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“Bend Over and Spread Your Butt Cheeks”: Access to Justice for Women Strip Searched in Prison

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Abstract

There is much anecdotal and theoretical speculation that strip searching negatively affects women in prison; however, there is little empirical research focused exclusively on women’s experiences of being strip searched. This paper presents the findings of a small qualitative study that explored women’s experiences of being strip searched while imprisoned and suggests that strip searching prevents justice from being achieved. Five women, all of whom were previously incarcerated in Canada, were interviewed. The findings indicate that women in this study experienced being strip searched as humiliating, degrading, and dehumanizing. Furthermore, some women experienced it as sexual assault. The women described protecting themselves against the immediate harms of strip searching, particularly when menstruating, by electing to not have visits from loved ones or go out into the community, which resulted in extended separation from their support systems. Long-term negative effects of strip searching were experienced by women. By inflicting strip searches on women, the state violated and humiliated the women, which is tautological to denying their humanness, thus denying them justice. Furthermore, their unique life histories and circumstances, such as prior sexual victimization and the fact that they menstruate, were not taken into account when the women were subjected to strip searches. Suggestions for improvements to access to justice are discussed.

Introduction

Women are the fastest growing prison population in Canada (Zinger, 2018). Since 2008, the number of women in federal prisons has

increased by nearly 30%, whereas the number of men in federal prisons has decreased by 4 percent over the same period (Zinger, 2018). Furthermore, the number of Indigenous women in federal prison has increased 53 percent over the past 10 years; 40% of federally sentenced women are Indigenous (Zinger, 2018). This is a significant overrepresentation, given that Indigenous peoples make up only 4.9 percent of the general population in Canada (Statistics Canada, 2017).

Feminist criminological research has shown that women in prison differ from men in prison in several distinct and important ways (e.g., Balfour & Comack, 2014; Bloom, Covington & Owen, 2004; Comack, 2018; Pollack, 2007). For example, women's pathways into the criminal justice system differ from those of men; women prisoners are more likely than men to have histories of trauma and victimization, including physical and sexual abuse, which often begins in childhood and continues into adulthood (Blanchette & Taylor, 2009; Bloom, 2015; Canadian Human Rights Commission, 2003; Pereira, 2001; Pollack, 2012). Furthermore, research has shown that women experience imprisonment differently than men do (Comack, 2018). With these differences in mind, many correctional services around the world, including Canada, began to implement "gender-responsive strategies" in women's prisons (Bloom, Owen & Covington, 2004) with the recognition that policies and practices needed to be reconfigured to take women's unique histories and experiences into consideration (Comack, 2018). However, certain policies and practices remain in women's prisons that call into question just how seriously women's pathways to, and experiences of, imprisonment are being taken.

One area of imprisonment that merits further consideration in the academic literature is the use of strip searching in women's prisons. Strip searches have been a routine part of women's corrections in Western countries for nearly 30 years (McCulloch & George, 2009), and several scholars have provided anecdotal and theoretical speculation about the harms done to women by strip searching (e.g.,

Davis, 2003; McCulloch & George, 2009; Pereira, 2001 VanNatta, 2010). Scholars have also reported on the harms associated with strip searching as part of research projects with broader scopes than just strip searching (e.g., Carlen, 1998; Moore & Scraton, 2014; Scraton & Moore, 2005). Moreover, the Supreme Court of Canada has stated that women and minorities can experience strip searches as sexual assault and that strip searching should not be used as routine procedure (R v. Golden, 2001). While this specific case was about strip searches conducted by police officers, it is reasonable to surmise that women in prison may also experience strip searching as harmful, and the Supreme Court of Canada's statement provides a basis from which to interrogate the use of strip searching in women's prisons. Given the magnitude of harm strip searching may cause women, there is a surprising dearth of empirical research focused exclusively on women's experiences of being strip searched in prison.

To focus on women, specifically cisgender women, is not to dismiss or discount the experiences of cisgender men and transgender people who are strip searched in prison. Rather, it acknowledges that, as a group, women prisoners have histories and experiences, particularly of violent victimization, that are unique to their social positioning in a settler colonial, capitalist, and patriarchal society (Comack, 2018). Therefore, the focus of this paper is to explore how women experience being strip searched while imprisoned and to demonstrate that strip searching women in prison prevents their access to justice in a variety of ways.

Literature Review: Strip Searching in Women's Prisons

In Canadian federal prisons, strip searching involves the "visual inspection of the naked body" (Government of Canada, 1992), including bending, squatting, spreading buttocks, and lifting of breasts. It also occurs during menstruation and can include requiring a woman to remove her tampon. The purpose of strip searching is to prevent contraband, such as drugs, from entering the prison (Correctional Service of Canada, 2015). However, evidence indicates

that very little contraband is seized from strip searches. In their documentation of strip searching in Australia, utilizing official government data obtained through Freedom of Information requests, McCulloch and George (2009) demonstrate that even copious amounts of strip searching fails to result in the detection of contraband. For instance, of 18,889 strip searches performed on 200 women over a 1-year period, only 1 item of contraband was found. Furthermore, in a prison with a daily average of 100 women, 13,000 strip searches were performed over a 1-year period and only 2 cigarettes were found in 2 randomly selected months. And, in 2002, Corrections Victoria conducted a pilot study by reducing the number of strip searches performed on women, from 21,000 to 14,000. Despite there being a dramatic reduction in strip searches, the same amount of contraband was seized — five items in total (McCulloch & George, 2009).

An article about strip searching in Canada would be incomplete without mentioning one, if not the most, infamous example of strip searching in a women's prison in Canada. This occurred in 1994 when women incarcerated at the Prison for Women in Kingston, Ontario, were strip searched by male officers in full riot gear (Arbour, 1996). As a result of the circumstances surrounding this instance of strip searching, a federal inquiry led by Madam Justice Arbour was initiated. The inquiry determined that the strip searching was “cruel, inhumane and degrading” (Arbour, 1996, p. 51). Similarly, in a 2001 decision, the Supreme Court of Canada stated that strip searches are “inherently humiliating and degrading” and declared that due to the humiliating and degrading nature of strip searches, they should not be routine policy (R v. Golden, 2001). Pereira (2001) furthers this argument by suggesting that strip searching is not healthy or acceptable under any circumstance, while Keeton (2015) contends that routine strip searches favour institutional security over individual privacy rights. Moreover, it is important to note that prisoners, even though they are incarcerated, still maintain their rights outlined in the Canadian Charter of Rights and Freedoms, including the right to be

free from unreasonable searches (Sapers, 2017), of which routine strip searches could be argued as being as such.

There is considerable anecdotal and theoretical speculation that the practice of strip searching women is harmful (Davis, 2003; George, 1993; Kilroy, 2003; Pereira, 2001; Pollack, 2012; VanNatta, 2010; Women in Prison Advocacy Network, 2015). For example, prisoners and advocates have long maintained that strip searching is a deliberate and gendered strategy for rendering women powerless (McCulloch & George, 2009) and is an act of state-sanctioned violence against women (Moore & Scraton, 2009). However, there remains a dearth of empirical research exploring this issue in depth. Certainly, several scholars have documented harms associated with strip searching during studies conducted with a research focus broader than women's experiences of strip searching (e.g., Carlen, 1998; Moore & Scraton, 2014; Scraton & Moore, 2005). For example, Scraton and Moore (2005) conducted interviews and focus groups with several stakeholder groups, including currently and formerly imprisoned women, with a focus on the conditions of confinement in a prison in Northern Ireland. Their research found that women experience being strip searched as a loss of privacy and bodily integrity, and that strip searching, along with other mechanisms of control and surveillance, were institutionally gendered (Scraton & Moore, 2005). This research, along with anecdotal and theoretical contributions, provides a solid base from which to further explore how women experience being strip searched. A lack of empirical research, through a feminist lens, focused exclusively on the use of strip searching of women in prison limits our understanding of how a ubiquitous practice such as strip searching affects the women who are subject to it.

Given that strip searches are used in prisons around the world, they may be thought to be relatively harmless as they are a routine, usual practice. As feminist legal scholar Catharine MacKinnon (2006) suggests, “[if] the events...are regarded as usual, the fact that they are violating is denied: if it's happening, it's not so bad, and if it's really

bad, it isn't happening" (p. 3). Similarly, in Sherene Razack's (2015) account of the deaths of Indigenous people in custody, when recounting an interaction between police officers and an Indigenous man screaming in distress, she surmises that "[it's] the event's very ordinariness that stands out" (p. 159). I would like to borrow this proclamation to explain, at least in part, how strip searching women prisoners has largely gone unchallenged, due to its ordinariness and routineness.

Therefore, responding to a call by McCulloch and George (2009) for more research on how strip searches affect imprisoned women, this study explores how women experience being strip searched in prison. To my knowledge, there has not been a study dedicated exclusively to capturing women's experiences of being strip searched in prison. This study is the beginning phase of a larger research project focused on strip searching, and while it is small in scope, it is my hope that this research will deepen our scholarly understanding of how women, including those who have experienced sexual violations prior to being imprisoned, experience being strip searched, and add to feminist theory of how gendered injustices are perpetuated by routine correctional practices. It is also my hope that this study will motivate other scholars to explore how those most affected by strip searching, including cisgender men and transgender people, experience its practice.

Conceptual Framework

Standpoint Feminism

Consistent with critical feminist criminologists (Kilty, 2014), I contend that women's experiences and voices are actively suppressed in corrections and are therefore rendered silent. This aligns with Gorkoff's (2011) assertion that those in power exclude other ways of knowing through the dominant discourse, which, in this case, is the discourse that strip searches are necessary for the safety and security of the prison and community. Furthermore, the study of women's experiences of imprisonment remains marginal to that of men (Moore

& Scraton, 2014); therefore, research that begins with the experiences of women is necessary in order to “abolish systems of oppression that limit knowledge production” (Intemann, 2010, p. 786). I will be drawing from feminist standpoint theory, which seeks to reclaim women’s experiences from being described and framed by others and positioned against male knowledges (Moore, 2008). Standpoint feminism asserts that marginalized people experience and interpret reality differently than the dominant group as a consequence of their oppression and may actually have a more complete view of reality due to the necessity of knowing the dominant group’s views and their own (Swigonski, 1993). Feminist criminologists have long utilized standpoint feminism to further understand the lives of criminalized women by ensuring that the positionalities and voices of women in prison are at the centre of the entire research process, rather than at the margins (Comack, 2018; Kilty, 2014). Most importantly, as Moore (2008) suggests, “by creating space for women to become experts on their own experiences, otherwise unrecognized issues in the treatment of women prisoners come to the fore” (p. 53). By focusing on women’s experiences, this study sought to bring unrecognized issues regarding strip searching to the forefront in order to critically interrogate this ubiquitous practice.

What Is Justice?

Justice can be conceptualized in myriad ways (Kohm & Weinrath, 2010). It can be understood as the outcome of practices of various branches of the criminal justice system. For example, when guilty people are punished for their crime, many believe that justice has been served (Kohm & Weinrath, 2010). However, my understanding of justice does not align with this, as it would necessarily require me to agree with and accept the underlying principles of the Western criminal justice system, which is grounded in retributive justice.

Rather, my conceptualization of justice is quite simple. It encompasses the belief that every human being, regardless of their criminal justice status, deserves to be treated with dignity and respect,

and that everyone should be free from humiliating and degrading treatment. Practices that are imposed by the state on its citizens should be designed and implemented in ways that recognize people's life histories and circumstances and that maximize people's humanness rather than reduce it.

These guiding principles of justice are important when considering women in prison. As mentioned above, feminists have highlighted the differences between men and women in prison, including structural and systemic factors that contribute to women's involvement in the criminal justice system (Comack, 2018). Women's subordinate social position in a patriarchal and capitalist society results in women being subjected to violence, poverty, misogyny, and myriad other forms of oppression, and these experiences of trauma create conditions in which women become criminalized and imprisoned (Comack, 2018). As such, justice for women in prison would mean that their imprisonment would not mirror the violence and oppression they experience throughout their lives (Carlen, 1998) and would take into consideration their unique social positions in society, as well as the circumstances that culminated in their imprisonment. If justice was truly to be achieved for women in prison (suspending for a moment the ideal of abolition of women's prisons), women would be treated with dignity, respect, humanness, and in ways that prioritized their specific needs and histories. Anything less than this, I argue, means that justice cannot be achieved for women in prison.

Methodology

Recruitment

Due to time constraints for this project, a small sample size was sought, and convenience sampling was utilized to recruit women participants who had been incarcerated at a provincial jail and/or federal prison in Canada (N=5). Furthermore, as critical feminist researchers are often denied access to conduct research with women in correctional facilities (Kilty, 2014), and because time was limited,

I conducted this research with formerly incarcerated women. Two participants were recruited at a conference and three were recruited through my professional/academic relationship with criminalized women. Women were contacted via email or phone using a predeveloped script outlining the study. I explained to them that the study focused exclusively on women's experiences of being strip searched while imprisoned and that I would be asking them questions in this regard. An informed consent form was sent to them via email following our initial conversation. Ethics approval was obtained through the Research Ethics Board at Wilfrid Laurier University prior to recruiting participants.

Interviews

I conducted unstructured interviews with women who were in the community following the period of their incarceration. The interviews took place in person at a location where the woman felt most comfortable. Prior to starting the interviews, I went over the informed consent form with the women to ensure they fully understood that the interview was voluntary, confidential, focused exclusively on strip searching, and that they could stop the interview at any time. I also expressly told them that given the nature of the topic under study, there was a risk that they may experience unpleasant thoughts or memories when reflecting on being strip searched. Each woman was provided with the contact information of a local mental health crisis agency should they require support following the interview. No incentives were provided for participation due to a lack of resources; however, I provided each woman with a bag of tea to express my appreciation of their time. I also presented the Indigenous woman with ceremonial tobacco. The interviews were centred on two broad questions: 1) Can you please share with me your experiences of being strip searched while you were incarcerated? and 2) Can you share with me the ways in which you dealt with being strip searched? If the women did not address certain subjects, probing questions, such as how many times they

were strip searched and whether they experienced being strip searched while menstruating, were asked.

Analysis

The interviews were audio recorded with each participant's permission, and I transcribed them verbatim. Once transcribed, I conducted an inductive thematic analysis of the data utilizing the process described by Thomas (2006). I first prepared the raw data files in a common format (e.g., in Microsoft Word with two-inch margins on the right-hand side of transcripts in order for me to write codes and themes in the margin). I printed a copy of each interview as well as uploaded them into the qualitative data analysis software Dedoose. Next, I conducted a close reading of each interview using the hardcopy version until I became familiar with its content and had a solid understanding of what was covered in the text. While I conducted this line-by-line reading, I created initial codes in the margin, which resulted in dozens of codes. I then read through the interviews again, this time in Dedoose, and began to create themes based on the initial codes. These emerging themes were arranged in Dedoose, and the text that corresponded with the category was placed into the theme. Some text was placed under multiple themes and was further refined following another round of analysis that combined similar themes. Quotations were selected for each theme, resulting in a smaller number of overarching themes. Data that supported conclusions were checked back against the transcripts in order to ensure the context was captured correctly and my interpretation of the quote was correct.

In order to increase the validity of the research, I engaged in several strategies as described by Creswell (2014). Member checking was conducted with four of the five participants (one was re-incarcerated, so I was unable to provide her with the findings). During the initial interview I asked how each participant wanted to receive the data (i.e., the raw data or an initial draft paper). All chose to receive a copy of the initial report rather than the raw data. Once the initial paper was written, I sent an individualized copy to each participant

via email and highlighted the section of the paper where their quotes were used. All women indicated, in writing, that they felt their quotes had been used appropriately and were happy with the way the report captured their experiences. I also engaged in peer debriefing with several colleagues who asked me critical questions and provided feedback on emerging themes and the corresponding data, which strengthened the overall analysis and reduced potential bias I may have.

Demographics

Five cisgender women who have served time in one or more provincial jails, as well as in federal prison, participated in the research. Four identified as white and one as Indigenous, and they ranged in age from 30 to 60 years. Their convictions ranged from drug-related crimes to violence-related crimes. In order to maintain participants' anonymity, more details about their demographics cannot be shared. All women chose their own pseudonyms, which are used below.

In the Women's Voices

The overarching findings of this study show that women experience strip searching as dehumanizing, humiliating, degrading, and as a replication of the violence they experienced in the community. The findings also indicate that the consequences of the harm associated with strip searching further marginalize and isolate women from their families and communities. These findings will be fleshed out in the following themes.

“It's dehumanizing a person's spirit”

Women in this study experienced being strip searched as dehumanizing. For example, when reflecting on what it was like to be lined up with other women prisoners, waiting her turn to be strip searched, Erika, who is a mother and had only been in trouble with

the law once, stated, “It’s kinda like what you see on TV. They’re trying to push you off like you’re cattle or something.” Women also described being forced to perform dehumanizing actions, while naked, to expose every inch and crevice of their bodies in order to be inspected. Michelle, who is also a mother and had never been involved with the criminal justice system prior to this one conviction, explained what it is like to have a large body and be strip searched: “I’m not a tiny woman so when they tell you to lift your belly or to lift your breasts, how awful does that make you feel about yourself?” Similarly, Anna, a student planning to work with other criminalized women during her career, expressed the following:

And then just the humiliation and degradation of having to like bend over, spread your cheeks, sometimes they make you squat and cough, sometimes they make you do different things and it’s just really humiliating. I have a lot of body image issues — I’m very, very self-conscious about myself...it was really really, really traumatic for me.

Erika explained the process in graphic detail:

It’s like you’re spreading yourself right out, letting these people see you. You’re bending and squatting and then you turn around and then they want you to open up your butt cheeks and they’re right there. It’s like they get right in there to look at everything.

“You have to take your tampon out. How gross is that?”

The women in this study voiced how harmful it is to be strip searched while menstruating. For example, Erika described her disbelief at being forced to remove her tampon and perform the requisite actions:

You’ve got to pull it [tampon] right out in front of them. I remember there was a time when I was on my period and she told me to squat and cough and I felt so embarrassed because drops of blood came out of me and then they told me to clean

it up. And it was like, really? You're making me do this and you're making me make a mess and you're making me clean it up?

Similarly, the next quote from Anna, demonstrates the level of humiliation and degradation that women are forced to endure as a result of having their period:

I get really angry when I think of this still. One time I was being strip searched — I had never been strip searched with my period before — so they asked me to remove my tampon and I was like, “oh wow I wasn't expecting that.” So I removed the tampon and I threw it into the garbage can and the female guard she said, “no you have to put it in a paper bag.” I'm like, “oh okay, sorry I didn't know that. Next time I will.” She said, “no here's a paper bag. Go in the garbage, get your tampon and put it in this paper bag.” Garbage filled with other people's tampons in paper bags and dirty underwear. So I went in, got my tampon put, it in the paper bag, threw it in the garbage and then she said, “no you need to crumple up the bag closed, you can't just throw the bag open in there. Get it out of the garbage again.” I knew I had absolutely no choice so I did go in the garbage and you know there's no way you can stand up for yourself. You can't say, “you're being an asshole, you're not treating me fairly, you're humiliating me.” You can't say that. You just have to do it.

Additionally, Jackie, an Indigenous woman, who has an infectious laugh and wants to help other criminalized women, stated, “A Native woman, when they're on their time [period], that's a spiritual time. That's a sacred time so you're violating a woman by strip searching them when they're on their moon time.”

“I am raped and I am violated and I am triggered to no end”

Several women spoke about being sexually and physically abused throughout their lifetimes and compared these experiences to being strip searched. When asked about how she experienced being strip searched, Erika, who has been sexually abused by several men starting in early childhood, said point blank, “I’m raped.” Further along in the interview, Erika spoke about how strip searching triggered memories of horrific abuse she experienced as a child and teenager:

And so many things just kept going through my head because of past things with [name of husband] or other people that I was with during the course of my life. The man that first abused me when I was 3 and then between the age of 6 and 13, I was sexually abused by a neighbour twice a week every week for 7 years.

Trish, an outgoing and bubbly woman, described being strip searched as “[t]raumatic because that’s what everybody goes back to and most of the women in there have been through some kind of sexual abuse or traumatic experience and this [strip searching] brings it back into their life.” Michelle, who had not been sexually abused prior to her imprisonment, lamented, “There are women that are sexually abused and how awful is that for them? I wasn’t sexually abused and it was awful for me. I can’t even imagine what it feels like for them.” And Jackie stated emphatically, “It’s a sexual assault. A sexual assault on a person.” When reflecting on how she couldn’t say no to being strip searched, Anna, who had been sexually abused as a child, stated that it was similar to sexual abuse in that “sexual abuse is when you don’t have the choice to say no.”

“I don’t think I’ll ever recover from my experiences”

The women in this study expressed that they experience being strip searched as dehumanizing, (re)traumatizing, humiliating, and degrading, and also spoke about having to protect themselves from

these harms. For example, Michelle described her strategy for protecting herself from the harms of being strip searched while on her period: “I would make sure my family would not come visit on that weekend when I would get my cycle. I would cancel my church pass and any other passes. I would strategically plan and around my cycle.” Similarly, when Trish was menstruating, she would “[c]all home and tell them not even to come.”

Furthermore, Jackie described the terrible conundrum that women face with respect to gaining parole: “We’re forced into it [being strip searched] because if you don’t go on these passes you have no credibility that you’re gonna be functional when you get out on parole.” In other words, if women cannot demonstrate that they can be “law abiding citizens” by going out on temporary passes into the community throughout their imprisonment, it could look negatively upon them by the Parole Board of Canada, which has the power to grant or deny a woman parole. In addition to the immediate consequences women experienced from being strip searched, such as not seeing their family or engaging in community, there appeared to be long-term emotional consequences. As Erika, who had been in the community for a number of years, shared, “I just can’t tell you enough how much it hurts to sit here and think about it [being strip searched]. Look. I’m on the outside now and it still bothers me.”

When asked what recommendations she would have for the prison system with respect to strip searching, Michelle emphatically stated, “Stop strip searching. It’s not doing anything. It’s not finding anything. It’s not helping anything. All it’s doing is traumatizing women.” Similarly, Anna declared, “It should be stopped. It’s not necessary. It accomplishes nothing. It’s not stopping contraband. It’s just humiliating and degrading people.” Jackie said, “You need to take it away...nobody has the right to degrade another human being.” When asked what she wanted prison officials to know, Trish poignantly declared, “I’d like them to actually realize how much harm they’re doing.”

Discussion: Is Justice Achieved through the Use of Strip Searching?

The women in this study shared some of the most intimate and raw details of their lives with the expressed desire of helping to prevent other women from enduring the harms they have experienced by being strip searched. The quotes above suggest that the women experienced several types of harm through the practice of strip searching. All women in the study shared that they were humiliated, degraded, dehumanized, and violated. Some women also expressed that the experience of being strip searched triggered flashbacks of sexual abuse they were subjected to prior to being incarcerated. A common sentiment among women in this study was that these harms were amplified when they were strip searched while menstruating. In order to protect themselves from the harm of strip searching, several women indicated that they would avoid having visits from their loved ones and/or elect not to go out to the community. In addition to the immediate harms associated with being strip searched, some of the women indicated that they were still struggling with the ramifications of being strip searched while imprisoned, even though they were out in the community, some for many years. In this section, these findings will be critically analyzed with respect to access to justice through a feminist lens. Going back to my conceptualization of justice, if justice was truly to be achieved for women in prison, their imprisonment would not mirror the violence and oppression they experience throughout their lives, and women would be treated with dignity, respect, and humanness, and in ways that prioritized their specific needs and histories.

The women in this study experienced being strip searched as dehumanizing. Building on Whalley and Hackett's (2017) argument that sexual assault victims' bodies are "catalogued and transformed into crime scenes" (p. 461), I argue that strip-searched prisoners are no longer seen as possessing human characteristics; rather, they are seen merely as vessels to transport drugs and other types of contraband. Strip-searched bodies are objectified as containers

through which items are smuggled into prison. They become inanimate objects, much like items in a factory, or animals in a meat processing plant, that are thoroughly inspected for irregularities and highly scrutinized.

As this study demonstrates, the objectifying treatment of women prisoners through the use of strip searches reduces access to justice in that it strips them of their humanity. It denies them their humanness in favour of a (false) sense of security. Moreover, this treatment prevents access to justice for women prisoners who are further relegated to a class that is not worthy of humane treatment, a class to which they already belong in a patriarchal society. To become human, Catharine MacKinnon (2006) suggests, “requires prohibiting or otherwise delegitimizing all acts by which human beings as such are violated, guaranteeing people what they need for a fully human existence, and then officially upholding those standards and delivering on those entitlements” (p. 2). As several themes reveal, the women in this study were unable to attain justice because they were unable to achieve the status of human. The state, by inflicting strip searches on women, violated and humiliated the women, which is tautological to denying their humanness, thus denying them justice.

Another way this study demonstrates that strip searching women in prison prevents access to justice is that the women’s sex-specific experiences of menstruation were not taken into consideration and prioritized. The women in this study indicated that they were strip searched regardless of if they were on their period. Menstruation in Western society is associated with shame, secrecy, and privacy, and throughout their lives, women are taught to conceal their menstruation due to the pervasive culture of silence that surrounds it (Sveinsdóttir, 2017). Thus, it is reasonable to believe that being subjected to the demeaning process of being strip searched while menstruating and being forcibly required to expose one of the most personal and hidden aspects of their bodies, feelings of shame, humiliation, and degradation may occur. This study provides some evidence that this is the case. The women shared that they experience

being strip searched as particularly humiliating and degrading when they are on their period, which is consistent with McCulloch and George's (2009) assertion that the negative impacts of strip searches are intensified when women are menstruating. Therefore, strip searching women while they are on their period is a form of gendered injustice; women are subjected to the amplified harmful effects of being strip searched while menstruating, whereas men are not.

In addition to strip searching being a form of gendered injustice, this study also provides some evidence that strip searching is a form of injustice for Indigenous women. While there was only one Indigenous woman in this study, her comments elucidate what it could mean for an Indigenous woman to be strip searched while on her period, or moon-time, which is a sacred time for Indigenous women. Monture-Angus (1999), while commenting on Indigenous women in the correctional system laments that "their experiences are often based on the denial of their race/culture and concurrently their gender" (p. 25). As this study demonstrates, not only are Indigenous women's sex-specific circumstances not taken into consideration, but their race/culture is also ignored, thus subjecting them to a double injustice. Forcing Indigenous women to be strip searched while menstruating not only inflicts harm on their bodies and minds but also breaks their spirits and harms them spiritually. It also continues to reinforce the colonial harms they have experienced at the hands of settlers. As Sherene Razack (2015) contends, "[t]he violence state actors visit on Indigenous bodies imprints colonial power on the skin, as much as the branding of slaves or the whipping and abuse of children in residential schools once did" (p. 6).

Some of the women in this study shared that they experience being strip searched as sexual assault and disclosed that strip searching triggered memories of past of sexual abuse. This is unsurprising given that it is well documented that the majority of women in prison have been sexually abused or assaulted prior to entering prison, either as children and/or as adults (Blanchette & Taylor, 2009; Bloom, 2015; Canadian Human Rights Commission, 2003; Pereira, 2001;

Pollack, 2012); 68 percent of federally sentenced women in Canada have been sexually abused throughout their lifetimes (Sapers, 2015). Moreover, the findings from the current study are consistent with Aday, Dye and Kaiser's (2014) assertion that women who have experienced sexual trauma prior to being imprisoned may relive their traumatic experiences by being strip searched. The experiences of women in this study suggest that strip searching mirrors the abusive nature of women's lives prior to becoming incarcerated and functions to (re)traumatize women. The women's unique life histories and circumstances, particularly of sexual victimization, were rendered unimportant and were not prioritized, making access to justice elusive for the women in this study.

Several women in this study protected themselves from the immediate harms of being strip searched by cancelling visits from their families and electing not to go out into the community. While they prevented the harms of being humiliated, degraded, and triggered in the moment, it appears that this trade-off has negative consequences such as prolonged separation from their families and communities. To put women in the position where they must choose between protecting themselves from immediate harm and maintaining relationships with their loved ones and communities, is akin to a Sophie's Choice, which is when a person is faced with a choice made incredibly difficult by two equally deserving alternatives (Sophie's Choice, n.d.).

It cannot be argued that being free from humiliating, degrading, and triggering experiences, and maintaining relationships with loved ones, are not both equally deserving options. For the state to put women in the position to have to decide between the two is unjust. Research demonstrates that maintaining relationships with family and community is critically important for women in prison (Salisbury, Van Voorhis & Spiropoulos, 2009). Furthermore, the research is unequivocal that most women in prison have been sexually assaulted prior to becoming incarcerated (Blanchette & Taylor, 2009; Bloom, 2015; Canadian Human Rights Commission, 2003; Pereira, 2001;

Pollack, 2012). Therefore, to force women to choose between these two equally deserving alternatives renders their past experiences, life histories, and relational needs inconsequential. It puts women in the unfair, thus unjust, position of deciding between keeping contact with their families and communities, and being free from humiliation, degradation, and violation, which prevents justice from being achieved.

Conclusion

While this study was small in size, the insight gleaned from the women is rich with fulsome descriptions of how strip searching harmed them in several ways. Not only did being strip searched cause immediate harm to the women, it also produced lasting harm that followed them after being released from prison. Furthermore, women in this study protected themselves from the immediate harms of strip searching by electing to not have loved ones visit them; however, the impacts of this extended separation from their families is unknown and worthy of further study. Forcing women to choose between protecting themselves from being humiliated, violated, and, for some, sexually assaulted, and maintaining relationships with their loved ones is unjust.

Justice was denied to the women in this study as they were regularly humiliated, degraded, and dehumanized through strip searching. In addition, the women's specific life histories and circumstances were not taken into consideration when the women were being forced to endure strip searching. In order to improve access to justice for women in prison, I suggest that transformative feminism can be used as a guiding philosophy, in that

[it] questions the assumptions of the traditional prison system by interrogating harm (who was harmed and who was harming) within a sociopolitical and cultural context that enables such harm to occur. Consequently, transformative feminism requires that we move beyond accepted practices of incarceration. (O'Brien & Ortega, 2015, p. 143)

For women in prison to have access to justice, we must question the ubiquitous practice of strip searching. Women in this study passionately articulated that strip searching is a harmful practice that should not be used in women's prisons, and I echo their sentiments.

This study focuses exclusively on cisgender women; however, it is reasonable to suggest that cisgender men and transgender people may have different (or similar) experiences of being strip searched. Therefore, more research needs to be conducted in order to capture their experiences of being strip searched while imprisoned. Furthermore, more research needs to be conducted on the intersectional experiences of being strip searched. Due to time constraints I was unable to recruit women from many social locations. Future research is needed to explore how women from different positionalities experience being strip searched.

Feminist criminologists have long recognized that women in prison possess unique life histories and circumstances, largely shaped by their social position in a capitalist, settler colonial, and patriarchal society. As such, correctional administrators should take these gendered experiences into account when developing and implementing policies and practices for women prisoners. Moreover, the correctional environment should not mirror the trauma and oppressions women experience throughout their lives, which largely contributes to their imprisonment in the first place. However, as this study demonstrates, the continued use of strip searching, despite the expressed harm associated with it, suggests that correctional services have yet to meaningfully acknowledge women's lived experiences of violence and trauma when implementing practices. If women's life histories and experiences, particularly of violent victimization, were taken seriously by correctional officials, forcing a woman to remove her clothes and perform humiliating acts to expose her naked body would not even be a consideration, let alone a routine practice.

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