

September 2021

Book Review Essay: Gender, Psychology, and Justice: The Mental Health of Women and Girls in the Legal System

Aditi Peyush

Delaney Marvel-Burns

Follow this and additional works at: <https://vc.bridgew.edu/jiws>



Part of the [Women's Studies Commons](#)

Recommended Citation

Peyush, Aditi and Marvel-Burns, Delaney (2021). Book Review Essay: Gender, Psychology, and Justice: The Mental Health of Women and Girls in the Legal System. *Journal of International Women's Studies*, 22(9), 491-495.

Available at: <https://vc.bridgew.edu/jiws/vol22/iss9/45>

This item is available as part of Virtual Commons, the open-access institutional repository of Bridgewater State University, Bridgewater, Massachusetts.

This journal and its contents may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden. Authors share joint copyright with the JIWS. ©2022 Journal of International Women's Studies.

This journal and its contents may be used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden. ©2021 Journal of International Women's Studies.

Book Review Essay: Gender, Psychology, and Justice: The Mental Health of Women and Girls in the Legal System¹

Aditi Peyush² and Delaney Marvel-Burns³

Gender, Psychology, and Justice, provides a comprehensive review of the convergence of women, mental health, and the criminal justice system. The text is a testament that despite current conditions, there is *hope* for what can be, and through hard work and dedication, recommendations provided throughout the book can be successfully implemented. The book is comprised of chapters with contributions from different authors and is divided into two sections.

The first section of the book consists of six chapters. Chapter 1 addresses domestic violence (DV) or intimate partner violence, IPV, which includes physical, sexual, or psychological abuse committed by a former or current partner. Underlying motivations for DV or IPV are power, control, and domination over the victim. The Cycle Theory of Domestic Violence describes personal aggression as cyclical and fluctuating in intensity over time. Domestic violence can result in the victim experiencing post-traumatic stress disorder (PTSD), a subcategory of battered woman's syndrome (BWS). The chapter provides multicultural accounts of battered women where the women relay their experiences with DV, and the role culture plays in creating problematic outcomes as well as barriers. While the authors stress that the competency of battered women as parents is heavily scrutinized, they fail to acknowledge that men are not judged on such high standards of parenthood and that a change in mentality may be necessary to alleviate the psychological burden on battered women.

Though *Gender, Psychology, and Justice* focuses on the United States, the discussions have a wider application. Research shows that there is a high prevalence of intimate partner violence against women (IPVAW) in countries with high levels of gender equality, which has been termed as the "Nordic paradox" (Gracia et al., 2019). Addressing this in the literature would have provided a greater understanding of the universality of IPV. Chapter 2 does highlight that women are often revictimized as part of the legal system's protections, being forced to share traumatic experiences repeatedly in unsupportive settings. Further, sex trafficking is often underreported due to fear of retribution, exploitation, and social stigma. Survivors and incarcerated women experience complex trauma for which three treatment methods have been suggested: Cognitive Behavioral Therapy (CBT), Trauma-Focused CBT (TF-CBT), and a prolonged exposure treatment model. All

¹ Datchi, C. C., and Ancis, J. R. (Eds.). (2017). *Psychology and crime. Gender, psychology, and justice: The mental health of women and girls in the legal system*. New York City, New York: New York University Press. <https://doi.org/10.18574/nyu/9781479819850.001.0001>.

² Aditi Peyush is an alumna of Northeastern University in Boston, where she studied psychology and minored in economics. Peyush is currently pursuing her Master of Public Policy at the University of California at Los Angeles. She is interested in the intersection of policy and psychology, with a specific focus on behavioral economics. Email: a.peyush@northeastern.edu

³ Delaney Marvel-Burns is a student at Northeastern University pursuing a major in criminal justice and psychology as well as a minor in economics. Her interest in this field of study began in 2018 when she began working for a Public Defender in Baltimore City's Juvenile Justice Center. Email: marvel-burns.d@northeastern.edu

aim to create coping mechanisms, intervene, and/or produce positive outcomes for individuals with PTSD; however, research on the effectiveness of prolonged exposure treatment in community-based clinics is limited.

Chapter 3 provides an overview of sex trafficking, which refers to sex acts that involve force, fraud, abduction, deception, control, and coercion. The authors specifically note that even though an adult might agree to participate in a commercial sex act, there is no true voluntary consent if that decision is motivated by force, fraud, or coercion. Victims of sex trafficking are impacted on a physical, psychological, and behavioral level. Women and girls who are victims of sex trafficking enter the criminal justice system as criminals rather than victims – differential treatment that contributes to their existing psychological impact.

In chapter 4, the authors highlight drug treatment courts (DTC) as a response to the problem of drug addiction. DTC combines the practices of psychology and criminal justice into a hybrid practice to address mental health needs and criminogenic risks; the effectiveness of DTC remains ambiguous. In the discussion presented, women emphasize the role of agency and autonomy with regard to their sobriety and progress in the DTC. In this chapter, the authors note that women face a dual form of marginalization: their drug use and criminal behavior defy both the law and gender norms. Highlighted is that compared to men, women biologically have a greater vulnerability to drugs; the link between trauma and addiction is crucial to understanding this vulnerability.

Prisons provide limited forms of mental and physical healthcare, substance use and treatment resources, and social support. These conditions lead to reentry and help explain what has been coined “the revolving door of prisons.” In chapter 5, the authors address how the pervasiveness of alcohol and illicit drug use in rural communities is implicated in recidivism, as well as the effects of rurality on women’s ability to fulfill reentry needs. These structural inequalities may cloud the judgment of mental health professionals, casting women as irresponsible, helplessly victimized, and dependent on social welfare.

The juvenile justice system is defined as a “zone of social abandonment” or a place where marginalized groups are further disenfranchised. In the sixth and final chapter of the first section of the book, the authors examine how the juvenile justice system can increase the vulnerability of girls to harm. The authors also introduce their course, Mentoring and Adolescent Development, offered at the College of Staten Island at CUNY.

The second part of the book sheds light on the shortcomings and needs of justice-involved women by examining smaller samples of the female population. The seventh chapter elucidates the discrimination, maltreatment, and institutionalized transphobia that is instilled within the criminal justice system. Currently, there is a lack of awareness surrounding transgender issues, transgender-affirming environments, and an absence of inclusivity and cultural competence. All of the recommendations created address these issues and are in congruence with the APA’s Guidelines for Psychological Practice with Transgender Nonconforming People.

In chapter 8, the authors, Irvine, Canfield, and Roa, stress the importance of utilizing an intersectional lens when developing gender youth programming. Lesbian, Bisexual, Questioning, Gender-Nonconforming, and Transgender (LBQ/GNCT) adolescents are overrepresented in juvenile justice centers as there is a higher chance that they have been suspended, expelled,

removed from their homes, abused, or homeless compared to straight and cisgender girls. The authors suggest that collecting further data about sexual orientation, gender identity, and expression (SOGIE), developing anti-discrimination policies, and providing training will improve risk and needs assessments while closing the gap between LBQ/GNCT and the general population's incarceration rates. Following the 2017 publication of *Gender, Psychology, and Justice*, there has yet to be any further research regarding SOGIE data. This step is imperative as more data can provide policymakers with the information necessary to dismantle anti-discrimination policies while also establishing needs and risk assessments that incorporate and highlight common trends within the LBQ/GNCT community.

In chapter 9, the cyclical reentry of incarcerated women reveals the need for intersectional approaches when researching links between justice-involved women and their experiences, particularly when comparing them to men. There is also an emphasis on facilitating culturally sensitive and affirming practices for girls and women. The authors encourage practitioners to consider the broader socio-political context of girls and women in order to establish successful, gender-specific interventions. A 2019 report written by the Prison Policy Initiative and the ACLU's Campaign for Smart Justice highlights female incarceration rates, which in recent decades has increased to twice the rate of males. Further, the authors address how avoiding pre-trial incarceration is an issue relatively unique to women. This report extends the material in chapter 9 and illustrates the realities of women involved in the justice system; it also highlights cyclical reentry as an evident issue (Kajstrura, 2019).

Anna O'Leary, the author of chapter 10, addresses how migrants are often stripped of their humanity via derogatory labels, and this facilitates microaggressions as well as unjust and overly harsh treatment by those in power. Conducting multilateral, collaborative research on immigration and mental health outcomes while evaluating current social support resources and creating interdisciplinary research partnerships are suggested as interventions to develop cultural and gender-sensitive interventions for migrants.

From the men's perspective of women within the criminal justice system, there are two core theories: gender-role socialization and gender role strains (GRS). Both describe how socially defined notions of gender-appropriate attitudes/behaviors as well as internalized sexism can result from rigid, restrictive gender roles. While chapter 11 does not provide specific recommendations, the authors define three forms of sexism (hostile, benevolent, and ambivalent), and identify areas where research is currently lacking.

Various research methods were employed in the writing of *Gender, Psychology, and Justice* to highlight the impact of gender, race, and class on legal decisions as well as interventions in drug court, family court, law enforcement, community corrections, and detention facilities. For example, within part two, multiple versions of research are referenced and utilized as each author took their own approach. Chapter 7 begins with a case study regarding Denise, a young, Latina transgender (MTF) woman. Her story evokes a sense of empathy that would otherwise be limited via statistical, cold data. In chapter 8, the authors reference survey data as well as provide three case studies of LBQ/GNCT girls within the juvenile justice system.

Across the book, literature reviews and empirical data are utilized in order to demonstrate the importance of an intersectional lens, and why it must be developed within mental and behavioral health services. Beyond the critical reviews utilized in chapter 9 regarding cyclical links, chapter

10 references a research project completed in 2007 that reports the experiences of recently deported Mexican immigrant women. The utilization of (line) graphs and (pie) charts provide memorable visualizations while content analysis of interviews with said women illustrate the poor conditions many deported immigrants encountered.

Gender, Psychology, and Justice provides a comprehensive guide to the intersection of the three headlined topics, inclusive of research, explanations, and further recommendations. The use of multiple and different authors, all of whom were experts in their corresponding topics, provided an array of passionately written, detailed work. By providing insight on institutionalized issues regarding women and girls as well as viable solutions to these problems, specific populations that are generally overlooked within society are given the attention they have been deprived of.

Further research is needed in all areas of women involved in the justice system; however, there is a vital need for existing empirical evidence to be accessible and applicable. Although the authors strongly believe research is needed to inform the development of successful assessment and treatment programs, few research papers surpassing the publication of this book (2017), have been found and/or are accessible. Evidently, more research, funding, and effort at all levels of government is required to achieve the goals that this book outlines. The book offers a strong foundation for those interested in making further and albeit needed contributions to this area of study.

References

- Datchi, C. C., & Ancis, J. R. (Eds.). (2017). *Psychology and crime. Gender, psychology, and justice: The mental health of women and girls in the legal system*. New York City, New York: New York University Press.
<https://doi.org/10.18574/nyu/9781479819850.001.0001>
- Gracia E., Martín-Fernández M., Lila M., Merlo J., & Ivert A-K. (2019). *Prevalence of intimate partner violence against women in Sweden and Spain: A psychometric study of the 'Nordic paradox'*. PLoS ONE 14(5): e0217015. <https://doi.org/10.1371/journal.pone.0217015>
- Kajstura, A. (2019, October 29). *Women's Mass Incarceration: The Whole Pie 2019*. Prison Policy Initiative. Retrieved January 20, 2021, from <https://www.prisonpolicy.org/reports/pie2019women.html>