

Female Violent and Sexual Offenders in Montana

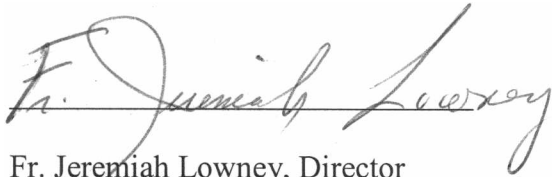
Is There an Increase in Criminal Activity Among Females?

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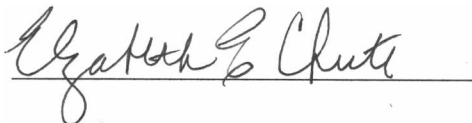
Anne Marie Bergsieker

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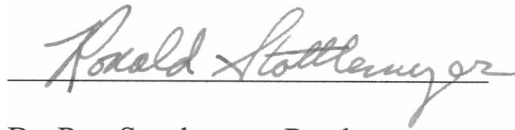
This thesis for honors recognition has been approved by:


Fr. Jeremiah Lowney, Director

4/11/03
Date


Dr. Elizabeth Chute, Reader

April 11/03
Date


Dr. Ron Stottlemyer, Reader

April 11, 2003
Date

April 2003

Abstract

Crime has affected every society throughout time. Overall, crime in the United States has decreased in the past few years, but it is important to recognize that there is an increase in the number of female offenders in Montana and across the nation based on official data. There are many different types of female offenders. They include violent offenders, sexual offender, and white-collar criminals. In Montana, over 3,000 women or 14.8 percent of the total offenders are currently under the supervision of the Montana Department of Corrections. In 2000 and 2001, the female offenders who were sentenced for a sexual or violent offense reached all time highs. The question this paper attempts to address is "are women committing more crimes, or are they merely being reported more often to law enforcement?"

The major theory examined in this research was conflict theory. The reality of the criminal justice system is that a large number of people in prison are those of a lower socio-economic status and minorities. Thus, I attempted in this research to avoid a dualistic fallacy by examining both those in the justice system and those in the general population. I used historical, quantitative, and qualitative research. Data on the females convicted of violent and sexual offenders were gathered from the Department of Justice. The age, race, county of conviction, crime, type of sentence, and year of conviction of each subject was examined. I interviewed a female violent offender that I call Emma in my paper. Emma describes her life and the journey that took her to becoming registered as a violent offender. Separately, a self-report on crime and delinquency was administered to fourteen Carroll College students and 60 females from the general public in Helena, Montana. These self-reports indicated that many of those in the general population admit to acts that could be considered sexual or violent offenses. However, many of them were not caught or sentenced for an offense in the criminal justice system.

Although it is hoped that although we realize crime will never be eradicated from society, it is hoped that we work towards ending the problems of violent and sexual offenses committed by females by discovering underlying factors that are affecting women.

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INTRODUCTION

Throughout the centuries, crime has affected every society. In the United States, there is one violent crime every 22.1 seconds; one murder every 33.9 minutes; one forcible rape every 5.8 minutes; and one aggravated assault every 34.6 seconds (Uniform Crime Report¹ [UCR] 2001: p. 4). In some way every member of our society is impacted by these and other violent crimes.

However, a new trend has arisen. In official data the female offender appears to be more and more prevalent in the United States. There are many different types of female offenders in the United States, they include violent, sexual, and white-collar criminals. Could it be that more females are offending in the United States, or are they being arrested more often than in the past? Recently, there is a growing number of females being processed through the criminal justice system. In Montana, over 3,000 women or 14.8 percent of the total offenders are currently under the supervision of the Montana Department of Corrections (Montana Department of Corrections web site). This trend shows that more females are being arrested today. Statistics in the United States show that from 1991 to 2000 "total arrests for females climbed 17.6 percent... female arrests for violent crimes jumped 32.7 percent" (UCR 2001: p. 216).

Past data in the United States shows that crimes committed by women were limited to very few acts. "Historically, crime rates for men have been higher than those for women, with the exception of such crimes as prostitution" (Reid,

¹ The Uniform Crime Report (UCR) is used by the FBI to collect crime statistics in the United States. For more information refer to the Uniform Crime Report section on page 2.

2000: p. 45). The statistics on female crime are increasing, yet little research exists on female offenders in the United States². Today, most research on crime involving females examines a small sample—female prisoners. Since the 1970's, sociologists have been studying women in prisons and the effects of this imprisonment on their children, and the society in general. This paper will examine female violent and sexual offenders in Montana through the research of historical, qualitative, and quantitative data.

BACKGROUND

Uniform Crime Report

As a data set The UCR³ has both positive and negative attributes due to the way in which the FBI collects and correlates its data. A positive aspect to the UCR is that it helps to give society and the criminal justice system an idea on what trends exist in crime. One negative aspect is what crimes are included in the UCR. The “offenses include[d] [in the index are] the violent crimes of murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault, and the property crimes of burglary, larceny-theft, and motor vehicle theft” (FBI-Uniform Crime Report, 2001: www.fbi.gov/ucr/cius_01/01crime2.pdf). The FBI's web site discusses the UCR and how the Bureau correlates the data. It is collected from “nearly 17,000 agencies.... however, because of computer

² Though this trend is beginning to change as arrest rates rose to all time highs in 2001.

³ For the ease of writing, from this point on the Uniform Crime Report will be referred to as the UCR.

problems, changes in record management systems, personnel shortages, or a number of other reasons, some agencies cannot provide data for publication” (FBI-Uniform Crime Report, 2003: www.fbi.gov/ucr/ucrarticle.htm).

The UCR includes numerous felonies in their yearly report, such as “serious crimes against the person [and society, such as] forcible rape, robbery, murder, and nonnegligent manslaughter, and aggravated assault, as defined by the FBI and published in its *Uniform Crime Reports*” (Reid, p. 482). A large number of women are participating in criminal activities in the United States. The UCR for the United States reported in 2001 that “41.6 percent of female violent crime arrestees were under the age of 25” (p. 216). The UCR had a small, but steady increase in a “5-year trend comparison of 1996 and 2000 arrest data indicates that... female violent crime arrests rose 2.1 percent” (p. 216).

Numerous sociologists argue that the UCR is not a true measurement of the rate of crime since “police do not know about all criminal incidents, as many crimes are not reported” (Reid, 2000: 31). Therefore, one of the primary problems with the UCR is the absence of vital data because some agencies are not able to report the crimes committed in their jurisdiction. If many crimes may go unreported in the United States it could cause a dualistic fallacy because it only measures those crimes that are reported to law enforcement.

The Feminist Movement

The feminist movement began to gain momentum during the 1960’s and 1970’s; women became more aggressive in society. Women began to leave their

children and venture out into the working environment that had been overwhelmingly male until those decades (Adler, 1975: 410(1)). Numerous reasons accounted for more women entering the workforce. First, there was the economy; there was now a need for both parents to bring in a source of income into the household. Women were now “opting for a chance to compete in the same field and under the same conditions as men” (Cullen & Agnew, 2003: 410). Women participated in every facet of the male-dominated environment, including crime. According to Adler (1975), “women could [now] assume men’s jobs, but that in doing so they could also presume to men’s social roles” (Cullen & Agnew, 2003: 410). It was now socially acceptable for women to show signs of independence and aggression. Female offenders were no longer arrested only for prostitution; instead they were put into the criminal justice system for criminal acts such as drug trafficking, murder, incest, etc. Could their new-found independence lead to a more aggressive female that is able to commit violent and sexual crimes? Sociologists, including Adler (1975) believe this to be true because this new independence allowed women to participate in every aspect of crime that men had solely participated in before.

Previous Research

Many journal articles study only females who are juveniles. Though this paper is about women, there still may be a good basis to state what studies have found on juveniles. The article, “Doing Her Own Time” (Kruttschnitt et al, 2000), discusses how crime rates in cities have common characteristics along with

juvenile females who commit crimes. Kruttschnitt (2000) cites the UCR as mentioning many problems with the disadvantages within the system, poverty, and joblessness. "The structural sources of high levels of female offending resemble closely those influencing male offending, but the effects tend to be stronger on male offending rates" (p. 403). Men are often given harsher sentences than women, even though male crime rates are decreasing and female rates are increasing. Most of the research points to the chivalry factor and how society chooses to treat women, but as the number of female offenders grows chances are that society will change the way women are punished.

Another sociologist who studies female offenders is Freda Adler (1975). She states that females are aggressive and society should not assume that females are weak creatures. Adler (1975) states, "even though American males are in general more aggressive than American females, there is no reason to assume that it is because females lack aggressive drives" (p. 2). She believes that since society's ideas about females are skewed it explains why research lacks on the females offender. Adler (1975) explains the reason why little research has been conducted with female offenders:

the news media and of the scientific community as well as the security inherent in established mental sets, the scope, depth, and implications of female crime have been minimized or ignored. At first there was a reluctant recognition that idiosyncratic females did occasionally venture into such areas of male crime as burglary, robbery, assault, and gang violence, but this was chivalrously dismissed as individual aberrations (p. 3).

Though the media tends to ignore the female offender, statistics indicate that a large number of females are choosing to commit crimes in the United States.

Lance Hannon and Lynn Resnick Dufour (1998) discuss the role of females in the criminal justice system in their article "Still Just the Study of Men and Crime? A Content Analysis". The article describes how generalizations are made about women when the research is only based on male participants:

It is often quietly argued that because serious crime is much less frequent among females, studying female crime is much less serious. Combined with the reality of a largely male-dominated academic area, this line of thinking has contributed to the underrepresentation of women as subjects in studies of crime and delinquency (p. 1).

The problem with this type of gender-biased research is obvious: it "leads us to believe that while men are committing the most serious of crimes, women are nonexistent – neither conforming or deviating" (Hannon & Dufour, 1998, 2). It is important that women are studied and not just generalized along with men. Sociologists should be careful not to generalize because there are many social and psychological factors that each sex must deal with when committing crimes. As we know from current research, the opposite is true; women's crime rates are growing at a much greater number each year:

By every indicator available, female criminals appear to be surpassing males in the rate of increase for almost every major crime. Although males continue to commit the greater absolute number of offenses, it is the women who are committing those same crimes at yearly rates of increase now running as high as six and seven times greater than those for males (Cullen & Agnew, 2003: p. 406).

There are numerous social and psychological factors that affect women. Adler (1975), who explores the reasons women tend not to be as aggressive as men because of the childhood socialization process. This process begins early in the life of a child since "learning and social pressure are influential in effecting sex-role expectations" (Cullen & Agnew, 2003: p. 407). In the past, females were often taught to be dependent on others, while males were taught to be independent and more aggressive. These sex-roles, however, have changed since the feminist movement. More females are participating in sports, academics, and the work force. Women are forced to fight for promotions in the male dominated workforce. These activities have caused women to become more aggressive than in the past.

THEORIES

Kathryn Watterson (1996) examines why some women are convicted of crimes that they commit while others are not. Her ideas originate from a conflict perspective. Watterson (1996) argues that the poor are punished and incarcerated for acts that the rich are not. She takes her theory one step further by saying that women get away with crimes for which men are punished:

There is still a 'chivalry factor' it may be that law enforcement personnel, prosecutors, and judges are reticent about hurting women, especially privileged, 'respectable' women who could be their mothers. Women who appear to be moral or 'normal' by conventional standards, especially white women who seem proper, warm, dependent, and in compliance with traditional sex-role expectations, can and do get away with behavior men serve time for (p. 37).

Could it be that the criminal justice system treats women differently from men due to society's use of generalizations, social values, and norms? Obviously, the data in this paper discusses only the women who have been charged with sexual or violent crimes in Montana. But with this research, there still may be an opportunity to explore the socio-economic status of the women charged and how it affected their choices in life. The reality of the criminal justice system is that often only those of a lower socio-economic status and minorities are put through the system. Members of a lower socio-economic status often cannot afford competent defense attorneys to represent them in court. Thus, these people are often found guilty and put into the system. There are numerous reasons for the legal inequality: lack of money to pay for bail, unsympathetic judges, and prejudices acted out by juries and/or lawyers.

The Female White Collar Offender

Violent crime is not the only type of crime committed by females in the United States. A growing number of women are committing white-collar crimes. Sue Titus Reid (2000) in *Crime and Criminology* notes that "the term [is] used to describe violations of the law by persons with higher status; usually the term refers to corporate or individual crimes in connection with businesses or occupations regarded as a legitimate part of society" (p. 482). White-collar crimes "exclude crimes such as murder, adultery, and intoxication" (Reid, p. 248). This type of crime affects a greater number of people than violent crimes in the

United States. Steven Vago (2003) discusses how it is difficult to understand how white-collar crime could be more devastating to a society:

many illegal corporate activities go undetected... White-collar crimes ('crimes in the suites' that are often dubbed crimes of the middle class [Weisburd et al., 1991]) are generally considered somehow less serious than the crimes of the lower class ('crimes of the streets'), and there is often strong pressure on the police and the courts not to prosecute at all in these cases (p. 222).

More women are entering the workforce and they seem to be committing crimes at an increased rate over the Internet. Consumer complaints filed during 2001 with the Internet Fraud Complaint Center (IFCC) indicated that females comprise 17.7 percent of the individual perpetrators identified and reported by victims of fraud" (Haantz, p. 1). Yet, society falsely believes that sexual and violent offenders are a larger threat to society. The women who commit technological crimes are of higher socio-economic status and have a far less chance of being charged with a crime.

The Female Serial Killer

Since there are only a few known serial killers in the United States history, there is paucity of research on this topic. Female serial killers are the most violent and serious of all offenders. They have numerous victims and often kill those who are familiar to them. Aileen C. Wuornos is different from any other female serial killers in the United States since she killed strangers rather than those in her family. She "became known as the first woman who sought stranger[s] as victims resembling highly publicized male serial killers such as Ted Bundy... 'she was the

first female to kill in the predatory style of male serial killer” (Kassab 2002: A4). Wuornos violently murdered seven male victims from 1989 to 1991. She was given the death penalty and executed at the Florida State Prison on October 9, 2002 (Kassab, 2002). Aileen Wuornos had many of the traits of a sociopath. She grew up in an abusive home and became a prostitute at an early age. She also wanted to receive the death penalty (Kassab, 2002). Her actions shocked the world because she was willing to kill her victims as brutally as male serial killers, while not showing any remorse for her actions. In this case, Wuornos was treated as harshly as her male counterparts, thus indicating to the nation that a female could commit horrific crimes.

The Female Sexual and Violent Offender

The female sexual and violent offender is becoming more common in the United States. Yet, society tends to believe that men are the only abusers in a relationship. Researchers, such as Murray A. Straus states in “Physical Assaults by Wives: A Major Social Problem”, 1993, that “despite the much lower probability of physical injury resulting from attacks by women, assaults by women are a serious social problem” (p. 67). Numerous studies that have been conducted show that “assaults by women on male partners... is about the same as the rate of assaults by men on female partners” (Straus: 1993, p.70). Straus (1993) discusses that the “study of the circumstances surrounding partner homicides by wives shows that many women who murder their spouses are impulsive, violent, and have criminal records” (p. 73). Research conducted by

Clara B. Jones and Yvonne McJetters (1999) discusses how different genders and races are more likely to commit violent crimes in "Gender, Race, and Homicide: A Preliminary Analysis". Jones and McJetters (1999) observe "that murder victims of both White and Black females are likely to be a male of the same race, that Black females are more likely to murder other women than are White women, that White women are more likely to kill minors than are Black women, and that Black and White women are equally likely to murder strangers" (p.1).

Conflict & Feminist Theory

Two main theories will be applied to this research when studying female offenders in the United States: Conflict Theory, and Feminist Theory. Criminologists and sociologists use these theories when examining the criminal justice system and how it is an unjust system that only punishes those of lower socio-economic status and minorities. It is vital to explore these theories when exploring female criminals because many females who are in the system are either of lower socio-economic status or a member of a minority group.

The conflict theory is based on the ideas of Karl Marx, who is often thought of as the "father" of conflict theory. Marx believed that the economic "haves" controlled the "have-nots" in society. The "haves" control all aspects of society including the criminal justice system, politics, and the economy. Since the "haves" control the government, they make the laws fit their way of life, often only punishing the "have-nots" (Reid (2000), Quinney (1977), Chambliss (1999), and Lowney (1981)). Conflict theory can easily be applied to today's society in

the United States. For example, the laws that deal with cocaine and crack cocaine vary by time served in jail. Often the “haves” abuse cocaine, while the “have-nots” abuse crack cocaine. Therefore, the laws vary: cocaine users receive a far less severe sentence than those charged with using crack cocaine.

Richard Quinney (2000) discusses Marx’s idea towards criminology in *Bearing Witness to Crime and Social Justice* and *Class, State, and Crime*, and how crime affects every person in the United States:

The classic dichotomy about the meaning of justice dominates contemporary social science and ethical discourse... When the question ‘What is justice?’ is posed, Thrasymachus responds that ‘justice is the interest of the stronger,’ elaborating that what is regarded as just in a society is determined by the ruling elite acting on its own interest (Quinney 2000: p. 139).

Quinney (2000) observes that Marxism can help improve how we deal with people in the United States and those in the criminal justice system:

if any body of thought has a notion of truth and beauty, of how things could be, it is that of Marxism. In fact, Marxism is the philosophy of our time that takes as its primary focus the oppression of capitalist society. It is an analysis that is historically specific and locates contemporary problems in the existing political economy. Marxist theory provides, most importantly, a form of thought that allows us to transcend in theory and practice the oppression of the capitalist order (p. 140).

This point is at the heart of what Quinney (2000) states in both *Class, State, and Crime* and *Bearing Witness to Crime and Social Justice*; the criminal justice system needs reform because the poor are the only people punished in our current system. He also discusses how large corporations carry out white-collar crimes in society, but they are often not criminally punished for their actions. There are numerous corporations who are committing white-collar crime such as

Enron or high profile people including Martha Stewart. Quinney (2000) explains why many large corporations and high profile people are not punished for their actions because “those who own and control the means of production, the capitalist class, attempt to secure the existing order through various forms of domination, especially crime control by the capitalist state” (p.169).

Though the crimes of white-collar criminals affect the United States in more ways, the poor are often one of the only groups put into the criminal justice system. Quinney (2000) asserts that those of a lower socio-economic status and minorities are treated unjustly in the system and are not given a fair chance because of our capitalist society. “All social life in capitalist society, including everything associated with crime, therefore, must be understood in terms of the economic conditions of production and the struggle between classes produced by these conditions” (Quinney, 1977: p. 36-37). He later observes that “the criminal justice system continues to be developed by the state and the capitalist class as a means of controlling problems... that cannot be solved within the framework of advanced capitalism” (Quinney, 1977: p. 140). Quinney (2000) also makes the vital point that “there is sufficient observation to recognize the obvious fact that unemployment produces criminality. Crimes of economic gain increase whenever the jobless seek ways to maintain themselves and their families” (Quinney 2000: p. 167(8)). Quinney’s idea can be applied to the females in the criminal justice system, many of whom are of a lower socio-economic status.

Another conflict theorist is William J. Chambliss (1999), who discusses the role of the “haves” and “have-nots” in *Power, Politics & Crime*. Chambliss

(1999) notes that “the poor, especially urban poor African Americans, are disproportionately the subjects of law enforcement activities at all levels, from arrest to imprisonment” (p. 63). He maintains that the criminal justice system is unjust because “corporate crimes are more costly, more dangerous, and more violent than the robberies, burglaries, assaults, and murders reported by the FBI in the *Uniform Crime Reports*” (Chambliss, 1999: p. 152). Yet we put all of our effort into catching the “dangerous criminals” who are not part of the “haves.” Chambliss’ main point is that since the “haves” make the laws, they are enforced by law enforcement in the United States. “Law enforcement agencies do discriminate against the poor, and especially the poor minorities” (p. 156). Statistics confirm the statements made by Chambliss. With the ever-rising number of female offenders in the United States, it is important that we consider who are more likely to enter into the criminal justice system. In Montana, it is extremely interesting to look at the statistics and see that a majority of women in the criminal justice system are of a lower socio-economic status.

Feminist Theory

The feminist movement during the 1960’s and 1970’s brought along a new type of theory in sociology known as Feminist Theory. The Feminist Theory is part of conflict theory because it deals with the “haves” and “have-nots” in society. Males are considered the “haves” and females are the “have-nots” in this theory. This theory is widely applied to criminology and will be used in this paper to explain in general the female offender. Sociologists, Kathleen Daly and

Meda Chesney-Lind (1988) characterize the main agendas of feminist theory in "Feminism and Criminology". The authors offer a feminist interpretation of social issues counter to the dominant male theories "although tutored in 'male-stream' theory and methods, we work within and against these structures of knowledge to ask new questions, to put old problems in a fresh light, and to challenge the cherished wisdom of our disciplines" (Cullen & Agnew, 2003: p. 414). Moreover, they acutely point out that "gender relations and constructs of masculinity and femininity are not symmetrical but are based on an organizing principle of men's superiority and social and political-economic dominance over women" (Cullen & Agnew, 2003: p. 414). Today, many feminists still believe that their male counterparts oppress them in the United States.

In another article written by Meda Chesney-Lind (1989), "Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency", the author argues that "the extensive focus on male delinquency and the inattention to the role played by patriarchal arrangements in the generation of adolescent delinquency and conformity has rendered the major delinquency theories fundamentally inadequate to the task of explaining female behavior" (Cullen & Agnew, 2003: p. 424).

Chesney-Lind (1989) discusses how females are often overlooked when researching delinquency. She believes that when studying females and delinquency it is important that a feminist approach be applied. "A feminist approach to delinquency means construction of explanations of female behavior that are sensitive to its patriarchal context. Feminist analysis of delinquency

would also examine ways in which agencies of social control—the police, the courts, and the persons—act in ways to reinforce woman’s place in male society” (Cullen & Agnew, 2003: p. 424). She argues that the feminist movement was not the cause of crimes that are committed today. Chesney-Lind (1989) agrees, contending that “flawed theory building was the early fascination with the notion that the women’s movement was causing an increase in women’s crime; a notion that is now more or less discredited” (Cullen & Agnew, 2003: p. 425). An important additional finding that Chesney-Lind (1989) has made is that there are “important links between women’s childhood victimizations and their later criminal careers... [and that research conducted on women in prison has] revealed that virtually all... were the victims of physical and/or sexual abuse as youngsters” (Cullen & Agnew, 2003: p. 427). Chesney-Lind (1989) assumes a Feminist Marxist theory when she states that there needs to be “a more complete understanding of how poverty and racism shape girls’ lives [in the criminal justice system]” (Cullen & Agnew, 2003: p. 428).

Strain Theory

Another important theory that applies to females in the criminal justice system and to the reasons that they may be committing sexual and violent offenses is Strain theory. Strain theory is a theory that explores the level of stresses in one’s life and how a person attempts to deal with those strains. Reid (2000) explains how strain theory can be applied to female offenders. Reid (2000) quotes Robert Agnew’s work by stating that “Strain theory has typically

focused on relationships in which others prevent the individual from achieving positively valued goals'... [and] include 'all types of negative relations between the individual and others'" (Reid, 2000: 121). Sociologists including Lisa Broidy and Robert Agnew (1997) discuss how males and females are affected by stress in very different ways because of the different types of stresses placed on genders within society. Strain theory "recognizes that there are several sources of strain—not just the failure to achieve positively valued goals like monetary success. It also recognizes that there are a wide range of adaptations to strain—cognitive, behavioral, and emotional... [some] of these adaptations involve crime" (Broidy & Agnew, 1997: 276). Furthermore, Broidy and Agnew (1997) argue "that oppressed individuals may turn to crime in an effort to reduce their strain or manage the negative emotions associated with their strain" (p. 285). Strain theory also contends that with the oppression of women through "gender role socialization and discrimination [it] direct[s] most women into 'pinkcollar' jobs with low pay" (Broidy & Agnew, 1997: 277). When women are attempting to support their family with "pinkcollar" jobs, the lack of money causes stress which many women cannot handle and this stress in turn can help influence them to commit crimes.

Finally, the theory of anomie can be applied to this paper since it is consistent with the other theories discussed above, such as conflict theory and strain theory. Sue Titus Reid (2000) describes anomie as "a state of normlessness in society that may be caused by decreased homogeneity and that provides a setting conducive to crimes and other antisocial acts" (p. 472). More specifically,

“innovation” applies to reasons why many women may decide to commit a sexual or violent offense. Lowney (1981) supports this observation, maintaining in his book that Robert Merton’s idea of “‘innovation,’ utilization of illegitimate means to attain success goals, appears to encompass most official forms of crime and delinquency” (p. 41). A person of lower socio-economic status may decide to commit a crime because he or she feels that the only way to meet society’s goals is to obtain them through illegitimate means. For example, a female may choose to become a prostitute to gain all of the materialistic goals that society expects many women to obtain. Innovation is an important theory to acknowledge since a majority of people in the criminal justice system are of lower socio-economic status.

THE RESEARCH QUESTION

The increase in numbers of women being arrested raises the question, “Are women committing more crimes, or are they merely being reported more often to law enforcement?”. Historically, women have not been charged as often as men for similar crimes due to the “chivalry factor,” or discretion by professional in the criminal justice system. As one authority notes, “in the criminal justice systems, the authority to make decisions and choose among options according to one’s own judgment rather than according to specific legal rules and facts... [this] may result in actions tailored to individual circumstances and inconsistent handling of offenders at several stages” (Reid, 2000: 475). In

effect, women are often treated differently due to the long-standing belief by male professionals that women need to be cared for by men.

In fact, sociologists Adler and Simon (1979) found that women are often given greater leniency compared to men who commit the same crimes. Their findings were that “more than half of the judges [have admitted to]... treat[ing] women more leniently and more gently than they do men; that they are more inclined to recommend probation rather than imprisonment; and that if they sentence a woman, the time is usually for a shorter period than for a man” (p. 9). Today, the chivalry ideals that were developed centuries ago live on in the United States.

Another sociologist who explores females and crime is Joanne Belknap (2001). Belknap (2001) states that “males are treated more harshly than females for the same offense; that is, there is ‘reverse sexism’ against males” (Vannoy 2001: 380). For hundreds of years, males have been socialized to be tough, independent, and strong while females have been socialized to be modest, dependent, and delicate. Belknap’s theory could help to explain why crime rates among men are higher than women’s rates. The “chivalry factor” could help females who are put through the system or even help them stay out of the system.

This report will explore female offenders in the United States and Montana, and why it is vital that society understands why female offenders commit their crimes, and if there is a growing number of women being arrested and committing crimes against society. Specifically, I will address whether women are more involved in crime now than in the past or if more women

proportionately are being arrested and prosecuted. If, in fact, more women are being prosecuted, I will look to possible reasons in feminist, strain, and conflict theories. The population that will be researched are women categorized as violent and/or sexual offenders.

METHODOLOGY

The research involves historical, quantitative, and qualitative analysis. By using three different types of research, a broader understanding of why women commit crimes; how society perceives these criminals; what factors occurred in the past; and what may occur in the future to influence the female offender.

It should also be noted that the identity of all subjects in the research that included the subjects will remain anonymous herein. Confidentiality is preserved by using fictitious names and places, in accordance with the American Sociological Association's guidelines.

Research is lacking on female offenders, most research is on either juveniles or male offenders. Some research has been done on the feminist movement, specifically by Simon (1979) and Adler (1975). However, with the passage of decades, the role of women in society and what crimes they are currently being arrested for in the United States. The different data that will be used for research is the 2001 Uniform Crime Report (UCR), and statistics and case files on female violent and sexual offenders for the state of Montana.

Historical Research

Through my internship at the Department of Justice, I was able to gain access to the files of the female violent and sexual offenders in Montana. The access allowed for the gathering of data that had not been correlated since Montana began to register offenders in 1986. The sexual and violent offender's statistics I researched at the Department of Justice include age, race, county of conviction, crime, type of sentence, year of conviction. I used the SPSS computer program to tabulate and graph the information.

When a researcher is trying to find reasons why females are committing more crimes currently than in the past, it is essential that he or she examines as many different aspects of the offenders' lives, such as if a majority of the women are of the same socio-economic status or a member of a minority group; if mind altering drugs were used, and who their victims were.

Qualitative Research

The second type of research that was conducted was with the use of qualitative tools by interviewing a female violent offender. For the confidentiality of the female, I have changed her name and any other people with whom she has contact. The name that I have given her is Emma. Emma was contacted through her probation officer here in Helena. After contact was made, a meeting was be set up to discuss the different aspects of her life. I attempted to have Emma tell me her life story, but I also asked questions to help facilitate the discussion. The questions included but were not kept specifically to the following topics:

1. Use three adjectives to describe yourself.
2. Tell me about your formative/growing up years. (Who raised you, who was most influential and why). Were you abused during your childhood?
3. Where were you employed before you were arrested?
4. What were the charges against you? What were you convicted of?
5. What was your sentence? Was it the maximum or minimum sentence?
6. How do you feel being a registered sexual/violent offender?
7. After you were charged with your crime, how did people treat you?
8. Do you still live in the town where you were charged? Why?
9. How did people treat you in your community when you were first charged with the sexual/violent offense?
10. Did your family support you?
11. Do you feel that the system treated you justly, from the police officers to the judge?
12. Do you think you have been treated the same as male offenders?
13. How long have you been a register sexual/violent offender?
14. Do you tell people you know that you were convicted with a sexual/violent crime? If yes, how do they react?
15. Have you been convicted of any other crimes? If yes, was it before or after being charged w/ your sexual/violent crime?
16. What is your profession currently? Did you have a hard time finding a job?
17. Overall, how do you feel about life?
18. What are your goals in life, what do you want to do with your future?
19. Have you ever been in an abusive relationship? Have you ever pressed charges against the abuser?
20. Have you sought counseling? Therapy, etc?
21. Do you have any children? How has this affected them? Do you still have custody of them?

Quantitative Research

The third type of research that was conducted included quantitative research. Quantitative research is very important because the use of a questionnaire allows for more exploration of information about the group that is being studied. I went to the downtown area and to Wal-Mart to ask people to fill out the questionnaire. Of course, this form has its drawbacks; thus I realize this

sample is nonrandom and only included those people who were in the downtown area and who shopped at Wal-Mart that Saturday.

Financial limitations limited access to people who filled out a self-report. A separate sample group of people questioned were students in Fr. Lowney's Juvenile Delinquency class at Carroll College. When questioning students at Carroll College and in the Helena public, it allows us to see how many of the respondents have committed illegal acts, yet are not in the criminal justice system. There could be numerous reasons for why the respondents were not caught. They include gender, good defense attorneys, and/or their socio-economic status. There are also limitations in the Carroll College sample. A majority of students who attend Carroll College are white and are in a higher socio-economic status, consequently skewing the survey's results. The study on the other hand is limited to a narrow range of socio-economic status.

FINDINGS

Historical Data

The 2002 statistics for female violent and sexual offenders in Montana are startling because the number of offenders in the state is constantly growing. The only time women are not treated differentially from men seems to be with violent or sexual acts; the women who commit these acts are the most serious of offenders. These women live throughout the state and are required by law to register in the county in which they reside.

The Montana Sexual or Violent Offender Registration Act of 1995, states that “certain violent [and sexual] offenders [are required] to register in Montana” (MT Sexual Violent Offender Registry web site, 2003: <http://svor2.doj.state.mt.us:8010/index.htm>). When I first started my internship in September in 2002, 144 females were actively registered in the state. Of these 144 offenders, 20 females were sexual offenders, 123 were violent offenders, and 1 female was both a sexual and violent offender (Sexual and Violent Offender General Statistics, p. 1). Currently, Montana law lists what crimes are considered violent or sexual crimes. The chart below lists these crimes:

MONTANA REGISTRATION LAWS

Qualifying Sexual Offenses

Qualifying Violent Offenses

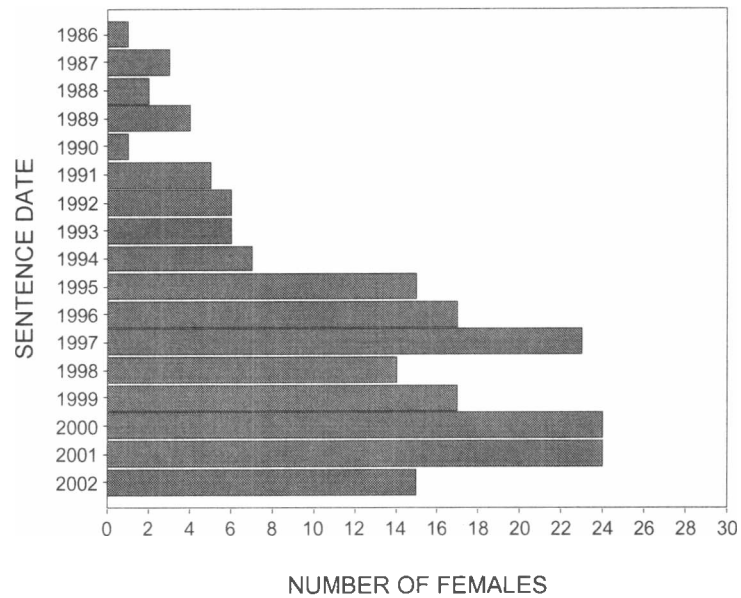
Aggravated Kidnapping	Aggravated Assault
Promotion of Prostitution	Arson
Incest	Assault on Minor
Indecent Exposure	Assault on Peace Officer or Judicial Officer
Kidnapping	Assault with Weapon
Sexual Abuse of Children	Deliberate Homicide
Sexual Assault	Mitigated Deliberate Homicide
Sexual Intercourse without Consent	Partner or Family Member Assault (3 rd conviction)
Unlawful Restraint	Robbery

*Information found on Montana Sexual and Violent Offender Registry

Montana has been collecting data on female violent and sexual offenders since 1986. Data had not been collected before that year because the laws did not

exist until recently that requires sexual and violent offenders to register within Montana. Below is a chart of the number of females who were convicted in each year starting in 1986 until 2002. There was a decrease in 1990, but just five years later the number of women registered doubled. Recently, in 2000 and 2001, the female offenders who were sentenced with a sexual or violent offense reached all time highs. No one knows what will happen within the next few years, but this trend probably will continue to increase adding more and more females into the criminal justice system.

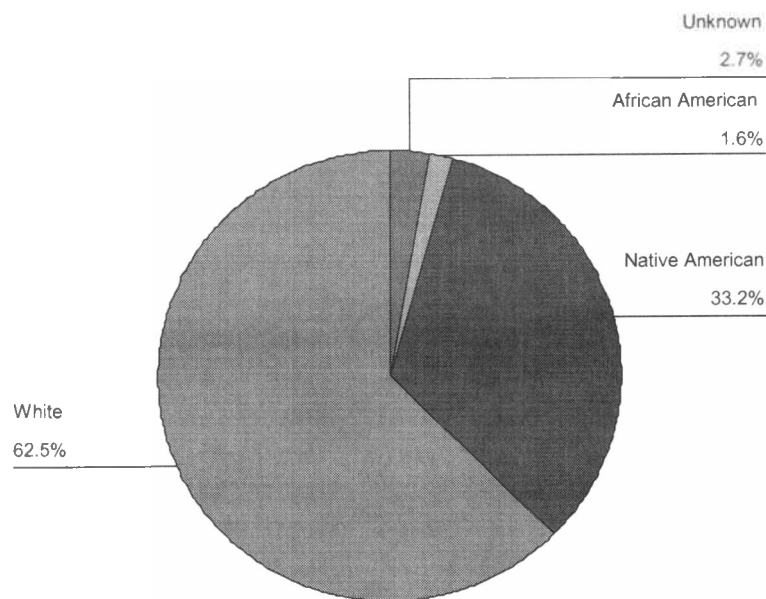
The Number of Females Sentenced by Year in Montana



As of January, 2003, Montana has 164 female sexual or violent offenders actively registered in the state. The U.S. Census Bureau (2000) reported that in Montana, females make up 50.2 percent of the general population. When looking at the statistics in Montana, female violent and sexual offenders only make up 18.3 percent of the sexual and violent offenders registered in the state. This

statistic may seem insignificant in 2002, but with the steady increase this number could easily be fifty percent in a decade. Of these registered female offenders, 59 (33.2%) are Native American, 110 (62.5%) are White, three (1.6%) are African American, and five (2.7%) are unaccounted for. Although it is important to remember that these statistics are from official data, it is possible that the number of females committing violent and sexual crimes is much larger than reported in Montana.

Chart of Female Violent & Sexual Offenders in Montana by Race



The table below explains how many females of each race are charged with either a sexual or violent offense in Montana. There are a total of 61 Native Americans who have been charged with either a sexual or violent offense; of those females 56 have been charged with a violent offense while five have been charged with a sexual offense. The 113 White include 95 who were charged with

violent offenses, while 18 were charged with sexual offenses. The African American females have a total of three offenders and all were charged with violent offenses.

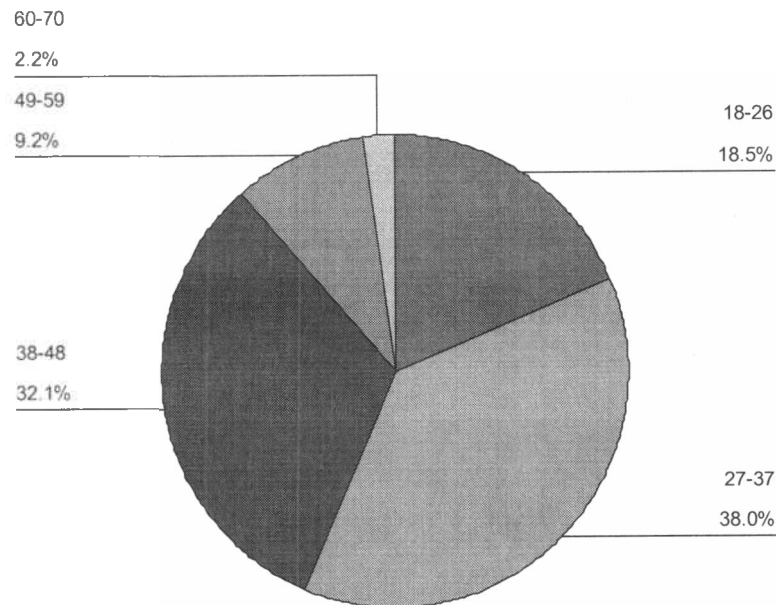
Table of the Variables of Race and Offense Committed

RACE and SEXUAL OR VIOLENT Crosstabulation

Count		Offense		Total
		Violent	Sexual	
RACE	Native American	56	5	61
	White	95	18	113
	African American	3		3
Total		154	25	177

The distribution for age among the females in Montana is extremely interesting. One might think that the younger generation would be registered as the violent and sexual offenders in Montana. The range is quite large from the youngest registrants at 18 to the oldest female who is 66. Below are two pie charts that show the age range and percentage. The age range is from 18-26, 27-37, 38-48, 49-59, and 60-70.

The Percent by Age for Female Sexual and Violent Offenders

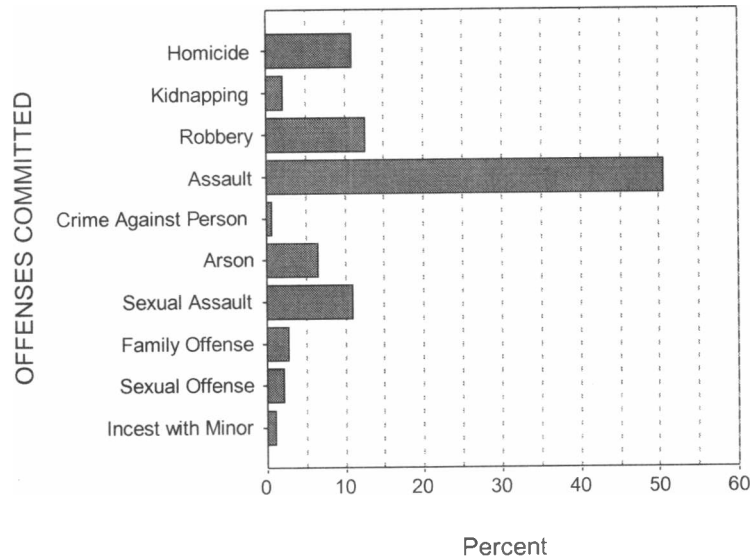


The largest numbers of females who are registered in Montana are between the ages of 27 to 37 with a percentage of 38.0. Yet, those females who are in the age range of 38 to 48 come in a close second with 32.1 percent. The third largest number of female offenders is between the ages of 18-26 with 18.5 percent. The fourth are between the ages of 49 to 59 with a percentage of 9.2. The smallest numbers of females in Montana who are registered are between the ages of 60 to 70 with 2.2 percent.

The 177 females include both active and inactive registrants. The five who are unknown are non-compliant registrants. An inactive or “non-compliant registrant are registrants who do not have a currently known address or who are failing to keep their registration current as required under the registration law” (MT Sexual and Violent Offender Registry web site, 2002).

Chart of Offenses Committed by Sexual & Violent Females in Montana

Female Violent & Sexual Offenders



The offenses that have been committed by females are as follows:

homicide 10.9%, kidnapping 2.2%, robbery 12.5%, assault 50.5%, crime against person .5%, arson 6.5%, sexual assault 10.9%, family offense 2.7%, sexual offense 2.2%, and incest with a minor 1.1%. Assaults are the number one crime committed by females in Montana; the highest percentage of sexual crimes committed is sexual assault, which was unheard of twenty years ago.

**Table of the Variables of Race and if the Offender
Receives a Deferred Sentence**

RACE & DEFERRED CROSSTABULATION

			DEFERRED		Total
			N	Y	
RACE Native American	Count	56	5	61	
	Percent	91.8%	8.2%	100.0%	
White	Count	96	19	115	
	Percent	83.5%	16.5%	100.0%	
African American	Count	2	1	3	
	Percent	66.7%	33.3%	100.0%	
Total	Count	154	25	179	
	Percent	86.0%	14.0%	100.0%	

The table above explains how many of each race received a deferred sentence from the courts. For Native Americans, 91.8% did not receive a deferred sentence. Whites have a higher chance of receiving a deferred sentence because 16.5% did receive a deferred sentence, while 83.5% did not. For African Americans, I cannot really make a judgment because there are only three offenders in the state, but out of those three offenders, two did not receive a deferred sentence.

Qualitative Results from Interview with Emma

Emma is a Native American, of lower socio-economic status, and is in her early forties. She has been convicted of partner family abuse or otherwise known as domestic violence. Domestic violence is "violence within the family or other close associations, and including violence against spouses, lovers, housemates, children, and parents" (Reid, 2000: 198). Emma's victims were her three daughter's ages: 15, 16, and 18. Numerous sociologists explain one reason why

mothers may abuse their children since “abusive mothers are not able to sublimate or redirect their negative emotions, yet they face strains and stresses that contribute to feelings of anger” (Reid, 2000: 207).

Emma met with me on Thursday, March 20, 2003 at a local restaurant. There were numerous questions that Emma answered during the interview. Emma answered many of the questions without being asked all of the questions specifically. She seemed very open and easy to talk to; I believe that she was honest with me, but she might have left out some parts of her life story. Below is the full, hour-long interview with Emma:

Interview with Emma

Question: Use three adjectives to describe yourself.

Emma: Just, compassionate, patient

Question: Tell me about your formative/growing up years. Who raised you, who was most influential and why?

Emma: I grew up with my mom and my dad—they were married for 35 years—and my little brother. I looked up to my teachers. Then when I was sixteen, I ran away to Houston, not because I didn’t love my family because I called my mom all the time. I wouldn’t tell her where I was. I would just say I’m okay, I’m okay. Umm... ran away to Houston and met my first husband, and I married him when I was 16. And that is when I got introduced to getting beat up. I was married to him for about three years; I was about 18 then.

I went off to the National Guard, and I was there for about a year and a half, and I was in trouble with one of the Sergeants, and I quit. Then I went up to Seattle, and I was up there for about two years, and I lived with my boyfriend. He wasn’t abusive, but there were intense drugs, sex, and drinking; all kinds of stuff. I came home when my father died, so it was about 21 or 22 years old.

I was here [Helena] for a while then I went to Kalispell where I met my second husband. I stayed with him for twelve years, and he was really abusive. He was a drug addict, and I had my three children with him. He kidnapped the children and sold all of our stuff, beat me up, and left. I got some of the abuse charges from him because he beat me up and I don’t know, I was like in a brain freeze or something, he conned me into saying it was my fault. I don’t know how he did it. It was like if I have to go to jail, you have to tell the cops that, you know, that you hit me first and you started it and that I was just defending myself, or else I won’t be able to make money tomorrow and you won’t be able to drive the children anywhere because I didn’t have a car. I didn’t have a job. I didn’t

have an education. I had nothing. So I don't know how he did it. I do now. He totally had me brain washed. So I told the cops that I did it you know. I did this and I did that. And then I'd have to get out [of jail] on my own, or my mom would come and get me. He wouldn't come and help me. Then I would get out, and it would start all over again for like 12 years. I tried to go to like a counseling center like Boyd Andrews, and I made it through there and was doing really good, but he refused to take me to my counseling meetings. He wouldn't take me to AA, and I started drinking really heavy right then; it was easier to be drunk when you get beat than it is to be sober. It wouldn't hurt really bad then; it would hurt but not really bad. And then he left me, and I got another boyfriend and I went through about a year and a half of court trials fighting to get my kids back. I had to do a lot of work to get my kids back.

Question: Your ex-husband had custody at that time?

Emma: No, he just took them. I fought two jurisdictions one in Washington, and one in Montana. It about killed me, it about physically killed me. I got my kids back, and then I moved to Idaho. I left the kids here because they wanted to stay here and didn't want to leave school, so they asked if they could stay with Grandma [her mother], and I said okay.

Question: You have three kids?

Emma: Yeah, my three girls. Three daughters: 18, 16, and one will be 15.

When I moved to Idaho, I met another man. And at first he wasn't abusive, and I married him in 1997. At first, he wasn't abusive, but about a year into the relationship he started hitting me. I mean I always thought he was weird, but he he really he really beat the hell out of me. Finally, the last time he beat me up, his uncle who lived down stairs from us called his probation officer and had him arrested and sent back to prison. Meanwhile, I found out about what he had done: he had sexually molested his six-year-old daughter and his son.

Last week I had Grandma [her mother] in the hospital, and he had called during that week, and I couldn't talk to him because I was so stressed out. He had asked for a divorce, so we're getting a divorce because he got out of prison. He's been out of prison for about two years and I haven't seen him since then. He expected me to quit school, leave my children, and leave my mother and go down there because he got me a job as a waitress. Guess what I'm not doing? You know, I'm 40 now, I've had men telling me how to live my life, what to do, where to work, and where I could go since I was 16 years old. So I was pretty normal until I was about 16.

I'm on probation, you know that, and I don't drink anymore and I'm in anger management, I'm going to school, and I'm trying to get an internship in environmental studies. Meanwhile, my second husband, the father of all three of my children, the one I was with for 12 years, he called me up on the phone and said "Well bitch, uh, I have cirrhosis of the liver, and I've had hepatitis for the last 12 years or 13 years. You better take those kids of yours down there and you and your mother of yours, down to this clinic and get tested for hepatitis." I'm like, oh my god, it was the day I started school, the day I started college. All the kids were negative, and Grandma [mother] was negative, but I was positive. So, I have that to deal with.

The child-support office went after him, oh seven years ago, he said the children weren't his. He didn't want to pay child support; he had a whopping 75-dollar a month payment that he cannot make for three children. So umm, they told the kids that he didn't think the kids were his, I mean I was with him for 12 years. That was another thing.

Mentors in my life. My counselor at Boyd Andrews; she's just awesome. I don't know, my mom, I know that's prejudice. I look up to my science instructor. There are a lot of people in my life I have to look up to. I'm more cynical now. Before I wanted to save the world of pollution, now I just kind of compliant, very compliant of things. Mother Theresa, that is one, she has three sets of clothes and donates her entire life to being compassionate and giving beyond the call of duty. It's weird; most people you deal with now a days are just self-indulged. There aren't a lot of people in the world today that aren't self-indulged. I think society made it that way, so if I found a person who was not self-indulged and is truly compassionate and giving, then I would respect them.

Question: Before you were arrested were you employed?

Emma: No, I was going to school; I just started school. I get good grades in college.

I'll tell you what happened. I got sick and I took a couple shots of whiskey—this was before I stopped drinking—and a couple cold tablets because I was really sick. This kid who is about 16 years old got my daughter pregnant and then and tried to find somebody to kill her. She was 13 at the time. He broke into our house about every three months and would destroy our house and steal stuff. He stole all our money and food stamps for the month, so all my kids went hungry. He threw eggs, rocks, and sticks at my daughter. He threw a line of firecrackers in the kitchen at my mom; she had just gotten out of the hospital from heart surgery. He has just done these tremendous things. He was outside of our house again, and I knew he was going to do something because every time he was outside of the house, he would do something. I cannot even tell you; I don't even remember how many times he busted into our house and stole. Well, he was outside again, and I knew he was going to do something, I was going to go out there to kill him. I had had enough.

Question: You couldn't press charges against him?

Emma: I couldn't catch him doing it. He had money; his family had money. And the cops told me you might as well buy a video camera. I asked, can you take fingerprints or something? They said we can't prove that it was him. It's like I can't afford to buy a video camera, nothing. Every time I call the Sheriff, they say, "oh well we'll write a report." I'm like "whatever. It's been over two years; you're not doing nothing about it."

He [the boy] got my daughter pregnant and dumped her and then was going to have someone shoot her. You know, I cannot prove that in the court of law; I need evidence. I was going to go out there and kill him. And I was headed out of the house, and I was sick and I took that cold medication and shots of whiskey, so, but I was angry. I snapped. I just went black. I've never been so enraged in my life to want to kill somebody, and I wanted to kill him. I was going out the door and all three of my daughters jumped on me and I don't even

remember them jumping on me, I was in an enraging blackout. I guess I just threw my daughters off of me. There was a cop outside my house and he seen me throwing my daughters off me. So, he arrested me. I was like great, okay, whatever, you know, off to jail I go. He said "well, don't worry about it because it is only a misdemeanor charge." I said "whatever", since I knew there were those other charges against me from years ago.

Question: Please clarify what you were previously charged with.

Emma: Uhh, domestic abuse because I just took the charges. The last time, when my husband took the children, I called the police. I was beaten up really bad, and I said please help me, I've been beaten up; please arrest him. They said we can't do that because he is already out of state. I said, how the hell do you know that? He has my children, [and the police said] well, he's the father too. About 20 minutes later the state investigators came to my house and said, "we're going to arrest your husband for felony fraud." I turned state's evidence against him. I turned in every piece of evidence that I could find against him, and he got 10 years probation, which didn't phase him. He got an interstate compact where he moved out to Seattle. He called me up and said he only had to see his probation officer every six months to a year.

So where are we now? Okay, so they take me to jail so they change the charge to felony. Felony, you know, and my kids.... so then when I finally get to talk to my kids forty-one days later, after everything was done. I told my lawyer that my kids would say that they jumped me and that they knew that I would never hurt them, I would never hurt them. My lawyer flat told me that they [police and judge] don't care; they don't care about the truth. They have already charged you and put you on probation. I said okay, fine, so that kid [boy who tormented her family] is still running on the streets while I'm in jail. He was paint balling my house when I was in jail; he would stand in the street because he knows that is public property. After my last relationship ended, I decided that my family and kids were more important, you know. That is basically what happened.

Question: What was your sentence?

Emma: I still have 20 days to sit in jail, I was given 30 days. I got two years probation.

Question: How do you feel about being a registered violent offender?

Emma: It bothers me; it does because I have one more year of probation. Sarah [Emma's probation officer] told me that we could go back to court, I don't really care anymore. But if I go out to look for a job in a close-knit community. If it is going to be bad here, it is going to be bad anywhere else. Unless I go to a big city and get a job in a lab where there are like a million people. We can get that taken off my record, but if I get arrested in somewhere like Houston, the cops will still see that I am.

I only have to register for one more year. I don't have to register for my whole life. If it was the rest of my life I would probably get a lawyer and say those charges were from fourteen years ago and isn't there a statute of limitations on these things? And I'd take my kids back into court because no one wanted to

hear what they had to say. No body cares what I have to say. End of story, you know.

Question: After you were charged how did people treat you?

Emma: Like they have always treated me, like I'm a piece of dirt. Like they treat a lot of people. People say the criminal justice system is this and that, but if you don't have a three-piece suit on or a nice dress, and your hair is nice, and your nails are manicured, and you have 5,000 dollars in the bank, okay you know. Okay, then they say we can do this and that for you. Otherwise, you're a piece of garbage; you are a piece of garbage.

Don't treat me like a piece of dirt until you walk a mile in my shoes. And take a look at your life before you start judging me.

I'll tell you what, though, the head of the probation office, I don't remember his name, he is a really nice man. When I got out of court, I have a panic disorder, and I had panic attacks really bad but I'm on medication right now. I was at the top of my stress level and when I get panicked, I faint, and he was treated me very well, and Sarah is nice to me; she is not nice, but she is fair. She treats me like a person. The judge was pretty fair. The prosecuting lawyer was an asshole. The public defender was a waste of time.

Question: Did you spend much time with your public defender?

Emma: I spent about three sessions of five minutes with him. All the evidence I wanted to present he didn't present because he told me it doesn't matter what you present. He told me that if I had had a videotape, he would have used that.

Question: How long did you wait in jail before your trial?

Emma: 11 days. Then I had to spend another thirty days downtown or staying with a friend because they refused to let me go home. They were afraid I would beat my children. My children all wrote letters that "we want my mom home." When their father kidnapped them, about 12 years ago now. When Jamie was about eight, and the other kids were younger, I hardly spanked those children. When I got those kids back, I promised them that I would never beat them again. I never did. You can ask them. My mom hardly spanked me, like maybe a swat on the butt or something. I never touched them once after that. I might have yelled at them or grounded them, but I never spanked them. So you know, it's like [police and judges] are willing to go to court, but they don't care; it's not their life. It's mine, and mine is very insignificant.

Question: How did your friends treat you?

Emma: I did lose a lot of friends. A lot of friends that I used to see at the bar; I told them that I'm not drinking anymore. If I go over to your house and there is alcohol, I have to leave. I have about three friends I haven't seen in over a year. I've been going to school. I've just sort of phased everybody out, you know, I have a couple girl friends at school, and a couple at AA, a friend at Boyd, and a friend at anger management.

I need a lot of space because I have an intense fear now of getting close to anybody. I haven't been on a date in 5 years. If anybody asks me on a date, I don't go. I have no intention of having a relationship [with a man]. I have controlled relationships with people. I like it that way; I believe that is best for my life.

Question: Do you think that having relationships with your ex-husbands influenced how you do/don't trust men today?

Emma: I absolutely don't trust men. I trust them as friends, but if they want to go on a date, I say no. They are going to beat me, rape me—I've been raped five times in my life. No, I don't trust them at all. I don't trust women either. With my second husband while I'm laying there almost dead from crying and panic, my best friend comes over and is holding my hand, and it's like my kids and husband are gone. Everything is gone. He sold everything down to my underwear. Left me with the state investigator beaten up, homeless, penniless, and she is holding my hand. I find out later that she is over at her house having sex with him [second husband] cause he took the kids to Seattle and came back to see her. I have a really hard time trusting anybody. I trust my mom, kids, and people at Boyd Andrew, and I trust Sarah [probation officer]. There are some days that I want to quit school, anger management, and hit the road and run. And uhh, I think that these people keep me on track to do what I need to do.

Question: Do you think any good came out of this?

Emma: I would have quit school, and I wouldn't have stopped drinking, and I wouldn't have gone to anger management and have found other ways to deal with my anger. And I'm on my medication now. There is a lot of good that came out of it.

Question: Today, you still live in the town where you were charged with your offense.

Emma: Yes, I'm going to tell you what, I've lived in 35 states and I have lived in lots of large cities. I have hated this place [Helena] since I came back from the National Guard. The people believe that they think they are wonderful church going people. I'd like to tell people if you're such a Christian; why don't you read your damn Bible? You're not acting Christian, where is the compassion for human beings? I hate this place. When I get off probation and get out of school, I'm going to research where I'm going to live and I'm taking my girls and mom with me.

Question: Did your family support you through all of this?

Emma: Yes, my daughter has gone to AA meetings with me and meetings a Boyd's, Grandma [mother] is giving me rides; and they listen to me when I talk about my anger management classes. My daughter is tutoring me in algebra. They have all been supportive of me.

Question: Do you think that you were treated the same as male offenders who were charged with the same crime?

Emma: Okay, compared to the basic male population, I believe I was treated slightly better than a man would have been. But compared to my ex-husbands, no. My husbands were smooth: the first one was a gangster, the second one was a drug addict/biker, and the third one was a child molester. They kept talking their way out of huge piles. Here I am trying to defend my family, and I'm being crucified for it.

The general public as males go, I was treated slightly better. It is because the way this town and society works. If I was in a larger city I would say that I probably would have been treated just the same. Yet, this place where I have

lived for most of my forty years, I believe I was treated better because they have this institution of thinking. If I was a poor man, I'm a poor woman; a poor man is screwed because a rich man isn't going to be too bad. I believe that a woman with money is higher than a woman with no money. A woman with no money might be on more equal terms with a man with no money, and a man with money is much higher up than everyone else. What really irked me was this man who killed this man up here driving drunk, who worked for the Governor. My girlfriend got her second DUI driving with her kids in the car. They stripped her of her kids forever and sent her to prison. She didn't murder anybody, you know. This is what I use as an example to show what I'm trying to illustrate: it is all about class and the structure.

Question: How long have you been a registered violent offender?

Emma: Since April 12th of last year, almost two years.

Question: What other crimes have you been convicted of specifically? Were they before or after being charged with your violent offense?

Emma: I have 12 domestic abuse charges and three DUIs. I also got a probation violation two weeks after I got out of jail. I can't tell you what mental state I was in when I got out of jail, and I hadn't been in to see the psychiatrist yet. So I had three glasses of wine the night before going to the Sheriff's Department to get DNA testing. They were like, have you had any alcohol? I said no, but they could smell it on me. I said that I had three glasses of wine to sleep; I had been up for three days. They [Sheriff's Department] said you know what you are going to jail. At that point I didn't give a damn; my stress level was so high. If I could of killed myself I would have, but my brother killed himself about 10 years ago. No matter how much I want to die, I would never kill myself and do that to my children. My mom bailed me out. After that I started going to counseling, and I started see that if I give up, they would all win. "They" is all my ex-husbands, those people who have treated me like a piece of trash. I didn't want them to win. So now I'm winning; that is how I feel.

Question: I know that you are going to school, but do you have a part time job?

Emma: No, I'm going to start working on getting one. There isn't a lot of calls for environmental studies positions in Helena.

Since I have hepatitis I cannot work the medical field or in food service. I've been on welfare for two years, I was working, but I wanted to go to school. I went down to the welfare department and got it so that I could get my associates degree.

Question: Overall, how do you feel about life?

Emma: Well, I think if my health was better, I'd be more positive, but I realize that I do have a good life. I live in a great country. I have great children, and a great mom. We have a house; it is not a good house, but it is a house. We also have a car. So I think life is pretty good there. I have the chance to become educated.

Question: When you were 16, what made you run away?

Emma: It wasn't my family. It was an overwhelming urge to travel. I wanted to see the world. I hitchhiked in January from Montana to Houston.

Question: What are your goals in life; what do you want to do with your future?

Emma: I can answer that question. My goals are to finish my associate degree, get a job and something that pays ten bucks an hour so that I can support my children. Get off welfare and probation. Maybe work at a job and work on my Bachelors. Make sure that my daughter gets into college. We don't know what we are going to do since I'm so poor. All three of my husbands have left me penniless. Three generations are left penniless.

Question: Do you think that your daughters were affected by your marriages?

Emma: Yes, I think my oldest daughter picks controlling men. All her boyfriends are horrible, controlling, and narcissistic like her father. She watched her father beat me, but she is really a nonviolent girl. The youngest has really never had a father, and she is very full of rage. My middle child is getting a 4.0, has a job, and boyfriend. My older daughter has bipolarism, but she is on medication now. I believe my youngest to be bipolar too, but she won't go to a psychiatrist.

Question: Were your children ever beat or molested?

Emma: I saw my husband beat my daughter in the face once, and I got my butt beat. I just started to beat and hit him violently and I told him that if he ever laid another hand on my children, I would kill him. That was the only time that he hit her.

Question: Do you think that being arrested has affected your daughters?

Emma: I know that they were tremendously worried; I know that they missed me. Now, they see I am going to school, counseling, AA, and that has made it a lot better. We discuss more, instead of me saying these are the rules, we now talk about how they are feeling. I don't lie to them. It has been a lot better. I'm alive today because I stopped drinking, and I thank God for that.

Question: Do you think you would have been charged with a violent offense if you had more money? What do you think they would have done?

Emma: No, I think I would have got a warning from the police officer, and he would have blamed it on my kids. They might have got a misdemeanor charge. But it was me, and the cops didn't care. The jailers treat women atrocious. Some of those men should not be near women. I don't know how they treat the men. My daughter got in some trouble, but she is the only one. There were five guys about 21 years old; my daughter was guzzling a fifth of Jack Daniel's. She started to foam at the mouth. I called 911. In the ambulance her heart stopped, and they had to shock her back to life. There was a report about that. That is about it. None of them have really been in trouble yet.

Question: Do you think that your daughters will get in trouble in the future?

Emma: I'm worried about my youngest. She has no disregard for civility, but I believe that she might come around.

Emma's story is similar to others who are often put in the criminal justice system, she is a Native American and of lower socio-economic status. It is vital to

look at many of the points that Emma made in her interview about her journey through life to understand what influences were in her life that aided in making her a violent offender.

One of the most profound things that Emma noted was that there was some good that came out of her arrest. She was able to get her life back on track, and she discussed what her goals were for the future and how she was going to obtain them. Emma has even taken the necessary steps to recover from past incidents by attending AA meetings, going to anger management classes, seeing a psychiatrist, and taking her medications for her bipolar and anxiety disorders. There are numerous theories that can be applied to Emma's case, such as strain theory and conflict theory. These theories may help to understand why Emma may have committed her violent offense. Jones and McJeters (1999) state "that female criminals are primarily poor, under-educated, unemployed, and unskilled (Jones & McJeters, 1999: p.3). "Female crime is rooted in the oppression of women" (Broidy & Agnew, 1997: p.10). Quinney (2000) and Chambliss' (1999) theories do apply to the criminal justice system in this sense. Statistics throughout the United States prove that these disadvantaged people are more often punished for crimes than those of a higher socio-economic status. This trend exists to a degree with female offenders since many of the women who are registered in Montana are of lower socio-economic status. There are more Whites females than Native Americans females who have been charged with a sexual or violent offense in Montana (refer to chart in Female Sexual & Violent Offender Section, p. 9).

Another factor that may aid in the increase in female offenders in the United States is the growing trend of single-parent households. There are many households that are headed by single parents that provide healthy environments for children. Yet, there are some homes that end in divorce and are unhealthy for the children. "The high rates of divorce and abuse in many intimate relationships mean that it is often difficult to satisfy the desire for interpersonal closeness. And qualitative studies suggest that abusive and failed relationships are a major source of strain in the lives of many female offenders" (Broidy & Agnew, 1997: p. 11). These situations are likewise not healthy for children.

Females who are the head of single-parent households often have a difficult time providing for their children. Some women may feel that they are put in the position to commit crimes merely to survive in society (Popenoe, 1996). The United States is obsessed with materialism in every facet of society. This is a problem for many Americans who cannot obtain the same material goals as the rest of society. This idea is related to Merton's theory discussed early in this paper involving the idea of "innovation." Merton's idea of "innovation" includes people who are disadvantaged because:

lower class people lack access to legitimate means to success (education, money, capital, know-how) but at the same time are encouraged to achieve the goal of pecuniary success. Lack legitimate means, lower class people may turn to crime as an alternate or 'technically most feasible procedure' for rising socially (Merton cited in Lowney: 1981, p. 41).

Emma's story is common because she is the raising her children in a single-parent household because her ex-husband did not want to be actively

involved in their children's lives. Popenoe (1996) states that "a mother is much more likely to be abusive and to allow others to mistreat her child when she does not have the support of an actively involved father [due to the lack of family support]" (p. 69).

Sociologists have research both female victimization and crime. Many believe that there may be some link to what is occurring in the United States. "Several researchers have commented on the close connection between female victimization and female crime.... And it is these women who are most likely to be serious offenders" (Broidy & Agnew, 1997: p. 14). Women who were abused early in life tend to commit crimes against their families. Research has found that "single mothers tend to be more violent abusers than mothers in dual-parent households" (p. 70). With the loss of family support, many women do not know how to deal with the ever-growing problems in society. Instead of finding healthy ways to deal with their problems, some choose to take their frustrations out on those people who are closest to them.

Survey Results

Carroll College Survey

The survey that was given to the Carroll College students fourteen involved in the Juvenile Delinquency and Deviant Behavior course. It was administered to discover if there was a difference between Carroll College students and the Helena public. The class that I surveyed, which was taught by

Fr. Jeremiah Lowney, included ten females and four males. All students agreed to participate in the questionnaire. I explained how to fill out the questionnaire and handed it out to them. Fr. Jeremiah Lowney and I left the room until all students had finished filling out their answers and put them in a pile on a desk.

The questions ranged from simple questions, such as have you ever “defied parents’ authority” to have you been “convicted as an adult, for a felony.” The results were surprising, when the respondents were asked have you ever “had a fist fight with one person.” Of the fourteen respondents, two females and two males had had a physical fight with another person. The results are as follows:

STUDENTS’ RESPONSES TO THEIR INVOLVEMENT IN A FIST FIGHT

Gender & Fist Fight Crosstabulation

Count

		Had a fistfight with someone		Total
		yes	no	
Gender	Female	2	8	10
	Male	2	2	4
Total		4	10	14

The second question was interesting when looking at females and their involvement in crime. The question that they were asked to answer was have you “been arrested as an adult for a felony.” Thirteen respondents answered “no,” while one respondent, a female, responded that she had been arrested, but not convicted of the felony.

STUDENTS' RESPONSES TO IF THEY HAVE BEEN ARRESTED FOR A FELONY

Gender & Arrested for a Felony Crosstabulation

Count

		Been arrested as an adult for a felony		Total
		yes	no	
Gender	Female	1	9	10
	Male		4	4
Total		1	13	14

This small sample is mentioned merely to emphasize that there are females attending Carroll College who have acted in a violent manner, yet who have never been convicted of these crimes. There could be numerous reasons for this situation: they were not caught; discretion by the police officers, lawyers, and good defense attorneys. It is not possible to find out why the one female respondent was not convicted of the offense for which she was arrested. One can only speculate that she probably had a good defense attorney and/or someone practiced discretion in the criminal justice system.

Survey of the Helena Public

The results from the public questionnaire were significantly different from the results at Carroll College. There were 60 females who were given the questionnaire in the public to determine if they have committed criminal acts without being charged in the criminal justice system. There is no way to tell if these women are residents in Helena or were merely visiting when the questionnaire was given. The questionnaire given to the Helena public was used

merely to point out that a large percentage of the public have committed acts, but have never been arrested and/or charged with an offense.

The results from the public questionnaire revealed that more females are involved in illegal activities than is thought by many. There seems to be a general trend of women becoming more aggressive. It can only be assumed that the women questioned answered honestly to the questions, though there is still a chance that someone answered untruthfully while filling out the self-report.

The first question that was asked that applied to violence was have you ever "had a fistfight with someone?" out of the sixty respondents, twenty-two (36.7 percent) admitted to being physically violent with another person.

RESPONSES TO IF THEY HAVE HAD A FISTFIGHT WITH SOMEONE

Had a fistfight with someone

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	22	36.7	36.7	36.7
no	38	63.3	63.3	100.0
Total	60	100.0	100.0	

The Helena public questionnaire found that fifteen percent of the female population questioned had been arrested for a felony at some point in their life. The question that was asked was have you "been arrested as an adult for a felony?" The statistics show that nine females, 15 percent, had been arrested for a felony. A majority of women in the survey had committed a felony at some point in their lives though many were never put into the criminal justice system.

RESPONSES TO IF THEY HAVE BEEN ARRESTED FOR A FELONY

Been arrested as an adult for a felony

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	9	15.0	15.0	15.0
no	51	85.0	85.0	100.0
Total	60	100.0	100.0	

Out of the nine females who had been arrested for a felony, 6.7 percent of the females were convicted of the offense that they had been arrested for in the criminal justice system. There is no way to tell why the other five women were not prosecuted for the offenses that they committed. The reasons could be the same as mentioned before: having a good defense attorney, the prosecutor's being unable to prove they were guilty of the offense in court, and so on. The table below shows the results of the question asked have you ever "been convicted as an adult for a felony?"

RESPONSES TO IF THEY HAVE HAD BEEN CONVICTED OF A FELONY

Been convicted as an adult for a felony

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	4	6.7	6.7	6.7
no	56	93.3	93.3	100.0
Total	60	100.0	100.0	

CONCLUSIONS

The question that this paper sought to answer, "Are women committing more crimes, or are they merely being arrested more often?" cannot be answered easily. It cannot be specifically answered in this paper because of a lack of time, money, and a team of sociologists to conduct a more in-depth study.

Unfortunately, Emma was the only female offender convicted of a violent offense who would discuss her story for this paper. If a much larger sample would have been conducted, the question may have been easier to give a clear yes or no answer. Instead, of giving a clear yes or no, I believe that it can be answered both ways. All of the research brought me right back to the original question. There is not one variable but numerous variables that are affecting why women are committing crimes in the United States.

Instead of saying that the feminist movement influenced more women to commit crimes, it seems that in the 1970's crimes that were committed by females were not as widely reported to the police. Today, these same crimes are beginning to be reported to law enforcement more frequently and consistently, which could explain the huge increase in women being arrested and charged in the criminal justice system. When looking at the official and historical data collected, it is intriguing to see that a majority of women in Montana's criminal justice system are white (62.5 percent). This fact goes against what Quinney and Chambliss state in their sociological writings. Though the conflict theories do still apply, they are not as clear-cut as the paper early stated by believing that

females of minority had the largest numbers in the criminal justice system throughout Montana. The most compelling result from the historical data is that the number one crime committed in Montana by females is the violent offense referred to as assault. Over 50 percent of the females who are registered offenders in Montana have committed assault as seen in the historical data.

Yet, there is still a large number of women committing crimes who are not caught, as is evident in the results of the self-reports as found in the survey results and the historical data. When examining the self-reports given to both Carroll College students and the Helena public, there was a large number of women who had committed either violent or sexual offenses during their lives, but who had not been caught or charged with an offense. Over 36 percent of females surveyed in the Helena public questionnaire stated that they had been involved in a fistfight, that is a large number of females who currently are not in the criminal justice system.

There has been a steady increase in the number of women in the United States' prisons; this fact could be based on the assumption that the "chivalry factor" that once existed is now dying. The age-old idea of chivalry is not being as widely used with the introduction of more female officers, lawyers, and judges. Instead, it seems to be a latent effect of the feminist movement that occurred during the 1960's and 1970's. The criminal justice system is employing many women; these women tend not to be as sympathetic as men who work in the system.

Another factor involved with the large increase of women in the criminal justice system could be that the use of discretion by police officers is now changing from what it was thirty years ago. Instead of sending females back home, such as Emma, police officers are taking them to jail. Emma's story is what is typically occurring in the criminal justice system today. It is very likely that if Emma had committed her crime twenty years ago, she would not have been arrested and convicted of a violent offense. Women are no longer thought of as completely innocent because they are involved in all facets of crime in the United States. Women are much more willing to commit white-collar crimes, along with violent and sexual offenses as examined through the statistics gathered through both the historical and quantitative research. Emma's story is very interesting because there were numerous underlying factors that affected her life, such as mental disorders (bi-polarism, panic attacks, and alcoholism). Not only did she have mental imbalances, but she also felt that the criminal justice system could not help her for most of her life. One thing that should be acknowledged is that Emma blames everyone else for her problems, thus avoiding a lot of responsibility for her actions in life.

Overall, crime in the United States has decreased in the past few years, but it is important to recognize that there is an increase in the number of female offenders in official data across the United States. The rise in female offenders is quickly becoming a social problem that should be dealt with while the percentage is still small. It is vital that we bring this problem to light across the country because as I have seen in the past eight months the number of female violent and

sexual offenders increased by twenty in only a few months (refer to historical data findings).

Though crime will never be expunged from society, we should recognize the underlying factors that are affecting women and work towards eradicating these problems. Once those factors are examined and challenged, only then will crime seem less appealing to offenders throughout the country. If we truly want crime to decrease in society, it is vital that we work towards creating an equal opportunity for all people in the United States.

RECOMMENDATIONS FOR FURTHER RESEARCH

What was found in this paper should help give insight into the importance of further research on female offenders in Montana and the United States. Further research would allow for a greater understanding that would specifically explore why many females are becoming sexual and violent offenders.

It would be invaluable for more qualitative and, more importantly, quantitative research to be conducted on all 177 females who are registered in Montana. A larger study of all female offenders in the United States would help sociologists understand to a greater degree what underlying factors are influencing women to commit these sexual and violent acts.

A second recommendation is that women who were part of the feminist movement should be interviewed and asked specific questions about their deviant acts before and after the liberation movement. This point of view would allow researchers to see if the women questioned felt the urge to commit more violent acts and if they actually did commit the offenses.

Third, law enforcement should be interviewed, including both male and female police officers and judges. Two groups should be questioned: those officers from the 1960's/1970's and those who were hired in 2002/2003. It is very likely that there would be a large difference between the way the new and old officers perceive and treat women in society. It would be interesting to find out if the older officers are more likely to send a female offender home compared to the newer officers. By questioning those who work in the criminal justice

system, it would allow researchers to explore “chivalry factor” and if it still exists in the United States.

Appendix

SELF REPORT ON CRIME AND DELINQUENCY

INSTRUCTIONS: This questionnaire is confidential. Only mark one answer for each question.

SEX: Female Male

WHILE UNDER THE AGE OF 18

Have you ever—

YES

NO

- | | | |
|---|-------|-------|
| 1. "Run away" from home? | _____ | _____ |
| 2. Defied your parents' authority? | _____ | _____ |
| 3. Had a fist fight with someone? | _____ | _____ |
| 4. "Beat up" on kids who hadn't done anything to you? | _____ | _____ |

Have you ever (at any age)—

- | | | |
|--|-------|-------|
| 5. Used force (strong-arm methods) to get money from another person? | _____ | _____ |
| 6. Taken part in "gang fights?" | _____ | _____ |
| 7. Driven a car without a driver's permit? | _____ | _____ |
| 8. Taken things that did not belong to you (over \$500)? | _____ | _____ |
| 9. Used false identification? | _____ | _____ |
| 10. Frequented a house of prostitution? | _____ | _____ |
| 11. Engaged in prostitution? | _____ | _____ |
| 12. Gone hunting or fishing without a license? | _____ | _____ |
| 13. Been arrested as an adult for a felony? | _____ | _____ |
| 14. Been convicted as an adult for a felony? | _____ | _____ |

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