Understanding the “Erring” Female: A Literature Review Exploring the Evolution of the Criminalized Female Offender

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Female criminality is a fascinating subject and one that was largely ignored by criminologists until approximately 50 years ago. With the influx of media influence, the ever-increasing rate of incarcerated women, and new research into the lives of female offenders, it is apparent now more than ever how different their lived experiences, pathways to crime, offences committed, and overall criminalization are to their male counterparts. Beginning with an in-depth look into the history of female offenders, the author covers comparisons between male and female deviants, discrepancies and similarities of youth and adult females involved in crime, and the various theories that have attempted to explain female offenders. Lastly, the author will briefly review how physical appearance, self-image, and self-esteem affect female criminality—an area that eagerly requires further research.

With sensationalism in the media reporting the occurrences of crime in relation to females, it is easy to see how society currently fears the inception of a new female offender; one that transcends stereotypes and has emerged as violent, deviant and equal in psychopathy to that of male offenders. Consistent findings show that, although rates of female crime have risen, the types of offences committed are largely that of property and drug-related. As such, it is prudent to examine the history of the criminalized woman prior to attempting to understand who she has become.

1. A Westernized History of the Female Offender

The conceptualization of the female offender has undergone a variety of evolutions throughout the late 19th and 20th centuries. Initially perceived as an “erring” female, she was positioned as problematic and in need of patriarchal protection (Balfour, 2013). The view of female offenders then shifted to a connotation of the black widow: a woman who is angry, afraid of no one and must be saved through the law (Balfour, 2013). Following the shift to the black widow, the stronghold of westernized media created the image of the female psychopath; depicted as cunning, violent, and aggressive (Jermyn, 1996), she both opposes and destroys the construct of the moral and feminine woman. The creation of the criminally-dependent woman arrived in response to welfare reform in the early 1990s. Dependent on the state and “bad men”, she is the embodiment of disordered thinking with an inability to self-regulate (Pollack, 2006). The 1990s also showcased the emergence of the female sex offender; a previously dismissed and unstudied construct, the female sex offender grapples with psychiatric disorders and past victimization (Vess, 2011).

The erring or fallen female is described as one who casts aside her morality and makes life decisions on the basis of her sexual drive; pleasing herself by engaging in inappropriate sexual acts/proclivities, portraying beliefs or opinions that defy conventional norms for a female and that strongly contrast with that of the traditional woman, and thereby requiring the state to pursue means to “protect” her. In fact, the protection of the erring female was not for her own safety but for the welfare of the state, which viewed her as a threat to the economic advancement and purity of the nation. Razack (1998) explained that the prestige of the middle class has depended on women exuding the traits of morality and when these traits are not upheld or treated with derision, the woman responsible becomes “the other” or the erring female, upon which time she is in need of moral correction. Doled out in the form of maternal discipline, moral correction was obtained through female offenders “voluntarily” attending homes run by middle class women where they would be returned to a purer state through domestication and the disciplining of sexual behaviour (Balfour, 2013).

The female offender as the black widow is described as being self-determinate and defying the state through “her crime, mentality, intransigence, gender and very identity” (Menzies & Chunn, 2006, p. 174). Her crimes, which run along a continuum of defence and/or defiance depending on the view, transgress the norms of womanhood and land her squarely in the realm of needing punishment as a response to her madness (Menzies & Chunn, 2006). She murders her husbands and lovers, acts against nature and expresses her crimes through manners that are not “fully female or male, willed or compelled, crazy or sane” (Menzies & Chunn, 2006,
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Punishing the black widow for her madness was conducted through a medico-legal network, whereupon the psy-discourses (i.e., psychology, psychiatry and social work) encouraged the criminal and psychiatric control of women. Indeterminate sentencing (a euphemism for “until she submits” (Balfour, 2013)) for crimes was introduced, along with electroconvulsive and insulin therapies to correct her disordered tendencies. The black widow remains an enigma; punished in immeasurably horrid ways in response to the psy-discourses gaining ground in carceral settings.

Contrary to public perception, the female psychopath, generally depicted as a violent serial killer, is not a modern phenomenon (Roland, 2008); however, in response to the sensationalism of media headlines for a few, albeit concerning offenders, the construct of the female psychopath strikes fear into the hearts of society. Their violence is comparable to that of males and they tend to commit their crimes for the same reasons as their counterparts; namely, greed or gain, jealousy, revenge, sadistic sexual pleasure, or psychosis. The female psychopath takes on a variety of roles: the angel of death, the revenge killer and the compliant partner/sexual predator (Roland, 2008). Perhaps in response to the crimes of Karla Homolka and Aileen Wuornos, who were convicted of manslaughter in the deaths of three young girls in Canada and convicted of the murder of one man and plead guilty and no contest to the murders of five other men in the United States, respectively, and whose trials were largely played out in the media, the perception of the occurrence of female psychopaths is overrepresented in the United States and Canada. It is important to note that Karla Homolka is not a diagnosed psychopath, although she continues to be referred to as one in both the media and books, while a study conducted posthumously with data collected before and after the execution of Aileen Wuornos found that she met the requirements for diagnosis (Myers, Gooch & Meloy, 2005). The origins of psychopathy are not well understood; however, the traits that define the construct are established early in childhood and tend to manifest themselves through conduct disorder and antisocial personality disorder (Hare, 2002). While relatively little research has been conducted on female psychopaths, an approximate estimate exists suggesting that 10% of female offenders meet the requirements for the Psychopathy Checklist-Revised (PCL-R) (Hare, 2002). According to one study, recidivism rates for female offenders scoring high on the PCL-R hover around 62% in the year upon release, while a study conducted by Salekin et al. (1998; as cited in Hare, 2002) indicates that within 50 days of release, the recidivism rate for female psychopaths is seven times that of other female offenders.

The distinction between good and bad dependency and the advent of the dependency discourse arose during the welfare reform in the 1990s when the United States government worked toward drastically reducing the number of families and individuals on government assistance programs; good dependency was described as marriage, while bad dependency was requiring assistance from the state. It is through this distinction of good and bad dependency that Pollack (2006) highlights the creation of the “criminally dependent” woman and examines what has been deemed a negative character trait. She is profiled through her chemical/alcohol addictions, her reliance on bad men, and the seeking out of abusive, controlling relationships, as well as her dependency on welfare. Her choices amount to the result of low self-esteem, disordered thinking, and an inability to successfully manage freedom (Balfour, 2013).

In conjunction with Chunn and Gavigan’s (2006) dissection of the dependencies of women on welfare, McCorkel (2004) outlines the perception of “welfare queens” (a subcategory to the “criminally dependent” woman): young, black, single mothers who are deemed incapable of providing for themselves and have become dependent on the state, thereby ensuring prime candidacy for moral regulation. She is racialized, stigmatized, and negatively stereotyped; and viewed as either the “welfare queen”, the impulsive inmate addicted to drugs and bad relationships, or the individual incapable of successfully managing personal freedom and autonomy. The female sex offender arrived on the radar of psychologists and criminologists over the past two decades, during which time little has been discovered and even less understood. The profile of the female sex offender reads as a list of victimizations: reared in a dysfunctional family, experiencing frequent sexual abuse during childhood, and high rates of psychiatric impairment (Christopher, Lutz-Zois & Reinhardt, 2007; Vess, 2011). The emergence of the female sex offender is a disturbing prospect, one that criminologists previously overlooked and refused to entertain. Examined more closely in the following section, the female sex offender has become the subject of intense scrutiny.

The various and competing views of the female offender over the course of the past 100 years highlight the manners through which women have been maligned and criminalized. In examining the lived experiences of criminalized women, their struggles with poverty, racism, and violence, we begin to understand how the pathways to victimization and criminalization are intertwined; how the dominant perspectives dedicated to detailing female offenders continue to focus on unimportant aspects of criminality, and how desperately a different approach is required in order to address the needs of women within a wider social context. Through the upcoming section, we see that the criminalized female has not transformed into a new breed of offender, rather she has been reconceptualised. Portraying the 20th Century Female Offender.

Following the westernized history and evolution of the female offender, it is important to capture who the criminalized woman is today. She continues to be the “erring” female, the criminally dependent woman, the sex worker; however, the relatively recent introduction of the domestic homicide perpetrator and the female sex offender will be examined more closely.

In considering the perpetrator of domestic homicide, a
contextual application must be examined. Compared to men, females who kill their spouses are likely to do so as the result of battered woman syndrome: they experience prolonged abuse, consistently live in fear that their lives or the lives of their children will be taken, and they feel there are no safe alternatives (Steffensmeier & Allan, 1996). There is a misguided perception of the female domestic homicide perpetrator as a “black widow”; however, no empirical evidence supports such claims. The female domestic homicide perpetrator is not a “black widow” — she is a separate and distinct offender, and as previously highlighted, she is likely to be classified as a battered woman. Furthermore, it has been shown that battered women experience a history of abuse from a source other than their partner; woman who were sexually victimized as children are consistently more likely to become victims of male-perpetrated violence in relationships as an adult (Beitchman et al., 1992; Browne et al., 1999; Green et al., 2005; as cited in Tripodi & Pettus-Davis, 2013). Between 1961 and 1990, 40% of murders committed by females were against their spouse (Silverman & Kennedy, 1993; as cited in Hendriks & Bijleveld, 2006). Between 1961 and 1990, 40% of murders committed by females were against their spouse (Silverman & Kennedy, 1993; as cited in Hendriks & Bijleveld, 2006); in totality, approximately 13% of murders in Canada were committed by women, reinforcing the assertion that males encompass the majority of violent offences.

In discovering the existence of the female sex offender, it was initially believed that the crime was one of passivity, i.e. a woman operating under the instruction of a male; however, research conducted has suggested that the male-coerced offender is in the minority. The female sex offender is conceptualized through differing typologies, including: the exploitation/exploration type; the heterosexual nurturer; the male-coerced; the psychologically-disturbed sexual predator; and the predisposed female (Hendriks & Bijleveld, 2006; Vess, 2011) — as well by their choice in victims. What is remarkably noteworthy about the initial oversight of female sex offenders is that according to Green (1999; as cited in Hendriks & Bijleveld, 2006), approximately 14%-24% and 6%-14% of crimes committed against male and female victims respectively are perpetrated by a woman. Research stemming from the victimology of sex offenders includes Saunders, Kurko, Barlow and Crane (2011), who reviewed a number of studies that indicated sex offenders look for victims that display low self-esteem and present as emotionally needy.

Upon reviewing female sex offenders, researchers were once again guilty of an oversight — the existence of adolescent sex offenders. This has since been rectified but what little literature exists suggests that adolescent sex offences are severely under-reported; possibly attributable to the difficulty society has in envisioning that female adolescents are capable of such offences (Hendriks & Bijleveld, 2006); however, Roberts et al. (1969; as cited in Hendriks & Bijleveld, 2006) have reported that 43% of adolescent sex offenders are female. Researchers examining adolescent female sex offenders have found that what are deemed to be childhood precursors to diagnoses of Antisocial Personality Disorder and Borderline Personality Disorder, namely Oppositional Defiant Disorder, Conduct Disorder, and Attention Deficit Disorder (Christopher et al., 2007), are overly represented in female adolescent sex offenders.

On average, research indicates that when it occurs, females begin sexually offending earlier than males. In reviewing comparative studies, the average age of females for first offence varied between the studies: 11.6 years old, 13.6 years old, and 6.7 years old, in contrast to males at an overall average age of 14.7 years old (Ray & English, 1995; Fehrenbach and Monastersky, 1988; Cavanagh Johnson, 1989; Matthews et al., 1997; as cited in Hendriks & Bijleveld, 2006). A majority of researchers have concluded that victims of adolescent offenders tend to be under the age of 10 and are known to the offender. While further research must be conducted on adolescent sex offenders as results thus far are limited and should be taken with caution, the prevalence rate is estimated between 5% and 10% of the population (Hendriks & Bijleveld, 2006). The focus of a unique study into young female sex offenders in the Netherlands found that a surprisingly high number of those charged with a sex offence had committed the crime in the context of a group, in addition to having been charged with other violent offences during the commission of the sex offence (Hendriks & Bijleveld, 2006). The etiology of this group of offenders is similar to prior literature: their intelligence quotient is below average, the development of their moral conscience was poor at best, and over half the girls were diagnosed with psychological disturbances. A notable finding in this study is that a majority of participants have a negative self-image, a concept that will be examined later on (Hendriks & Bijleveld, 2006).

Our knowledge of the female offender has grown tremendously over the past 50 years, yet we continue to construct labels in an attempt to explain and reduce the occurrences of female crime through discourses that have proven unsuitable to the task. It is important to reiterate that trends of female crime have remained stable in North America (Chesney-Lind & Pasko, 2004); women continue to be overly represented in what are considered traditional female offences (i.e., property, fraud and drug crimes) and while rates of violent crimes have seen a small surge, women are less involved in violent crimes and sex offences than the media would have one believe. The following section will review trends of female crime around the globe; specifically: Japan, Finland, Israel, Slovenia, and Great Britain. Female Crime around the Globe Japan

Crime rates in Japan have consistently remained low with regard to both juvenile and adult offenders; the Organization for Economic Cooperation and Development has stated that the country’s rates are among the lowest world-wide, particularly with respect to serious violent crime (Matsuura, Hashimoto & Toichi, 2013). There are few female juvenile delinquents incarcerated in Japan; as such the data obtained through several studies conducted by Matsuura and colleagues (2013) are crucial in highlighting the causal factors related to the pathways to crime, specifically through the determination
that incarcerated female offenders overwhelmingly display characteristics of childhood victimization, consistent and very low self-esteem, and severe depressive symptoms.

Researchers are particularly interested in the best predictors of criminal behavior, and in the case of adolescent female offenders, psychological disturbances are important, highlighting how adolescent female offenders are significantly more likely to have undergone psychiatric assessment or treatment in comparison to adolescent male offenders (Dembo, Williams, Schmeidler, & Wothke, 1993; as cited in Matsuura et al., 2013). In conjunction with the aforementioned research, Matsuura, Hashimoto, and Toichi (2007; as cited in Matsuura et al., 2013) indicate that adolescent female offenders experience notably higher incidences of childhood victimization when compared to adolescent male offenders. This finding is not surprising when considering their high rates of psychological disturbances. Similar to their western counterparts, adolescent female offenders in Japan are depicted through their experiences of childhood abuse, emotional deficiencies, psychological disorders, and substance dependencies (Roddaway et al., 2011; as cited in Matsuura et al., 2013). While crime rates in Japan are substantially lower than that of other countries, the typology of crimes committed remains on par with female offenders around the globe; namely, the majority participate in drug-related offences (Myers et al., 1990; as cited in Matsuura et al., 2013). Finland

Changes in the characteristics of violent female-perpetrated crime, particularly homicide, led to a retrospective study comparing trends in homicide from 1982 to 1992 and 1993 to 2005. With arrests for assaults rising (an 8% increase between 1985 and 2004), it is no surprise that Finnish officials were troubled by their experiences with the “new female offender” (Putkonen, Weizmann-Henelius, Lindberg, Rovamo, & Hakkannen, 2008), given that in 2006, Finland was reported as having the highest homicide rate in Western Europe (Lehti, 2006; as cited in Putkonen et al., 2008). In comparing the two cohorts, Putkonen et al. (2008) found that the female offenders in the later years were more like their male counterparts: shifting to killing individuals not emotionally close them, increases in using male dominated weapons (i.e., guns and knives), and displaying dependency on alcohol. These women were certainly in contrast to the female offenders in the early years, whose crimes displayed characteristics that were of the traditional feminine variety: killing persons emotionally close to them, a lesser degree of dependency on alcohol, and a lack of using male-dominated weapons. The findings of female offenders in the later cohort are especially interesting to researchers given that in most other countries, violent female offenders have consistently been shown to harm those close to them as opposed to strangers or acquaintances, the victim and not the offender has consumed alcohol, and self-defence is the described motivation (Steffensmeier & Allan, 1996).

In determining the pathways to female criminality and searching for causal explanations for the shift, Finnish researchers determined that 49% of female offenders were unemployed and that 28% of the female offenders had previously been incarcerated for violent crimes (Putkonen et al., 2008). Imperative to the explanation of criminality and high levels of violence is the country’s increase in drinking culture and rates of poverty. Touted as one of the wealthiest and “gender-equality advanced” countries in Europe, Finland has experienced an increase in poverty over the last decade that has not been equally dispensed between the genders; women, of course, being overrepresented (Putkonen et al., 2008). The growing subgroups of females who commit homicide are more likely to do so in the context of intoxication. As such, the expanding drinking culture has been declared as a causal factor to the increase in female criminality in Finland, where officials suggest that decreasing the climate of alcohol consumption socially may abate the prevalence of female homicide offenders. Israel

Analogously to many other countries, Israel’s prevalence of women’s crimes and incarceration rates continue to rise, while that of men’s remain stable (Shechory, Perry, & Addad, 2011). Consistent with prior research, Shechory et al. (2011) suggest that the female pathway to criminality follows a gendered approach, in that female offenders typically experience sexual victimization, domestic violence, and poor life circumstances associated with socioeconomic status. Expanding on the pathways to crime trajectory, is the assertion that female offenders fall into two categories: chronic and low levels of criminal activity that are defined through the frequency and duration of said criminal acts (Warren & Rosenbaum, 1986; Capsi et al., 1993, 1994; as cited in Shechory et al., 2011). Current research into the differences in relationships regarding female offenders and causal factors toward criminality focused on violent crimes, drug crimes, and fraud-based crimes. The findings indicate that female offenders convicted of drug crimes spent more time in adolescence in foster homes, institutions, etcetera, than in the family home, they experienced childhood abuse at higher rates than those of the other offender groups, and reported more contact with “delinquent peer groups” (Shechory et al., 2011, p. 8). In a peculiar twist, the researchers submit that those convicted of drug crimes display higher levels of aggression than those convicted of violent offences and that both violent and fraud-based offenders display superior rates of self-control over drug offenders (Shechory et al., 2011).

Shechory et al. (2011) profiled fraud-based offenders as women who were relatively older than the other groups, had obtained a higher degree of education, and had a consistent history of employment; however, current economic disadvantages had propelled them toward fraud-based crimes. The characteristics of the violent offenders group were difficult to define as the researchers interpreted that lack of significant differences between the aforementioned group and the fraud-based group as the result of convictions based on a single act of violence against an individual known to them (i.e., spouse or family member) and therefore could not be successfully placed into the chronic or low level offender category.
(Shechory et al., 2011).

1.1 Slovenia

As with many countries around the globe, female criminality in Slovenia has not been widely researched due to its low prevalence – representing 4% of all crime (Zorc-Maver & Zrim-Martinjak, 2013). In attempting to understand the typology of crimes committed by females, previously conducted research would suggest that violent crimes are typically the result of women who are unemployed and possess a low level of education, whereas property crime tends to be committed by females with a higher degree of obtained education (usually secondary school); however, they remain unemployed as well (Nikolić-Ristanović, 1991; as cited in Zorc-Maver & Zrim-Martinjak, 2013).

Slovenia takes a rather traditional, gendered approach to crime, as a reproduction of masculinity which suggests that females engage in crime as a way to obtain power and transcend oppression. Zorc-Maver and Zrim-Martinjak (2013) indicate that women have less opportunity to be involved in deviancy; reflected through their choice of crimes (i.e., property and drug crimes).

1.2 Great Britain

Between 1995 and 2005, the women’s prison population in Britain increased by 126%, compared to a 46% increase for males (Silvestri & Crowther-Dowey, 2008). In fact, an issue of the Guardian noted that British girls are among the most violent in the world; stating that nearly 1 in 3 Scottish and English adolescents have been involved in a fight within the past year (Silvestri & Crowther-Dowey, 2008). This statistic is alarming when paired with rankings of adolescent violence across thirty-six countries; Scotland and England taking 5th and 6th place, respectively (Silvestri & Crowther-Dowey, 2008). Investigating these statistics further in the hope to understand the pervasiveness of adolescent female violence, Silvestri and Crowther-Dowey (2008) suggest that the culture of drinking and substance use is at fault.

The result of a limited global examination has provided an overview of the trends associated with female offenders. It would appear that, with some notable exceptions, the pathways to criminalization remain stable world-wide. Additionally, the data provided would indicate that globally, female offenders continue to be presented as the minority and are similar in the typology of offences committed. Perspectives and Theories of Female Criminality

An early theory of female criminality was based on Lombroso’s biological determinism which depicted women involved in crime as less than human, diseased in both mind and body (Balfour, 2013). Lombroso focused on women who had been convicted of prostitution and his first major work on the subject of female crime (indeed, the first overall major work on the subject) emphatically stated that the biological make up of a woman was inherently different than that of males; and that therefore women were predetermined to be incompatible with criminal activity (Strachan, 1993). Those that did engage in crime were considered to be biologically abnormal. As men were considered naturally aggressive, their involvement in crime was easily accepted. Lombroso’s theory was abandoned following a lack of empirical evidence, yet biological determinism has cycled around female offenders several times over the last few decades – never lasting long and void of substantial support. The following case is an example of such a cycle.

Dr. Lenore Walker gave testimony on “learned helplessness” in regard to battered women during a murder trial in Canada. She cited a study that had been conducted with dogs who had been repeatedly shocked; after various intervals of this treatment, the dog would no longer attempt to escape the shock and had developed what was termed learned helplessness. Walker emphasized that battered women have been psychologically trained to give up in the face of repeated abuse, thereby aiding the legal recognition of battered woman syndrome (Balfour, 2013). This theory is now viewed as “equality with a vengeance” (Balfour, 2013). It was believed that by emancipating and empowering women, they developed masculine characteristics and became more likely to engage in criminal activity. This theory became a bandwagon for the media to jump on; as such they improperly embraced the “dark side” of women’s liberation as the explanation of female crime (Steffensmeier & Allan, 1996).

After much research and the analyzing of arrest trends during the 1970s, no empirical support has been found for the liberation hypothesis to women’s crime, gained ground in the 1970s after several feminist criminologists submitted that the increase in female offenders was co-occurring with women becoming empowered (i.e., equal employment rights between genders, birth control, and reproductive rights) (Balfour, 2013; Chesney-Lind & Pasko, 2004; Steffensmeier & Allan, 1996). This theory is now viewed as “equality with a vengeance” (Balfour, 2013). It was believed that by emancipating and empowering women, they developed masculine characteristics and became more likely to engage in criminal activity. This theory became a bandwagon for the media to jump on; as such they improperly embraced the “dark side” of women’s liberation as the explanation of female crime (Steffensmeier & Allan, 1996).

Since its inception, feminist criminology has experienced several shifts in discourse in attempting to understand female criminality. Following years of gender blind explanations of crime, feminist criminologists constructed the pathways debate (Balfour, 2013), suggesting that the experience of trauma is a trajectory toward offending. The relationship between victimization and offending led to the reform of prison structures for incarcerated females, exchanging punishment operations...
to therapeutic practices in an attempt to empower the women and reduce recidivism (Balfour, 2013). Pathways to Criminalization

Many researchers will conclude that the etiology of the female offender includes a higher proportion of neurological or psychological abnormalities (Steffensmeier & Allan, 1996). The relationship between mental health and incarcerated females has continually been studied with numerous findings supporting James and Glaze’s (2006; as cited in Tripodi & Pettus-Davis, 2013) assertion that 76% of incarcerated offenders experience a mental health issue. Indeed, the conclusion that a majority of female offenders are victimized prior to incarceration has been supported by numerous researchers including McDaniels-Wilson and Belknap (2008; as cited in Tripodi & Pettus-Davis, 2013) who found that upwards of 78% of incarcerated females were subject to physical or sexual victimization. Not surprisingly, incarcerated female offenders have the highest rate of victimization when compared to males or non-offending females (Tripodi & Pettus-Davis, 2013). Much research has concluded that victimization in childhood is significantly related to substance abuse and criminality, and puts the individual at further risk for victimization across the lifespan (Tripodi & Pettus-Davis, 2013). In studying the enduring effects of prior victimization of Australian women, Fleming, Mullen, Sibthorpe and Bammer (1999; as cited in McCartan & Gunnison, 2010) found that experiencing childhood abuse is a significant predictor of difficulty in relationships generally, and of abuse in intimate relationships. Childhood sexual abuse is also associated with increased mental health difficulties, particularly higher rates of depression and negative (or poor) self-esteem.

While the presence of psychological disturbances is a factor in the criminality of female offenders, research continues to substantiate the claims of feminist criminologists that prior sexual victimization acts as gateway to future offending (Bailley & McCloskey, 2005; Belknap, 2007; Chesney-Lind & Pasko, 2004; Comack, 2005; Gilfus, 1992; Goodkind, Ng, & Sarri, 2006; Widom, 1995; as cited in McCartan & Gunnison, 2010). These findings do not imply that all females who have experienced sexual victimization will become offenders but rather highlight how intricately the two are related; it is a consistent not constant predictor of criminality (Siegel & Williams, 2003; as cited in McCartan & Gunnison, 2010). Consequently, prior sexual victimization is a deleterious harm associated with an individual’s inability to become a productive member of society.

In addition to gender and class, race has been cited as a factor in the pathway to crime. Studies show that in westernized countries African Americans, along with Aboriginal peoples, are overrepresented in the prison population and have higher rates of recidivism upon release in contrast to Caucasian offenders (Langan & Levin, 2002; as cited in Tripodi & Pettus-Davis, 2013). Additionally, researchers have maintained that race better predicts involvement in violent offences over gender, finding that black women commit violent crimes at a higher rate than white women, rates that are on par with that of white males (Koons-Witt & Schram, 2003). This is a perplexing finding when considering the typology of the typical non-violent offender in 1998: categorized as a young, black single mother with a lack of marketable skills and a low level of education (Koons-Witt & Schram, 2003). When viewing the pathways to crime through the lens of race, Hill and Crawford (1990; as cited in Koons-Witt & Schram, 2003) opine that white females become involved in crime due to factors surrounding self-esteem and sex roles, whereas the black female’s trajectory is causally related to low socioeconomic and education factors.

Victimization discourses arose from feminist criminology and have been integral to documenting and showcasing that the pathway to female criminality lies in previous victimization. In North America, the victimization that women endure tends to take place on a predictable path of physical or sexual violence. While examples of violence against women are universal, there are specific cultural phenomena depicted through violent acts that are rarely seen in westernized countries including genital mutilation and acid burning. (Watts & Zimmerman, 2002; as cited in Silvestri & Crowther-Dowey, 2008). As ample evidence exists indicating the relationship between prior victimization and future offending in North America, perhaps there is also a relationship between the victimization associated with experiencing the previously stated cultural representations of violence and future offending.

### 2. A Comparison of Male and Female Offenders

When comparing female and male offenders, a discussion of the career criminal highlights the differences between the genders. Career criminals are categorized through an enduring and consistent pattern of crimes committed by an individual offender (Steffensmeier & Allan, 1996). At the time of the discussed study, little research had been conducted into the trajectories of the career criminal except when viewing violent offenders; however, considerable differences have been noted between the genders. Similar to the result of previously discussed research, violent female offenders encompass a small percentage of crimes committed; female involvement in crime begins and peaks at an earlier age than that of males; the occurrence of repeat offences is rare and they are less likely to commit further violence (Denno, 1994; Kruttschnitt, 1994; Weiner, 1989; as cited in Steffensmeier & Allan, 1996).

Similarities among the two groups can be found in social backgrounds; both genders are likely to come from low socio-economic environments, have little to no education, are under or unemployed, and come from a minority group (Steffensmeier & Allan, 1996). Further similarities can be found in the etiology of male and female offenders; societies that have higher rates of male crime will inevitably follow with higher rates of female crime. Over time, female rates of crime behave in the same manner as males, leading researchers to surmise that patterns of crime are heavily influenced by the
same factors regardless of gender (Bortitch & Hagan, 1990; Steffensmeier, 1990; Steffensmeier & Streifel, 1992; as cited in Steffensmeier & Allan, 1996). Furthermore, male and female rates of crime tend to be higher in urban areas that are plentiful in socioeconomic inequalities and display a disproportionate amount of poverty (Steffensmeier & Streifel, 1993; as cited in Steffensmeier & Allan, 1996).

Upon comparing the two genders, it was proposed that there were “five areas of life that would inhibit female crime but encourage male crime: gender norms, moral development and affiliative concerns, social control, physical strength and aggression and sexuality” (Steffensmeier & Allan, 1996, p. 475). It was asserted that females are more nurturing and continue subscription to stereotypical measures of morality, thereby constraining their opportunity to be involved in crime. Because women are considered to be morally motivated and nurturing by design, their likelihood in becoming involved in crime is negated as they are predisposed to an “ethic of care”. Their focus on the nurturing of others leaves little room to engage in criminal acts for fear that they may lose their loved ones as a result. Social control is considered to be an inhibiting factor to crime as Simmons and Blyth (1987; as cited in Steffensmeier & Allan, 1996) present that the behaviour of women is monitored, evaluated and corrected to an extent not felt by men.

This echoes Rosenbaum and Chesney-Lind’s (1994) statements that society possesses higher expectations of individuals considered physically attractive; certainly it can be declared that society has high and stringent expectations regarding the behaviour of females. Women continue to be perceived as the weaker sex; as such Steffensmeier and Allan (1996) contend that their physiology and less aggressive temperament restrict their movements in successfully committing crime. While a woman’s sexuality would appear to be a gateway for such crimes as prostitution, Steffensmeier and Allan (1996) attest that it is an inhibiting factor, as sexuality increases vulnerability to victimization. Non-violent male and female offenders are found to be similar in terms of their motivation in that both are drawn to crimes they perceive have attainable success, carry limited risks, and allow them to utilize their current acquired skill sets (Steffensmeier & Allan, 1996).

With the development of the zero-tolerance policy and mandatory charging, statistics make it appear as though women participating in domestic violence have substantially increased; however, intimate partner violence is still predominately a male-perpetrated offence (Sinha, 2013). The profiles of men who batter categorize the offender as white, of low socioeconomic status, and education level (Saunders et al., 2011). This is not to imply that intimate partner violence does not transcend race or class but to highlight the characteristics of what has been deemed the typical or most common offender profile. Some researchers have found that pressures from male offenders are a factor in becoming involved in crime and while the adage “she did it all for love” is amplified in the context of female offenders, it has consistently been shown that men play a role in the serious offending of females (Gilfus, 1992; Miller, 1986; Pettiyway, 1987; Steffensmeier, 1983; Steffensmeier & Terry, 1986; as cited in Steffensmeier & Allan, 1996).

Directly contrasting such evidence are Koons-Witt and Schram (2003) who, upon reviewing national crime data in the United States between 1993 and 1997, determined that 53% of violent offences committed by females are done so alone, whereas only 8% were shown to have included a male perpetrator. The need for more inclusive, longitudinal and exhaustive studies into female criminality is emphasized when reviewing further contradictory data that states when females commit an offence alone, the tendency is to engage in property crime and fraud as opposed to violent acts (Alarid et al., 1996; as cited in Koons-Witt & Schram, 2003). It would appear that westernized cultures, specifically the United States, are overrepresented in regard to violent offenders; in 2003, the Federal Bureau of Investigation determined that a 14% increase in female-perpetrated aggravated assaults had occurred between 1994 and 2003 (Putkonen et al., 2008); however, retired Federal Bureau of Investigation Profiler Roy Hazelwood states that there are multiple and complex reasons for the apparent increase in violent offences, including the States’ large population and large geographic region, the lack of border controls that allow for unrestricted movement, the overwhelming media coverage, specifically in response to sex being ruthless and unavoidable, as well as the substantial and unwarranted amount of attention given to violent offenders and their crimes (Roland, 2008).

3. The Adolescent Offender

Adolescent female offenders have begun ingratiating themselves in gangs and displaying startling acts of violence towards peers. The construct of the “mean girl” was introduced in an attempt to explain this new typology of offender; one who is “willing and able to participate in a culture of violence and drinking” (Silvestri & Crowther-Dowey, 2008, pp.25) similar to that of male offenders. Girls’ membership in gangs has been on the rise, in addition to their taking on more active roles within the context of the gang. No longer are girls content with simply being a support; they are becoming more aggressive participants and emulating the males’ behaviour, as evidenced by their increased use of weaponry during violent encounters (Quicker, 1974; as cited in Steffensmeier & Allan, 1996). The “mean girl” appears to transcend both class and race; and she is feared to be the epitome of what all girls are becoming (Silvestri & Crowther-Dowey, 2008). Data examined by DeKeseredy (2000) indicates that female adolescents are responsible for approximately 11% of juvenile homicides in North America and that adolescent females kill strangers or individuals not emotionally close to them more frequently than males do. This was an unexpected discovery but one that echoed data obtained by Greenfeld and Snell (1999; as cited in Koons-Witt & Schram, 2003) who found that 31.9% of homicides perpetrated by [adult] females were acquaintances of the victims. Such statistics would suggest that the victi-
mology of female-perpetrated homicides has experienced a shift. In fact, the rate of serious violent crime in female youth more than doubled between 1986 and 2005; whereas rates of property crime decreased (Kong & AuCoin, 2008).

Across the globe, concerns abound when discussing the increase in youth violence, specifically that of females. As of 2002, the United Kingdom had a higher number of incarcerated youth than any other country in Europe (League, 2002; as cited in Silvestri & Crowther-Dowey, 2008). In 2004, the Federal Bureau of Investigation asserted that the number of girls arrested for assault has grown 40.9% over the last decade (Silvestri & Crowther-Dowey, 2008). When considered in context with the categories of crime females are more often involved with, it is unsurprising to learn that in the decade between 1987 and 1997, girls charged with robbery and drug-related crimes increased by 41.7% and 50%, respectively (DeKeseredy, 2000). According to data obtained from Statistics Canada, rates of serious violent crime perpetrated by adolescent female offenders has more than doubled since 1986 while rates of serious property crime for both adolescent and adult female offenders has declined (Kong & AuCoin, 2008).

4. Prostitution: The Female Crime?

Considered by many to be an exclusively female crime, Steffensmeier and Allan (1996) have suggested that prostitution is male dominated and controlled as those who procure a prostitute’s services, as well as those who benefit financially, are predominately male. While the concepts of moral correction and protection are rooted in historical practices, modern women engaging in prostitution continue to be portrayed as the “erring” female. We have evolved from an emphasis on both moral correction and punishment “for her own good”, which in actuality was for the protection of the moral, white female, to the continued philosophy of punishment but with a differing rationale – namely, the protection of the state. The general outlook toward prostitution remains much the same as it did during the time of maternalization and moral correction; however, many women are attempting to alter the negative perceptions regarding prostitution by declaring it to be another form of employment. The construct of a labour theory in regard to prostitution argues that similar to any other type of economic employment, sex work or sexed work is simply another form of employment and not connotative of a criminal act (Bruckert & Parent, 2006). Bruckert and Parent (2006) discuss the shift in discourse from prostitution as a form of victimization to a legitimate labour; highlighting how in the 1970s, sex workers from a number of countries banded together to defend their profession as a gendered labour continuum. Labour theory recognizes sex work as being a legitimate form of employment; however, it still denotes the work as “marginalized, stigmatized and criminalized” (Bruckert & Parent, 2006, p.98).

5. The Punitive and Carceral Management of Female Offenders

Canada, Scotland, and England have all created reports focused on reducing female incarceration rates and women’s offending (Silvestri & Crowther-Dowey, 2008). The aim of such reports and the development of task forces to ensure their success was admirable; however, the dismantling of the social welfare system, increased privatization of public institutions, a shrinking secure labour market, and a rapidly growing prison industrial complex have all provided a fertile ground for the preservation of a carceral state. By viewing crime through a gender-neutral lens, we have removed women’s differing physical and psychological needs from context. This has resulted in the elimination of the “women’s centered” approach and gender-specific methods to dealing with offenders (Balfour, 2013). Not all women are considered equal under the law in Britain, as research indicates that white woman are charged and sentenced less often than black women, as well as white or black men. Additionally, sentencing is affected not by gender, as one may believe, but through marital status, with divorced women undergoing harsher punishments than married offenders (Farrington & Morris, 1983; as cited in Silvestri & Crowther-Dowey, 2008). The astounding increases in the incarceration of female offenders in the United States over the past several decades have been attributed to several factors: the War on Drugs, mandatory minimum sentencing, and a lack of women’s-based programming in correctional facilities (Balfour, 2013; Tripodi & Pettus-Davis, 2013). Resulting from the influx of incarcerations over the past forty years, the United States now have the highest incarceration rates globally (Guerino, Harrison, & Sabol, 2011; as cited in Tripodi & Pettus-Davis, 2013).

While women’s recidivism rates appear to remain stable, the astronomical increase in incarcerated women continues to be of the utmost concern to many. Feminist criminologists emphasize the need to review policies and procedures regarding therapeutic programming in women’s prisons in order to effectively empower female offenders as the rapidly growing prison industrial complex has and will continue to have devastating effects on women.

6. How Self-Esteem, Self-Image and Physical Appearance Affect Criminality

Matsuura et al. (2013) found that when emotional disturbances (characterized as depression and aggression) are combined with severe childhood victimization, adolescent female offenders experience low self-esteem – believed to be causally linked to the development of criminality. Following a meta-analysis examining the effects of sexual victimization in childhood, Jumper (1995; as cited in McCartan & Gunnison, 2010) found that in adulthood such women experienced deficiencies in several areas of psychological development, including that of self-esteem. Indeed, women who have been subject to sexual victimization have a radically lower self-image (McCartan
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& Gunnison, 2010) providing a baseline for future research into the hypothesis that female offenders (a high proportion of which have been the victim of sexual abuse) may have a distorted sense of self-image in relation to their body.

It has been argued for some time that individuals with low self-esteem are more prone to externalizing negative behaviour, thereby becoming involved in a life of crime (Donnellan, Trzesniewski, Robins, Moffitt & Caspi, 2005). There are three distinct theories surrounding the relationship between self-esteem and criminality. Rosenberg (1956; as cited in Donnellan et al., 2005) cites the social bonding theory, suggesting that those with low self-esteem have less stable bonds with society. A lack of such bonds creates indifference in adhering to social norms and increases deviancy. Using a humanistic psychology approach, Rogers (1961; as cited in Donnellan et al., 2005) submits that a lack of positive self-image creates an environment that fosters aggression, in consonance with neo-Freudians who surmise that low self-image cultivates aggression (Donnellan et al., 2005).

In response to such theories, Donnellan and colleagues (2005) examined the relationship between low self-esteem and juvenile delinquency. Their findings indicate that a significant relationship is indeed present between the two and that those with low self-esteem are more likely to engage in antisocial and violent behaviours. In fact, several researchers have found that low self-esteem is associated with involvement in gang activity (Dukes, Martinez, & Stein, 1997; Esbensen, Deschenes, & Winfree, 1999; as cited in McCartan & Gunnison, 2010).

Regarding crimes that can be associated with attractiveness, such as fraud, research has shown that people considered attractive are more likely to be found guilty than unattractive people. This is more apparent in cases where female offenders are being judged by males (Rosenbaum & Chesney-Lind, 1994). Further studies of appearance illustrate that society has higher expectations of attractive people; women perceived as appealing are expected to behave in feminine and moral manners, not be associating themselves with crime. Contrasting this data are Rayburn and Wright (2009) who claim that their reviews of literature regarding physical appearance show that unattractive offenders are given lengthy and harsh sentences in comparison to attractive offenders; however, the offenders in question in their literature review are overwhelmingly male, indicating that gender and appearance biases can be found in the criminal justice system. Regarding the sentencing of offenders, Emerson (1969; as cited in Rosenbaum & Chesney-Lind, 1994) found that male judges were inappropriately interested in a girl’s physical appearance, specifically if she was clean, as they associated being clean with sexual immorality and the engaging of prostitution. Rosenbaum and Chesney-Lind (1994) conducted a retrospective study to determine how physical appearance affected charges laid on adolescent female offenders in the 1960s. Their results showed that when one or more immorality charge was laid, the offender’s physical appearance was described 93% of the time, compared to 37% where no immorality charge was laid and a physical descriptor was given. Clearly, a significant relationship exists between charges of immorality and physical appearance, especially when it is noted that the physical descriptor of the offender was “attractive” or “well-built” (Rosenbaum & Chesney-Lind, 1994). These results reflect the negative manner in which a pleasing physical appearance was associated with charges of sexual immorality, which in the 1960s was not a criminal offense; however, it was viewed with utmost seriousness by the state. Data examined by Rosenbaum and Chesney-Lind (1994) indicate that while many states no longer participate in the practice of incarcerating young females for noncriminal offences, data in the United States highlights that such incarcerations still exist, specifically in Hawaii.

Several studies have explored how physical appearance impacts jurisprudence in verdicts and sentencing of offenders; the results highlighting that a defendant’s physical features are assessed in determining guilt and leniency of sentencing if found guilty. In a study focusing on mock jurors appraising offenders’ physical appearance concerning their criminality, defendant’s considered unattractive were found to be guilty more often than their attractive counterparts (Herrera, Valor-Segura & Expósito, 2012). Furthering prior research, Herrera et al. (2012) examined how a battered woman on trial for the murder of her husband would be judged; specifically, asking whether physical appearance and behaviour (prototypical versus non-prototypical) affect the mock jurors declarations of criminality. Contrary to the assumption that a physically attractive defendant would be considered less culpable, the results showed that the mock jurors were more likely to attribute less criminal responsibility to the unattractive defendants (Herrera et al., 2012). The researchers provide several possible explanations as to why this occurs, given that physical attractiveness tends to be associated with less harsh sentencing in legal scenarios. It was suggested that an attractive defendant is the opposite of the prototypical battered woman; the embodiment of weak, young, and beaten down and, according to Walker (2009; as cited in Herrera et al., 2012) physically unappealing.

Furthermore, prior research on the relationship between prototypes, appraisal of criminality, and judges/juries found that the more removed an individual is from their preconceived expectations, the more likely the defendant will receive a harsher sentence (Terrance & Matheson, 2003; as cited in Herrera et al., 2012). Therefore, a battered woman who presents as non-prototypical (i.e., physically attractive, stably employed, and calm in her interactions with legal professionals) is more likely to receive a harsher sentence, regardless of her culpability as those who transgress stereotypes violate societal expectations and “are perceived as having greater intentionality” (Jones & Davis, 1965; Lurigio, Carroll, & Stalans, 1994; Russel & Melillo, 2006; as cited in Herrera et al., 2012, p. 190). Non-prototypical battered woman are construed as not having a legitimate case of self-defence, as the mock jurors believed they must have had some control over...
the situation else they would be presenting as prototypical.

Researchers are now investigating a recently documented link between perceived physical appearance and the occurrence of sexual bullying; in response to the epidemic of bullying in western societies (Cunningham et al., 2010). Data rendered by Cunningham et al. (2010) identified that, regardless of gender, adolescents considered physically attractive were more involved in sexual bullying as both perpetrators and victims. In a study conducted by the American Association of University Women (2001; as cited in Cunningham et al. 2010) 54% of students (50% of whom were female) stated that they had engaged in sexual harassment toward other students during their academic years. In keeping with related trajectory paths, Peplar et al. (2006; as cited in Cunningham et al., 2010) found that individuals perpetrating sexual bullying in adolescence have a higher likelihood of committing dating or intimate partner violence in adulthood. Westernized ideals of the female body have certainly been shown to have a deleterious effect on the psyche of women; increases in body altering surgeries, a plethora of psychological disturbances such as eating disorders, depression, and anxiety have abounded, yet other devastating side effects have emerged in context of the objectification of women (Berberick, 2010). Sexual assaults, harassment, the stalking of females, and the culture surrounding women as “inhuman playthings” (Berberick, 2010) is becoming commonplace. Citing Jacobson and Mazur’s (1995) assertions, Berberick (2010) states that the negative perceptions of women in such contexts construct an atmosphere that allows for the dehumanizing of women and the encouragement of various violent acts. In a society that condones such treatment and views toward women, it should come as no surprise that the National Crime Victimization Survey in 2008 (conducted in the United States) found that every hour a woman is raped or sexually assaulted and that 1,006,970 women reported being stalked annually; of those women, 79% report having been sexually assaulted in relation to said stalking (Berberick, 2010).

7. Conclusion

During the past 50 years, female criminality has become the focus of many criminologists’ research. This has resulted in a more thorough understanding of the lived experiences of criminalized women, in addition to a heightened awareness of the crimes committed by female offenders. Accounting for the enormous amount of research conducted over said period, this literature review is able to provide only a modest examination of the intricacies of female offenders. With some notable exceptions, it is clear that the criminalized female offender continues to be categorized and reconceptualised, yet the pathways to criminalization remain stable world-wide. Globally, female offenders continue to be presented as the minority and are similar in the typology of offences committed; however, researchers would benefit from continuing to focus on female sex offenders, as many gaps in knowledge remain. While women’s recidivism rates appear to remain stable, the astrobological increase in incarcerated women is problematic and enduring. The author echoes the need to review policies and procedures regarding therapeutic programming in women’s prisons in order to effectively empower the female offender. Victimization discourses have been an integral component of documenting and showcasing the pathway to female criminality, although a continued emphasis on qualitative research that examines the lived experiences of female offenders is a necessary direction for future research. The agreed-upon pathways to criminalization, specifically sexual victimization, lack of opportunity, and psychological disturbances have been uncovered and reviewed; however, future research into the effects of self-image, particularly perceived body image in the context of offending would be beneficial as preliminary studies have indicated there may be a relationship between the two.

8. References

Balfour, G. (2013). Lectures 1-3 & 8. Criminalizing Women. Lecture conducted from Trent University, Peterborough, ON.


