public punishment,” which had origins in England and prison leaders reinterpreted it for American institutions. Indiana’s women’s prisons upheld the explicit goal of educating incarcerated women for their gendered roles in the home. The programs emphasized cleaning, cooking, and sewing skills (Davis, 1998). Education for incarcerated women reflected women’s societal expectations as mothers, housewives, and people presumed to have a civilizing influence on men. Matrons, the term used for female guards, forced women to follow curriculums limited to home economics, cooking, decorating, and floral design. The built environment reinforced these programs. Incarcerated women lived in “cottages” that were modeled after women’s colleges in the Northeast (Davis, 1998; Freedman, 1984). The gendered terminology and architecture communicated incarcerated women’s roles as socially subservient and cultivators of the nuclear family’s home life (Yanni, 2019).

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For much of the early twentieth century, maternal justice, a term historian Estelle Freedman describes as a carceral approach that attempted to embrace the entire individual rather than reduce them to their crime, prevailed. Early-twentieth century penal reformist Miriam Van Waters championed maternal justice by advancing holistic carceral programs for women and children. Combining social welfare and therapeutic penology, she brought together education, medical care, counseling, and work opportunities. Van Waters served as superintendent of juvenile prisons on the west coast and the women's prison in Framingham, Massachusetts from 1932 to 1957. She also emphasized work experience and education programming for women as a central part of rehabilitation (Freedman, 1996). Midwestern prisons, at least in the rhetoric of annual reports, attempted to implement maternal justice.

Midwestern clubwomen emphasized education, separate prison campuses, and job training that dovetailed with domestic life as they engaged in prison reform work in the 1920s. They battled city and state officials who considered women to be an afterthought in corrections. At the Indiana Reformatory for Women and Girls, the prison stressed work that would "add to the earnings of the institution and train them for something besides sewing and housework" but in trying to place women in work programs, many of the prison board members found limited work for women beyond the home (Smith, 1925). In Michigan, women's clubs campaigned successfully for a new prison, which opened in 1926. All state female prisoners were moved from the women's section of the city jail to the Women's Division of the Detroit House of Correction, which was still managed by the city of Detroit and located in the suburban towns of Plymouth and Northville (Sarri, 1981).

Midwestern penal reform aligned with the national trend of gendered institutions for women. Responding to calls for reform throughout the 1930s, Kentucky's governor opened a women's prison in 1938. He deflected criticism of the glacial pace of progress when he stated, "Some could have done it quicker. Some could have done it better, but nobody has tried harder than we. Sometimes I think criticism is just a form of the 'kill the umpire trend'" ("Chandler Dedicates New State Prison for Women," 1938). Illinois opened Dwight Correctional Facility for Women in 1932 amid a national women's movement to reform prisons and create a separate space for incarcerated women (Caulfield, 1973).

State prisons classified women and discussed work opportunities as a privilege, but the work reliably assisted the prison rather than the incarcerated. In Kentucky, women were classified in a "levels" behavioral modification system that restricted privileges for incarcerated women according to gendered behavioral expectations. For example, the prison prohibited women from wearing their own clothes and receiving visitors until they demonstrated certain behavior that would allow them to reach different classification "levels." The five-tiered system ensured that vocational and rehabilitative programs were extremely limited. No such behavioral policing existed in Kentucky's men's prisons. (*Canterino v. Wilson*, 538 F. Supp. 62 (W.D. Ky 1982)). In Indiana, incarcerated women could enroll in classes and engage in tasks that helped the prison function but did not help prisoners gain transferable skills. For example, women enrolled in the "family living" class stitched straitjackets. *The Indianapolis Star* reported, "Several women refused, one complaining that she wouldn't make something that could be used on her" ("Women say courses are for benefit of prison, not them," 1986).

By the 1970s, many educational programs appeared in letter only. Most incarcerated women could not enroll in higher education or vocational courses. In Illinois, for example, an investigator from the John Howard Association visited the Dwight State Reformatory for Women in 1973, and concluded, "This is the most severe and oppressive institution I've studied since 1965" (O'Brien, 1973). He found no evidence of educational programs and was alarmed by the prison's security measures. He wrote, "Because of a rigid locked-door policy, most of the women are required to use chamber pots in their

rooms at night- they are not allowed access to bathrooms...” (O’Brien, 1973). Homophobia among prison employees was rampant, and guards created obstacles for women seeking relationships with other incarcerated women. “According to the report, even casual friendships are discouraged among the women, most of whom are married and have children” (O’Brien, 1973).

By the early 1970s, the shortcomings of early-twentieth-century penal reforms were obvious to incarcerated women, prison investigators, and even state employees. When women left prison, they described feeling overwhelmed by job searches and were desperate for economic stability. The *Chicago Tribune* characterized the priorities of formerly incarcerated women in the following way:

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The greatest strain, they agreed, came in trying to find a job. They worried about being turned down and paying off debts hanging over them. Most of the debts were loans extended to them by friends for bail before they went in or for living expenses after they got out (Malagaris, 1972).

Incarcerated women had been forced into idleness or into antiquated curriculums and found they had learned few transferable skills when their sentences ended. By the early 1970s, women organized and filed lawsuits to improve access to the legal, educational, and job programs.

### **Prisoners’ Rights in Women’s Prisons, 1970s-1980s**

**F**ollowing major prison rebellions in the early 1970s, state leaders realized prisons were ripe institutions for political uprisings. Civil rights groups and special committees of state legislators traveled to state prisons to understand conditions in their own prisons. Incarcerated men and women used the opportunity to voice complaints to their visitors.

Many prison investigations revealed testimonies that emphasized a dangerous level of neglect with medical care and major gaps between programming for men and women. The ACLU of Illinois concluded the conditions were brutal in the state’s only women’s prison, Dwight Correctional Center. Norma McChristian began her incarceration at Dwight on October 7, 1971. She was serving a two to four-year sentence for a conviction of manslaughter. In September 1972, her brother died, and she had asked to be hospitalized to address her depression. The prison refused, so she remained in her cell. Prison guards tried to physically remove her by placing her in a hammerlock.

McChristian fought to stand and relieve the pressure on her neck but fell over. She described how a guard tried to pull her up by her hair and threw her head against the bare cement floor. She was placed in solitary confinement for two days because of the ordeal. By August 1973, the prison had placed McChristian in “indefinite” solitary confinement because of several tense encounters with prison staff. The punishment struck ACLU investigators as unusual and arbitrary (ACLU Illinois Division, 1972).

The ACLU legal team also found that counseling, educational, vocational, and rehabilitative opportunities were almost non-existent for imprisoned women. In their report, they documented: “Ms. Fitzpatrick, who is the Dwight counsellor, is responsible for counselling all the women in the institution. She also sits on the disciplinary board, the merit board, and the program team” (ACLU Illinois Division, 1972). When women complained or proposed reforms, they faced retaliation from prison staff. For example, Martha Quinlan was an incarcerated woman whom the ACLU described as, “the closest thing to a jailhouse lawyer at Dwight.” Quinlan was convinced that prison officials refused to give her any work release because her legal work among incarcerated women filled a massive programming gap. However, she received no compensation or formal credentials. In August 1972, Quinlan was the subject of an internal prison report that accused her of undermining the

industrial program at Dwight. Quinlan claimed the prison's bookkeeping of industrial education was a mess, so she tried to improve it. She told ACLU attorneys that there was no rehabilitation programming. By her recollection, the only counselor was Ms. Fitzpatrick, who had graduated from high school but lacked a college degree and relevant training. To make matters worse, the industrial supervisor, the accounting clerk, and the switchboard operator sometimes worked as group therapy leaders. In the laundry room, there were only ten paid positions, but more than ten women worked there. The report revealed numerous problems and highlighted inadequate medical care, safety issues, and labor exploitation (ACLU Illinois Division, 1972).

The indifference of prison administrators advanced racialized inequalities among the incarcerated women. In May of 1973, 63 percent of women incarcerated at Dwight were Black women and 46 percent of the total population was from Cook County, the county that includes Chicago (Caulfield, 1973). In 1980, Huron Valley Women's Facility, Michigan's only women's prison, had a population that underscored severe racial disparities in the criminal legal system. Of the 454 incarcerated women, 73 percent were women of color (Michigan Department of Corrections, Bureau of Correctional Facilities, 1980).

Incarcerated women grew increasingly organized after the state routinely investigated and documented decrepit prison conditions only to change nothing. Fed up with so little emphasis on rehabilitative opportunities, incarcerated women across the Midwest started to mobilize on their own behalf. In Michigan, an interracial coalition of incarcerated women in the Detroit House of Correction filed a major class-action lawsuit in federal court, *Glover v. Johnson* (1979). In the initial complaint, incarcerated women stated, "the educational and vocational training programs offered to women incarcerated in Michigan channel them into fields with low pay and low status...[they] do not provide an opportunity for change, but rather a roadblock to improvement" (Complaint from Named Plaintiffs, 1977). The incarcerated women argued that the discrimination based on gender occurred at different levels of programming and services. They contended they needed equal access to the courts, vocational training, and educational programs to what men received across a range of state prison facilities. After many failed attempts at reform, incarcerated women turned to the federal courts to uphold equal opportunities for female prisoners so that they could access courts, educational programs, and vocational training (Feeley & Rubin, 1998). The incarcerated women and their attorneys framed their argument in the rhetoric of the women's rights and prisoners' rights, channeling two movements to fight for equality and humane conditions in prisons.

Many incarcerated women learned of the discriminatory approach to rehabilitation and limited access to job training and educational classes through communication with incarcerated boyfriends or husbands. In letters, phone calls, and correspondences, they learned men in the Michigan prison system could enroll in a variety of prison industries where they could learn how to make office furniture, paint buildings, construct houses, among other trades that might hire them once they left prison. Mary Glover, a white woman who was the class representative in *Glover* described, "Women sit for hours and hours and hours, with nothing to do all day" (Trost, 1977). Perry Johnson, the Director of the Michigan Department of Corrections and defendant in *Glover* noted, "There isn't even an adequate school facility there" (Trost, 1977). Prior to prison, many of the named class representatives had worked in a range of fields and had taken classes at community colleges. Glover had been close to completing her coursework to become a nurse. Other named plaintiffs had their professional plans abruptly cut short with incarceration. Glover stated, "If I were a man in the same system, when I left here, I would have a vocation or enough education to get a job" (Volgenau, 1979).

After ten days of trial, Federal Judge John Feikens found that the Michigan Department of Corrections upheld gender discrimination. In the opinion from *Glover v. Johnson*, the court ordered that incarcerated woman needed equal access to the courts, educational programs, and vocational training. The 1979 decision set up the rule of parity, establishing a standard that women needed equal access in a single women's prison to the programs men received across the state prison system (*Glover v. Johnson*, 1979).

The 1979 decision also ordered the state prison to stop sending female prisoners to county jails to alleviate overcrowding, which impacted their access to reentry education. “The purpose of a prison is to rehabilitate a person” (Anonymous incarcerated women at the Kalamazoo County Jail, 1978). Because of severe overcrowding in the women’s prison, which had been ongoing for decades by the 1970s, the prison sent women to the Kalamazoo County Jail on six-month rotations where they were housed in a facility designed for arrested men. One incarcerated woman seeking relief wrote:

While housed here at Kalamazoo County Jail these are a few items which we are deprived of: educational facilities for the high school graduate; up to date legal books; typewriters so that we can work on our cases; business letters. Supplies are issued out to us in allotments such as paper and envelopes, which we received at Huron Valley Women’s Facility any time we needed it, and as much as needed. We have to purchase tablets of paper at 65 cents and envelopes at six for eighteen cents, so that we have enough (Anonymous incarcerated women at the Kalamazoo County Jail, 1978).

Despite the 1979 decision, the state denied and obstructed efforts to implement real reform in reentry education. Citing financial reasons, the prison refused to support a partnership with Eastern Michigan University in Ypsilanti, the same town where the prison was located. In a letter to Judge Feikens, one woman wrote:

My point is Eastern [Michigan University] has already shown a willingness to come to the facility and to accept us on campus...This is a thing granted (1979) and taken away, which is sad and difficult to accept because it was a great source of achievement and knowledge (Baker, 1981).

Through lawsuits, incarcerated women found fleeting success in gaining access to education, the courts, and job training. They also gained some voice in proposing programs and reforms. However, state prisons proved intransigent, and the politics of mass incarceration created significant obstacles to the women’s movement in prison.

Prison staff, guards, and administrators disagreed with grievances, refused to embrace reform, and harassed incarcerated women who participated in the prisoners’ rights movement. Incarcerated women wrote letters to Judge Feikens, who had ordered reform in educational programs, job training, and access to the courts in *Glover v. Johnson*, 478 F. Supp. 1075 (E.D. Mich. 1979).

Incarcerated women contested the state of Michigan’s assertions that reform had been implemented and they documented the ways the state denied, obstructed, and resisted the 1979 order throughout the 1980s and 1990s. In a 1981 letter, Mary Butler, an incarcerated woman, wrote to Feikens and reported that the job situation in Huron Valley continued to be unsatisfactory. Butler wrote, “The job situation for us is lacking in that there aren’t enough jobs to supply everyone and no efforts have been made to remedy the situation” (Butler, 1981). Patricia Mays, an incarcerated woman who had been working as the prison’s lead baker for two years, made a plea for expanding job training. In her letter to Judge Feikens she wrote, “I would like to keep my job at Food Service because I enjoy my work and it is also helping me to learn everything I can about baking so when I am out of here I can get a job in that line of work to earn enough money to take care of myself and my family” (Mays, 1981). The incarcerated women relied on the logic of the lawsuit and aspects of the women’s movement of the 1970s that encouraged economic independence to urge the federal courts to implement the goals and ideals that had been outlined in the 1979 *Glover* decision.

## Contested Equality in Prison Programs

Judge Feikens established a rule of parity in the 1979 order, which also permitted the state to apply gender neutrality to prison programs and ignore the ways incarcerated women had unique needs and circumstances. The state had been ordered to expand educational programs and legal services to incarcerated women, but ultimately, the state removed programming in men's prisons, which had the impact of cancelling courses for women. As criminologist Nicole Hahn Rafter has argued, the parity rule relied on state institutions, which were all too eager to remove programs while enforcing rules on men and women (Rafter, 1990). For example, women arrived in prison with different experiences of victimization than their male counterparts, but the prison permitted male guards to search women, conduct screenings and pat-downs, and watch them in private spaces like showers and bathrooms (Rafter, 1987).

The prison considered programs focused on reentry to be “privileges” and used the term to justify deprivation and harassment. Joyce Stubbs, an incarcerated woman, wrote to Judge Feikens, “I object to the final order regarding educational and vocational opportunities as privileges [and] these terms should be corrected without further ‘delay’ or I fear many residents unfavorable to corrections officials will be denied” (Stubbs, 1981). A letter from the residents of an entire housing unit stated, “One of the central vices at [Huron Valley Women’s Facility] has been the idleness that inmates have had to endure. We feel that if this administration is allowed to continue its historical methods of retaliation, it will only broaden the gap between failure and achievement” (Incarcerated Women in Housing Unit 1, 1981). Janet Lee Musser, an incarcerated woman, wrote to Judge Feikens to describe the retaliation she and other prisoners experienced because of the *Glover* lawsuit. In 1981, she wrote,

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I personally have seen the retaliation the employees here are showing the women since we won the suit. The other day I was taken to the hospital in belly chains and cuffed for the first time in ten years, and I have a good record. I was told by Officer Rogers in intake the reason was because of the *Glover* suit. She said that we wanted it to be like the men’s prisons and that was the way it was going to be (Musser, 1981).

The women described how the prison denied the court-ordered education programs and job training that the women had fought hard to secure. Litigation dragged on as the prison routinely claimed to have met the court orders and the incarcerated women argued that the state’s implementation of programs fell short. In 1997, the Michigan Department of Corrections tried to end the lawsuit, claiming that it violated the Prison Litigation Reform Act (PLRA), a 1996 law that made it difficult for incarcerated people to pursue reform in federal courts (Fenster & Schlanger, 2021). The PLRA implemented a new policy that incarcerated people needed to attempt to resolve the complaint within the prison’s internal grievance system. The court rejected this argument, but in 2002, litigation slowed and attorney fees were settled, but incarcerated women remained unsatisfied with so little reentry education (*Glover v. Johnson*, 1998).

## Fighting for Education in the Courts

With *Glover*, the federal court in Michigan emphasized “parity” in prison programs for men and women, which had implications for similar litigation filed by incarcerated women in other states. In Kentucky, incarcerated women argued in federal court that the five-tiered “levels” classification system was discriminatory based on gender in the lawsuit *Canterino v. Wilson* (1982). During the three weeks of trial, incarcerated women gave testimony explaining how there was no such



system in place for men and that the system was not only discriminatory but also cruel and unusual. Incarcerated women described how the only reentry course was led by prison guards who told women to make scrapbooks with clippings from women's interest magazines and imagine what their lives might be like outside of prison (Colwell, 1982).

After *Canterino*, Kentucky's disciplinary practices and educational system came under increased scrutiny. A twenty-three-year-old incarcerated woman, Jerri Marshall, told the court that in May of 1982 she had received parole in September 1981; however, she was still incarcerated at the Kentucky Correctional Institution for women, near Pewee Valley, because she could not secure a job and a place to live, which were the conditions of her release (Colwell, 1982). She contended that if she were a man, she would have been able to enroll in the three-week class, "Comprehensive Employment and Training Act," or be placed in a transitional home that would have satisfied the parole board's standards for release. Additionally, men could train for janitorial work, industrial cleaning, and kitchens in which they would gain the skills necessary for jobs on the outside. Because Marshall lacked a GED, she was eligible for a narrow array of classes in typing, upholstery, or business education courses, which were offered irregularly (Colwell, 1982).

Federal Judge Johnstone held that the women had been discriminated against and substantial reforms were needed in the women's prison. Johnstone stated that women were more harshly penalized than men in the tiered levels system and had unequal access to educational and vocational programs, which violated their right to equal protection and due process. The *Canterino v. Wilson* opinion (1982) addressed issues of overcrowding, inadequate recreational facilities, a substandard law library, and inadequate due process in the disciplinary system.

In 1989, incarcerated women in Nebraska built upon the rule of parity when they filed a lawsuit in federal court contending the state discriminated against women as evidenced in disparities in educational opportunities, medical care, and law library access. They also fought for improvements in wages, the library, recreational facilities, and health care (*Klinger v. Nebraska*, 1993). They grounded their arguments in the equal protection clause of the Fourteenth Amendment and in Title IX of the Education Amendments. In the 1993 decision, the federal judge applied parity to improve access to educational and vocational programs. The court also held that the women had demonstrated an equal protection violation in the prison's law library, recreational opportunities, and mental and physical healthcare (*Klinger v. Nebraska*, 1993). In several rounds of appeals, state officials from Nebraska argued successfully that women were not similarly situated to men in state prisons (*Klinger v. Nebraska*, 1997), which allowed state prisons to reduce programs for women and solidify persistent gendered gaps in reentry and educational programming. The case marked the end of what Rafter calls the "parity movement," and underscored the shortcomings of federal courts to remedy unequal education in prisons (1990). Women who had fought for prison reform and parity often risked retaliation, sexual assault, and harassment only to find little had improved.

### **Decline in Educational Opportunities for Incarcerated Women**

**L**aw and order politics of the 1990s curtailed reform in carceral education despite pleas from incarcerated women to expand reentry education. In 1994, President Bill Clinton signed the Violent Crime Control and Law Enforcement Act, which funneled federal resources into a range of criminal legal initiatives and fueled mass imprisonment. It had a major impact on education in prisons because it prohibited incarcerated students from receiving assistance through Pell grants. When it was signed into law, most incarcerated students were poor and depended on federal financial aid to enroll in college courses, if opportunities existed at all. Available courses in prisons had increased since the 1960s, and the Prison Policy Initiative found that the 1965 Higher Education Act expanded federal financial assistance for incarcerated students (Sawyer, 2019). In 1982, an estimated 27,000 incarcerated students enrolled in 350 college-level education programs. A decade later, there were approximately 772 college programs operating in over 1,200 prisons (Robinson & English, 2017,

2). Removing incarcerated students' ability to pay for courses largely discouraged higher education in prisons, foreclosing opportunities to secure degrees and credentials that are crucial when entering professional fields outside of prison.

In more recent studies, criminologists have confirmed that education in prison has significant, positive impacts on successful reentry for women. Looking at incarcerated mothers in Colorado, one study concluded, "...prison educational programs do most definitely and positively impact" women's lives (Gonzalez et al., 2007, 360). Education can encourage improved relationships among women and their families. Incarcerated women connected feeling motivated to participating educational programs (Gonzalez, et al., 2007, 359). In 2001, it was estimated that approximately 600,000 people were scheduled to be released from American prisons and over half of incarcerated men and two-thirds of incarcerated women were parents. Education and job training facilitated engagement and productivity among formerly incarcerated people that also affected families (Rose & Clear, 2002; Solomon & Waul, 2001; Travis et al., 2001). Incarcerated women across Midwestern prisons fought against aspects of mass incarceration by demanding that state prisons equip prisoners with the tools necessary to return to society. In their critiques targeting education, job training, medical care, libraries, recreation, and access to the courts, consistent themes of equality, fairness, and justice emerged. Women prioritized education aimed at financial independence and professional credentials through a range of lawsuits and proposals, all of which contributed to the prisoners' rights movement. The incarcerated women confronted the decrepit prisons in the late twentieth century and applied their understanding of equality to reforms focused on reentry education (Jacobs, 1980; Malagaris, 1972; Western, 2018).

However, fifty years after incarcerated women made clear demands for education that would help them return to society, their proposals have not been fully implemented. In 1972, a formerly incarcerated woman in Chicago described her fears of reentry in the following way: "Before you get out of prison, you wonder how people will react to you and worry about being rejected" (Malagaris, 1972). Through class-action lawsuits, organizing, and investigations, incarcerated women criticized the punitive practices that kept them trapped in antiquated gender roles and failed to support them during reentry. However, reentry education in prisons remained in dire need of resources at the turn of the twentieth century. In 2011, an Institute for Higher Education Policy study found that in forty-three states, a mere 6 percent of incarcerated people were taking higher educational or vocational courses. Of that small proportion of the incarcerated population, 86 percent of the students were incarcerated in thirteen states (Gottschalk, 2014, 82-83). This suggests that reentry education demands attention and underscores the relevancy of historical perspectives from incarcerated women.

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