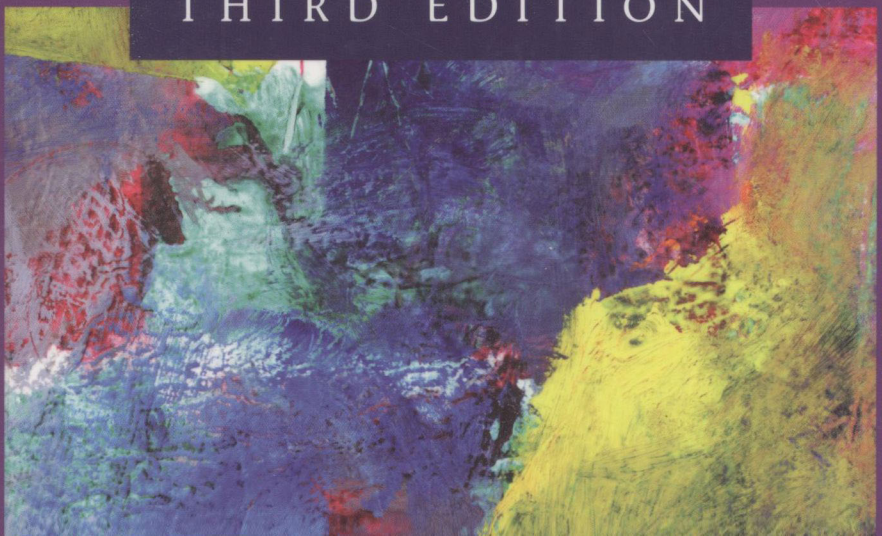
MEDA CHESNEY-LIND • LISA PASKO

THE FEMALE OFFENDER

GIRLS, WOMEN, AND CRIME

THIRD EDITION



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EDITORS

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THIRD EDITION

THE FEMALE OFFENDER

To Ian Yonge Lind

To my sister, Laura White

PREFACE

What is clear to scholars and practitioners of criminal justice is that the female offender has long been ignored. Indeed, until the 1970s, serious discussion about the gendered nature of offending was absent from most criminological research and from correctional programming and policies. If girls and women were considered at all, their offenses were often trivialized or they were portrayed in highly heterosexist ways. The gendered nature of abuse and victimization that impacts girls' and women's crime and affects their pathways to court and correctional involvement was also largely overlooked or misunderstood by the system and by researchers.

By keeping the female offender as the central focus, this book removes the shroud of invisibility from girls' and women's offending, their victimization histories, and their experiences with court and corrections. As in previous editions of this book, this third edition explains the historical and contemporary experiences of girls, women, and crime. It interrogates the complexities of current issues and offers critical examination of recent reports that girls and women are becoming more like male offenders in the criminal justice system.

In addition to updated statistical data and literature on risk behaviors, arrests, sentencing, and incarceration, new to this edition is the greater discussion of several key areas, such as the increases in girls' arrests for assault over the past decade, the impact of sexual abuse and survival sex on girls' and women's court involvement, the criminalization of sexual minority girls in the youth correctional system, the growth of the female drug offender population, the increase in the number of executions of women, and the struggle to develop gender-responsive programming and stronger advocacy efforts in order to improve the lives of offending girls and women in our communities.

Also new to the third edition is Chapter 7, authored by Janet T. Davidson, titled "Female Offenders, Community Supervision, and Evidence-Based Practices." Using her recent study of men and women on parole, this chapter discusses the growth in the female offender community correctional population and examines the efficacy of gender-neutral risk-assessment tools and other supervision practices used to monitor female parolees and probationers. Should the system of community corrections be gender blind or gender responsive? Can evidence-based risk-assessment tools and supervision techniques effectively use a "one size fits all" method? Data for this chapter include both qualitative (in-depth interviews with male and female parolees) and quantitative data (recidivism and risk-assessment information) in order to demonstrate the gendered needs female offenders have and the gendered risks they navigate as they try to successfully complete parole. National data are also used to highlight gender differences.

ACKNOWLEDGMENTS

This book, like its second edition, took too long; fortunately, this round there are two of us to share the blame, which is only one of many reasons to collaborate. Also long is the list of folks who have made us think about things, helped us with ideas, and basically kept us honest.

For Meda—I once again have to thank my colleagues in the Department of Women's Studies and the Department of Sociology at the University of Hawaii at Manoa for their support. The freedom to write and think as I do comes from having a great workplace—one that celebrates rather than condemns work on girls and women. Special thanks this round goes to Brian Bilsky, Dick Dubanoski, Kathy Ferguson, Konia Freitas, Tonima Hadi, Susan Hippensteele, Katherine Irwin, David Johnson, and Mire Koikari for their encouragement and enthusiasm for my work over the years.

For Lisa—I would also like to add such thanks to friends, family, and colleagues who have continuously given me emotional support and always offered avid interest in this research. To name a few, my parents, Jean and Eugene Pasko, and my sister, Laura White, as well as Christopher Bondy, Marilyn Brown, Paul Colomy, Janet Davidson, Moira Denike, Felix Dover, Hava Gordon, Stephanie Hedrick, Terri Hurst, Michael Kohan, Nancy Marker, Lisa Martinez, Dave Mayeda, JD McWilliams, Don Orban, Andrew Ovenden, Laura Padden, Scott Phillips, Stephen Scheele, Tina Slivka, and Rick Vonderhaar.

Both of us are fortunate in our respective communities. Hawaii is such a rich and wonderful social environment within which to work and live. Close association with the Office of Youth Services and the many social service and public agencies with whom they work has greatly enriched our lives and work. Bernie Campbell, David Del Rosario, Rodney Goo, Carl Imakyure, Cheryl Johnson, Dee Dee Letts, Bert Matsuoka, David Nakada, Bob Nakata,

Tony Pfaltzgraff, and Suzanne Toguchi have kept us in touch with the youth of Hawaii and their issues. Marcy Brown, Jo DesMarets, Louise Robinson, Martha Torney, and Marian Tsuji and have given us much-needed help in understanding the issues for adult women offenders. All of these folks have kept us in the community and closer to the reality we want and need to write about. Likewise, Colorado is also a wonderfully cooperative environment in which to conduct applied research. Many thanks to the Division of Criminal Justice (with special thanks to Michele Lovejoy), Colorado Juvenile Justice and Delinquency Prevention Council, Colorado Coalition for Girls, Colorado Juvenile Defender Coalition, Girls Inc. of Metro Denver, and Colorado Springs Women's Resource Agency for their ongoing support of girl-centered justice issues.

No work of this scope, though, could have been considered without an equally rich national and international community of scholars with whom we shared ideas, expressed frustration, and plotted strategies. Many of these folks are scholar/activists, so their work is enriched by their commitment to seek not only the truth but also social justice. We extend deep thanks here to Christine Alder, Joanne Belknap, Barbara Bloom, Lee Bowker, Kathy Daly, Mona Danner, Walter Dekeseredy, Mickey Eliason, Kim English, Karlene Faith, Laura Fishman, John Hagedorn, Ron Huff, Tracy Huling, Russ Immarigeon, Nikki Jones, Karen Joe Laidler, Vera Lopez, Dan Macallair, Mike Males, Marc Mauer, Merry Morash, Barbara Owen, Ken Polk, Nicky Rafter, Robin Robinson, Vinnie Schiraldi, Marty Schwartz, Francine Sherman, Andrea Shorter, Brenda Smith, and last but certainly not least, Randy Shelden.

Nationally and internationally, practitioner/scholars have insisted that they be listened to as well—to understand how girls and women they work with in their communities live. Here we must thank Ilene Bergsman, Kimberly Bolding, Carol Bowar, Alethea Camp, Ellen Clarke, Sue Davis, Elaine DeConstanzo, Jane Higgins, Elaine Lord, Judy Mayer, Ann McDiarmid, Andie Moss, C'ana Petrick, and Paula Schaefer for keeping this work in touch with their reality. Also, wonderful journalists who care about girls and women have worked with me to publicize their situation while also doing important muck-raking work that criminologists should have done and would have in better days. Special thanks here to Gary Craig, Adrian Le Blanc, Elizabeth Mehren, Marie Ragghianti, Nina Siegal, and Kitsie Watterson.

Most important, our heartfelt thanks to the girls and women who found themselves in the criminal justice system for having the courage to speak the

truth in the face of extraordinary pain. Many of these girls and women must remain anonymous, but fortunately not all. Thanks, most of all, to Linda Nunes for her friendship after so many years, and for giving the hope that women can make it through such systems and survive with integrity. Thanks also to Dale Gilmartin for her help with the girls' issue and her courage to write about her own experience, and to Michelle Alvey for her strength, courage, and trust. We hope that we've done justice to your insights and your experiences.

Finally, thanks to Jerry Westby for never giving up hope that this book would appear. Thanks also to Erim Sarbuland for the final push over the top.

—Meda Chesney-Lind and Lisa Pasko

BRIEF CONTENTS

DETAILED CONTENTS

ONE

INTRODUCTION

Myself (by J., 2010)

I say I love you

But I barely love myself

I say I hate you

But I only hate myself

I say I miss my child

But I barely miss myself

I say I care about you

But I barely care about myself

I'm not saying I don't love you

I just don't love myself

I hate me. I hate my family

So I could try to love you

I want to love you forever through

thick and thin

Till death do us part.

But I have to learn to love myself first.
You say you're going to love me. But
how long will your love last?
I miss loving myself and having
myself.
I want to love myself, and cherish
myself
But where am I to go when I have just
myself.

—resident on Girls' Unit,
Waxter Children's Center in Laurel, Maryland[1]

Shirley Chisholm, the first African American woman elected to Congress, wisely observed, "The emotional, sexual, and psychological stereotyping of females begins when the doctor says, 'It's a girl'" (Hoard, 1973). This was both an important observation and a national call for a clearer focus on girls' lives and girls' problems. More recently, there has been a spate of books on problems that one might argue are unique to girls, largely focused on body issues and popular culture (see Harris, 2004; Hesse-Biber, 2007; Lamb & Brown, 2009). Why the need for a separate discussion of girls' problems? Somehow, in all the concern about the situation of women and women's issues during the second wave of feminism, the girls were forgotten.

Forgetting about girls is easy for adult women to do. After all, because the problems confronting adult women in the workplace and at home are so staggering (sexual harassment, salary inequity, and domestic violence, to name a few), it is difficult to spare energy to consider how their own childhoods shaped who they became and what choices they ultimately faced. Such lack of concern was particularly clear when reviewing the paucity of information on the lives of economically and politically marginalized girls of today's underclass. Coming into the 21st century, this lack of information has facilitated a spate of

[1]Reprinted with permission from Kumar (2010, p. 5).

mean-spirited initiatives to control the lives (and especially the sexuality and morality) of young girls, most notably African American and Hispanic girls, who are construed as welfare cheats and violent, drug-addicted gang members (Lopez, Chesney-Lind, & Foley, 2011; Males, 1994; Nichols & Good, 2004).

Consider the recent and racially different depictions of girls' violence and aggression and the media's fascination with "girls gone wild." As this book will document, when dramatic pictures of girls of color carrying guns, committing violent crimes, and wearing bandannas suddenly appeared in the popular media, there were very few careful studies to refute the vivid images. Additionally and without much critical thought, the current attention on "reviving Ophelias" and white girls' "mean girl" associations and deployment of violence also contribute to a characterization of girlhood as riddled with aggression, ferocity, and intragender victimizations (Chesney-Lind & Irwin, 2008). Why? Why this absence of critical thinking about girls, violence, and crime? Criminology has long suffered from what Jessie Bernard has called the "stag effect" (Bernard, 1964, as cited in Smith, 1992, p. 218). Criminology has attracted male (and some female) scholars who want to study and understand outlaw men, hoping perhaps that some of the romance and fascination of this role will rub off. As a result, among the disciplines, criminology is almost quintessentially male.

In recent times, feminist criminology has challenged the overall masculinist nature of criminology by pointing out two important conclusions. First, women's and girls' crime was virtually overlooked, and female victimization was ignored, minimized, or trivialized. Women and girls existed only in their peripheral existence to the center of study—the male world. Second, whereas historical theorizing in criminology was based on male delinquency and crime, these theories gave little awareness to the importance of gender—the network of behaviors and identities associated with the terms *masculinity* and *femininity*—that is socially constructed from relations of dominance, power, and inequality between men and women (Belknap, 2007; Chesney-Lind & Shelden, 2004; Daly & Chesney-Lind, 1988). Feminist criminology demonstrates how gender matters, not only in terms of one's trajectory into crime but also in terms of how the criminal justice system responds to the offenders under its authority.

Because of the interaction between the stag effect and the relative absence of criminological interest in gender theorizing and girls' issues, this book will show that the study of "delinquency" has long excluded girls' behavior from theory and research. To some extent, adult women offenders have also been