

Across the Spectrum of Women and Crime

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Theories, Offending and the
Criminal Justice System

Edited by

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Introduction

Susan F. Sharp, Ph.D.

An edited volume is a labor of love that frequently takes on a life of its own, and this volume is no exception. We envision this book as a resource for those wanting to better understand the relationship between women and offending, using original chapters written for this text. The book provides important insights into female offending because so much of the research is qualitative, allowing the voices of the women themselves to reveal and help interpret the themes addressed by the authors.

The book covers three fundamental—but not necessarily mutually exclusive—areas related to women and offending. Broadly defined, the three areas are theoretical applications, varieties of female offenders (especially those less commonly studied such as female drug traffickers and female terrorists), and the system’s response to women. Thus, it offers a view of women and crime across the spectrum—from explanations of women’s offending to specific types of offending. Most importantly, we then turn to how the system—and society—respond to the woman offender.

The book is divided into three parts, reflecting the three major themes. Each reading is followed by discussion questions designed to provoke thought. In the first four chapters, original research helps inform important theoretical approaches. In Chapter 1, Van Gundy-Yoder explores the cases of two women, Andrea Yates and Lisa Montgomery, to illustrate how a gendered approach to Agnew’s General Strain Theory can help explain their crimes. Using Broidy and Agnew’s gender-specific approach to identifying strains and their impact on behavior, she provides support for a gendered approach to General Strain Theory and how to apply the characteristics common to women in the analyses.

Smith and Klepfer, in Chapter 2, explore the relationship between intimate partner victimization and offending among women with a focus on how failures in the system contribute to the problems of female offenders. This chapter illuminates the barriers faced by women who offend. To illustrate how this plays out, they utilize Maslow’s “hierarchy of needs” as a framework to help

us better understand the behaviors of the women. Simply put, the women's behaviors are efforts to meet needs. Using in-depth interviews, their analyses add to our knowledge of the role between intimate partner violence and female offending.

Chapter 3, by Sharp, uses a case study to illustrate how being marginalized in multiple ways can contribute to excessive punishment. Wanda Jean Allen was the first African American female executed in the United States since the 1950s as well as the first woman executed in the state of Oklahoma. Jean, as she liked to be called, was disadvantaged in several interacting dimensions, leading to a death sentence for a crime that probably should have resulted in a far less severe penalty. A young, black female lesbian, she was portrayed by the prosecution as a vicious and hardened criminal who "played the role of the man in her lesbian relationship." Poor, uneducated and brain-damaged, she was unable to obtain an even minimally functional defense. Thus, race, gender, class, sexual orientation, and mental handicaps worked against her in a synergistic manner. Using firsthand observations, observations of legal proceedings and communications with her legal team, Sharp develops Wanda Jean Allen's story as a case study of how multiple forms of marginalization result in more than the sum of the individual disadvantages.

The theme of intersectionality is continued in Chapter 4. Using national data (NIBRS), Durfee examines the patterns of arrest of teens for dating violence and how the intersection of race and gender plays an important role. She focuses on the role of mandatory and pro-arrest laws in the likelihood of arrest, specifically in dating relationships. She then further explores the role of race, finding that African American girls are the most likely to be arrested, controlling for legal factors.

The next four chapters focus on several types of female offending. Topics include studies of women who kill their children, women who participate in stripping and the sex industry, women in the methamphetamine trade, and women as suicide bombers.

Dragon, Oberman and Meyer use both qualitative and quantitative data in Chapter 5 to examine the role of their relationships with men in explaining women who kill their children. They illustrate that domestic violence and learned helplessness often play a role in women killing their children. Additionally, in some cases, the male partner plays a significant role, and at times the woman did not even participate in the homicide but was instead blamed for her failure to protect her child. The authors then turn to the differential response of the criminal justice system to women who kill their children, illustrating how societal expectations of mothers lead to harsh punishments.

In Chapter 6, Caputo takes the reader into the world of legal sex work among women who use drugs. She ties together the relationship between sex work and drug use with histories of abuse and impoverishment in both childhood and adulthood. She further adds to our knowledge by examining the relationship between legal sex work (such as dancing) and illegal sex work (prostitution).

Chapter 7 focuses on the experiences of women in the methamphetamine trade. Jenkot explores the motivations of women who sell or trade illegal drugs, using a gendered pathways framework that focuses on relationships, economics, gender norms and abuse. Using in-depth interviews, he explores several themes, including the women's identification (or lack thereof) as drug dealers, their perception of themselves as being involved more in trading than selling, the norm of sharing or reciprocity, and the risk of being coerced to trade sex for drugs.

In the final chapter in Part II (Chapter 8), Markovic examines women as suicide bombers, tracing the history of female suicide bombers as well as the motivations. She explores both personal and organizational motivations among women who engage in this practice. The chapter examines the recent emergence of female suicide bombers in Nigeria and which countries use female suicide bombers the most often and with the most deadly impact.

The final five chapters examine various aspects of women and the criminal justice system. Topics include wrongful convictions, imprisonment, access to treatment within the criminal justice system, desistance from offending, and reintegration into society.

In Chapter 9, Fox asks three important questions about women who are unjustly convicted of murder: how, who, and why? Looking at five cases in the U.S. and Japan, he explores the misogynistic approach of a system that places unrealistic expectations on women and then punishes them for their failure to meet those expectations. He hypothesizes that women who are seen as "bad" may be given long sentences as a form of eugenics, keeping them in prison so that they cannot have children.

The focus of Chapter 10 is to give voice to women who are or have been incarcerated. Using qualitative data, Lawston illustrates to the reader how women's experiences of prison often mirror their traumatic pre-prison lives. The intrusive and coercive nature of supervision, often by men, leads to sexual and other traumas while in prison. This is further compounded by failure to provide appropriate medical and mental health care. The result is a chapter that paints a disturbing picture of the lives of women prisoners. However, she points out that, despite the restrictive and coercive nature of the prison, women still finds ways to resist.

The theme of medical neglect is carried on by McGee et al. in Chapter 11. Noting that women who are arrested, especially for drug offenses, often have

chronic health issues, McGee et al. juxtapose the need for substance abuse, mental health and physical health treatment with the limited availability of programs and resources. They then go on to demonstrate the unequal treatment availability for minorities. Supplementing analyses from a quantitative survey with interviews, they allow the voices of the women to tell the stories.

Chapter 12 focuses on women who get a second chance to live prosocial lives through their roles as grandparents. Kerrison and Bachman take an innovative approach to understanding women offenders' desistance from crime and drugs. They propose that identity change may result when the woman is able to redefine her role on the basis of being a grandmother. They explore the importance of this prosocial role through in-depth interviews with more than one hundred participants.

The final chapter (Chapter 13) by Sharp and Ortiz examines the experiences of women who returned to prison versus women who not only did not recidivate but successfully reintegrated. They found that not only were the women who returned less able to access resources and lacking outside support, but they also often lacked the belief that they could thrive in a post-prison world.

Marcus-Mendoza then recapitulates the chapters in the book, finding that they illustrate total system failure. In other words, prior to, during and after incarceration, women who offend are often as much victims of a society that neither cares nor understands as they are offenders.

We hope that the readers of this volume enjoy the contributions as much as we have enjoyed working with these authors. We believe that this book offers a refreshing look at women caught up in the criminal justice system.