

Women's Identity and Desistance from Crime: A Review of Theory and the Role Higher Education Can Play

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SCHOLARONE™ Manuscripts Women's Desistance from Crime: A Review of Theory and the Role Higher Education Can Play

Abstract:

The emergent field of desistance research originated among scholars who were interested in the persistence or termination of crime among young men. From a focus on the structured effects of age-graded events such as employment and marriage on desistance, the field has now broadened its interest into desistance as an interplay among identity, cognitive factors, and sociogenic factors. Mirroring the growth in theories about women's pathways to offending, the field of desistance has taken on a greater focus on gender as a determinant of crime termination. The discussion of women's desistance presented here provides the basis for a recommendation that higher education may play a pivotal role in enhancing women's successful reintegration into society after prison.

Introduction

The majority of incarcerated women will eventually leave prison to return to their families and communities. All such women will experience reentry, but not all will desist from offending and turn to more productive and law-abiding lifestyles. Interest in whether young criminals would persist in offending as they aged began with the Gluecks' research in Boston in the early decades of the 20th century (Glueck & Glueck, 1937). Much of the research in the domain of desistance since then has focused on the male offenders and not on women who, with the inception of mass incarceration, have made up more and more of the prison population (Sokoloff, 2005). As Farrall and Maruna (2004) note, the research linked to desistance moved away from its umbrella of criminal careers making it a distinctive discipline of its own. Yet, much of this research has been on male ex-prisoners or on mixed samples that tend to elide gender distinctions. After several decades of feminist research on women and crime, there is a substantial literature on justice-involved women. However, examinations of women's post-prison reentry and, especially, the now standalone field of desistance, are still rather recent. This article first reviews literature on women's offending and desistance theory with an eye toward developing strategies that support women who want to desist from crime. We then consider post-incarceration higher education as an environment that can respond to justice-involved women's desire and capacity to change their lives.

Interest in providing higher educational to prisoners and ex-prisoners was never really extinguished even after the Violent Crime Control and Law Enforcement Act law

eliminated Pell Grants for prisoners in 1994. Here and there, college-level programs have endured against significant odds or were initiated more recently by grantors in conjunction with institutions of higher education (see Sokoloff and Schencke-Fontaine 2017 for a review of these programs). The basic attraction to policy makers has always been the ability of higher education to reduce recidivism. However, since many of these programs have attached themselves to the larger and more numerous men's prisons and population of male ex-prisoners, we know less about the impact of these initiatives for women. This paper foregrounds the literature on desistance from crime, highlighting the few works that develop these theories for women. Finally, we extrapolate this theoretical literature as a call for further research on women's desistance through higher education.

Women's Pathways to Justice System Involvement

Understanding women's desistance from crime requires some understanding of factors that shape their involvement in the criminal justice system. Feminist scholars beginning with Kathleen Daly (1992, 994) noted that although common terrain existed in both male and female trajectories to offending, important gendered differences could be revealed through comparative study. Further, these differences generated critical theoretical understandings of gendered behaviors over the life course (Simpson, Yahner, & Dugan, 2008). In her comparative study of male and female defendants in a New Haven felony court, Daly (1994) described four categories of female felons. She categorized the first group as street women, whose offending consisted of low level hustles and prostitution, often initiated upon running away from abusive homes. A second category consisted of women whose early abuse and subsequent harming behavior gave rise to what she called harmed and harming women. As a result of childhood strains, such women began using drugs and alcohol at an early age and showed signs of serious psychological harm. The third category, drug-connected women were mainly involved in drug selling operations embedded in spousal or family relationships. This group of women didn't have extensive offending records. A fourth group, battered women, exhibited violence in response to their violent relations with men. Daly found that that men and women sometimes resembled one another in the origins of their criminality. especially those in the street category, but important differences in the frequency and seriousness of offending existed.

Building on Daly's work, Simpson, Yahner, and Dugan (2008) examined a large sample of incarcerated African American women to examine their pathways to offending. In keeping with life-course theory, they examine the transition of girls into deviant networks, replicating Daly's street woman etiology. They argue that, as with males, age of delinquency onset shapes the experiences that girls are exposed to and continue to

be exposed to through adolescence and adulthood. For example, their research showed that early-onset delinquents spent more months in total dealing drugs than those who had a slightly later onset of criminal activity. In sum, they argue that early sexualization is related to early offending, as later-onset offenders were less likely to report abuse. This research, which also revealed an unexpectedly large number of adult onset offenders, showed that childhood-onset was more heavily associated with drug-dealing, property-crime, and violent offenses than either adolescent or adult onset female criminality.

Bloom, Owen, and Covington (2004) provide an overview of features that characterize women's trajectories from abuse, poverty, and drug use into crime. Women in the criminal justice system are more likely than non-criminal women to have grown up in a single-parent home and are more likely than criminal men to have an incarcerated family member. The Bureau of Justice Statistics (1999) reported that justice-involved females are more than four times as likely as their male counterparts to report abuse sometime during their lifetimes. Indeed, some of the strongest evidence provided since then for women's pathways to offending has been on the relationship between abuse in early life and adult drug use and crime (Wilson & Widom, 2009). In contrast with men, women's trajectories from child abuse and neglect to adulthood drug use is evident, and is part of what these authors call a "general problem behavior syndrome" with its onset in adolescence (p. 340) Other aspects of the general problem behavior syndrome that research finds common among incarcerated women are prostitution and homelessness.

For Chesney-Lind (Chesney-Lind, 1997; Chesney-Lind & Pasko, 2013; Chesney-Lind & Sheldon, 2004), early abuse is also a precursor to depression, drug use, status or minor offending that lead girls into the juvenile justice system and thence to more serious offending when their fundamental problems fail to be addressed by courts or other social institutions. Substance abuse, mental health, and physical problems also plague this population (Acoca, 1998; Merlo & Pollock, 1995; Young, 1996). The Bureau of Justice Statistics (2001) found that 25% of women in state prisons had been identified as having a mental illness. The report goes on to say that these women suffer from depression, post-traumatic stress disorder (PTSD) as well as substance abuse. The latter conditions are often linked to sexual abuse and other trauma (Bloom, Owen, & Covington, 2003; Bloom et al., 2004; Covington, 2008). Beyond these factors are those links between youthful and adult experiences and crime, often detailed in both quantitative and qualitative life history research (Belknap, 2007; Belknap & Holsinger, 2006; Salisbury & Van Voorhis, 2009). In total, the major themes in this body of literature on pathways to offending relate to women's abuse, dysfunctional relationships, poverty, poor education, restricted human and social capital, addiction, mental illness,

and the combined effects of racism and gender oppression (Bloom et al., 2003; Richie, 2001; Salisbury & Van Voorhis, 2009).

The research on the role of early life experiences in shaping women's adult offending argues for gender responsive practices and policies that meet their unique needs. Sokoloff and Schenck-Fontaine (2017) catalog the personal and structural factors that are especially salient to women's experience with crime and that also impact their successful reentry. These include a lack of childcare and child custody problems, poor employment history, inferior job skills, and the often twin problems of drug addiction and mental illness. More women than men experience homelessness and indigence prior to prison. And, there are also the various status inequalities of gender, race, class, and immigration status that place added burdens on women's reentry. Research has identified the structural and cultural barriers to successful reentry (Brown and Bloom 2009; Giordano, Cernkovich, and Rudolph, 2002). However, analyzing the concept of desistance in terms of women's successful reentry is an important next step. The following section draws upon both structural and subjective factors related to desistance theory in order to highlight the complex process of women's reentry to their communities after prison.

Gender and Desistance from Crime

In their much-cited study of women's desistance, authors Giordano, Cernkovich, and Rudolph (2002) note that if pathways into crime are gendered, then gendered pathways to desistance must exist as well. Current perspectives view desistance as a process involving an interplay between sociogenic and subjective factors over time (Laub and Sampson 2003; Maruna 2001). But the foundational research and theory development in the area of desistance have been primarily based on samples that are entirely or predominantly male. Research on desistance is only beginning to address the question of gender and women's lived experience (Bachman et al, 2016; P. C. Giordano et al., 2002; Uggen & Kruttschnitt, 1998).

Kruttschnitt (2013) reminds us that there are experiences over the life course that equally apply to male and female offenders. The factors that are invariably conducive to crime include poor parenting, low self-control, delinquent peers, and economic disadvantage. However, she notes, these experiences may be modulated differently by men and women, perhaps through emotional mediators that shape differential pathways to crime. These differences likely stem from role of socialization as well as the subordinate status of women in the sex-gender hierarchy, as well as the overlapping effects of race and ethnicity (Chesney-Lind and Sheldon, 2004). In terms of desistance from crime, structural factors such as employment and marriage may be areas where

gender is important, but there may be those areas where gender has a less marked influence. In her review of the desistance literature, for example, Kruttschnitt (2016) concludes that the marriage and employment effect benefit more men than women, because women find it far more difficult to find prosocial partners and good employment. Thus, the "good marriage effect" developed by Laub, Nagin, and Sampson (1998), undergirded by elements of social control, tends to be strongly related to men's desistance from crime but its impact among women is shaped by women's structural position and socialization.

Such findings are reflected in work by Zoutewell-Terovan et al (2014) who prospectively examined a sample of 540 high-risk men and women criminals in the Netherlands. Their research revealed that marriage and having a first child were strong predictors for desistance from serious offending for men. In fact, parenting actually brought more positive effects for men especially if accompanied by marriage. However, these authors found that female desistance was not significantly influenced by either marriage or motherhood. Additionally, marriage and stable employment tended to encourage desistance from crime with age. However, subsequent research on these determinants has been mixed, with some research finding that marriage and work encourage men's desistance but not that of women (King, Massoglia, and Macmillan, 2007). These authors note that marriage may be a neutral or negative factor with women offenders as they are thought to have a greater likelihood than men of finding a criminal spouse.

As the study of desistance broadened, more scholars recognized that successful desistance from crime emerges from an interplay of subjective factors such as identity with objective factors, such as employment (Burnett & Maruna 2004). Much of the more recent literature on desistance attempts to account for the role of individual action in the face of structural factors (King, 2013; Maruna, 2001; Maruna & Roy, 2007), rather than objective factors alone.

LeBel and colleagues (2008) have ascertained three theoretical models that describe this interplay of individual agency and social structure in the desistance process. Strong-subjective perspectives focus mainly on the individual's will, a perspective that King (2012) views as an unrealistic assessment of the individual's ability to dramatically alter their social environment. At the other end of the theoretical spectrum, the social environment predominates over individual intention or agency. These theorists see desistance as more or less dependent upon structured turning points in life such as marriage or employment (Sampson and Laub, 1993 and 2005; Vaughan, 2007). Various research notes the fact that these turning points entrain forms of social control that tend to organize desistance (Farrington & West, 1995; Sampson & Laub, 1993). The work by LeBel and colleagues offers a mid-range structuration view of desistance.

In their view, providing the environment necessary for change can enhance the potential for individuals to achieve desistance since cognitive change alone is insufficient absent a supportive context..

Consistent with Lebel's perspective, Sommers and colleagues (1994) studied 30 female street criminals' route to departure from criminal behavior. They describe a three-stage process of desistance. Female street criminals encounter what the authors call socially "disjunctive" experiences that build motivation to change. Desisters announce the decision to change to their social network, and they develop new social networks wherein new behaviors emerge and can be sustained. But changes in identity are also essential to the process (Bushway & Paternoster, 2014: Farrall & Maruna, 2004). One of the main tasks of the would-be desister is to find an identity and future self that is incompatible with crime (King, 2013).

With troubled motherhood (Brown, 2012) as one of a short list of available identities, where do justice-involved women look for identity assets? Rumgay's (2004) examination of narrative scripts related to women's desistance acknowledges the poor experiences these women may have had as family members, employees, and students. Narrative scripts can be thought of as that internal dialogue we use to explain who we are to ourselves and others. Justice-involved women, Rumgay notes, need to be especially active and creative in convincing audiences that their personal change is real (Maruna, 2001). Rumgay's work leads us to focus on issues such as women's identity, self-efficacy, and resilience that may further the development of desistance (Farrall & Maruna, 2004). Women's agency is a useful starting point for discussions of resistance to stigmatizing labels. Stone's (2016) in-depth interview data reveals that pregnant former drug users constructed narrative identities that emphasized their moral agency and resisted the stigmatizing discourse surrounding substance-using mothers.

Women's reentry from prison takes place in a context of what Richie (2001) calls "the co-occurrence of multiple demands" (p. 380), constituted by the burdens of parole supervision that coexist with the mandates of employment and family responsibilities. As described by Bachman et al (2016), women who are mothers may be struggling with addiction, mental illness, attempting to find housing and employment (despite a criminal record), reunification with children and often reluctant family members, as well as meeting conditions of release and supervision. Parental stress, in fact, is a risk factor for increased recidivism (Van Voorhis et al 2010). Yet, as Bachman and colleagues (2016) find, motherhood doesn't play a central role in age-graded social control (Laub & Sampson 2003) or in cognitive and identity transformation theories (Bushway & Paternoster, 2014; P. Giordano, S. A. Cernkovich, & J. L. Rudolph, 2002) of desistance. This is despite the rather apparent central role of maternal concerns in the lives of

justice-involved women (Arditti & Few, 2008; Bloom & Brown, 2011; Brown, 2012; Brown & Bloom, 2009; Enos, 2001; Giordano, Seffrin, Manning, & Longmore, 2011; McMahon, 1995). These maternal concerns potentially play a role in motivation toward desistance but social connectedness with family and children may be marred by strains related to family violence, poverty, and the dysfunctions common to the lives of justice-involved women (Rodermond, Kruttschnitt, Slotboom, & Bijleveld, 2016).

Social capital is a central theoretical consideration related to both offending and desistance. Farrall (2002, 2004) claims that family and work are fundamental to social capital. That is, social capital is constituted by family and work and these, in turn, flow from social capital which gives entre to and sustains connections to other institutions. And, like marriage and family, social capital is problematic for justice-involved women. While relational theory highlights the centrality of social relations for women (Covington, 2008), the wrong social networks may put desistance at risk. If associates are using drugs, it may not be long until the former prisoner is using as well. Thereby, social embeddedness, a key factor in social capital, is as Brown and Ross (2010) put it, "part of the problem rather that part of the solution" (p. 42). In fact, the desire to go straight may put women at odds with former friends and family members who lack a normative orientation. Those family members and friends who might support their family member after prison may have been alienated by and still angry about the woman's former behavior. They may not be eager to enter into relationship with their former loved one who has broken trust and called into question the legitimacy of the family in the first place (Enos, 2001).

The problem becomes how to enlist theory to foster environments that meet the needs of formerly incarcerated women and support their agency. Such environments must take into account structural issues, gendered needs, and the subjective factors that go into successful desistance. Correctional agencies cannot at this time be said to be desistance focused. Rather, correctional agencies remain stuck in models that depend upon measures of recidivism to evaluate their efficacy. These measures are at best snapshots of what should be clear by now is a dynamic process of human change. Environments that allow formerly incarcerated women to develop coherent, prosocial identities are consistent with narrative theories of desistance (Maruna 2001; Rumgay 2004). A promising direction suggested by these theories consists of providing justice-involved women with pathways to social and cultural capital as well as transformed identities. In the concluding part of this article, we explore women's participation in higher education as a means of supporting identity transformation as well a way to leverage those sociogenic factors that enable desistance from crime.

Desistance and the Higher Education Environment

Historically, women's prisons tended to be under-resourced compared to facilities holding men (Rafter, 1985), a situation that has only worsened with the mass incarceration of both men and women. A political climate somewhat more welcoming to rehabilitation in this century (Case, David, Rosmary, & Anna, 2005) was inopportunely met by state budgets groaning under the residual effects of the great recession and unsustainable levels of incarceration. Much of the carceral educational programming for women that remains is vocational programming in traditionally female occupations such as cosmetology or canned curricula offering "soft skills" aimed at altering women's psychology (Brown, 2012; Pollack, 2005). Prison programming, effective or ineffective, has been subject to extensive cuts in state and federal support, most recently because of the recession but actually going back to the 1990s when crime bills eliminated Pell grants for prisoners. Kruttschnitt (2010) reports that programs that address women offenders' unique needs are rarely available inside of prison. She points out that in California only 18% of prisoners who need substance abuse treatment are placed in these programs, despite estimates that 80% of prisoners report having a drug or alcohol problem.

The Higher Education Act of 1965 created Basic Education Opportunity Grants that enabled individuals to enroll in post-secondary education programs in prison, but the grants were controversial from the beginning (Rose, 2004). This source of state capital helped sustain higher educational programs in prisons until the 1990s when the grants, known by then as Pell grants, were eliminated under the Violent Crime Control and Law Enforcement Act of 1994 as well as the Higher Educational Reauthorization Act of 1994. A study by Rose (2004) traces the reduction of prisoner-students as colleges withdrew their faculty and programs from prison. The nation's correctional institutions saw a whole-scale reduction of post-secondary educational programs for prisoners (Austin & Irwin, 2001; Davis et al., 2013 and 2014; Duquid, 2000; Petersilia, 2000, 2003). Correctional education for women, including vocational education, has never come close to meeting their needs. And, with the mass incarceration of women, correctional educational budgets have been arguably harder hit in facilities for women (Rose, 2004). Cuts to correctional budgets since the great recession eliminated even more of the remaining programs. A recent report by RAND (Davis et al., 2014) indicates that spending on correctional education overall shrunk by an average of six percent between 2009 and 2013, with large states making even deeper cuts.

Human and social capital are what many prisoners lack. And, since incarcerated women, compared to men, have more serious deficits in these areas, meaningful employment after prison may be even more out of reach (Sokoloff and Schencke-Fontaine 2017). The collateral consequences of prison sentences exacerbate these

already-existing deficits. Restrictions to social welfare payments, bars to public housing, diminished financial aid for education, and the loss of parental rights to children are adverse consequences that former prisoners experience long after their sentences end (Brown and Bloom 2009; Leverentz 2011; Mauer and Chesney-Lind 2002). Since more women than men are custodial parents, and therefore often in need of state benefits, these consequences are far from gender neutral. Former prisoners find the job market markedly unfriendly to them, with race and gender being formidable obstacles (Pager, 2007). Morris, Sumner & Bora (2008) in a study of the impact of a prison record on women's employment find that both gender bias and being system involved converge to form a serious barrier to employment.

There is a growing interest in connecting former prisoners to colleges and universities when they reenter society (Halkovic et al., 2013). Enrollment in educational programs can help mitigate barriers to employment, particularly for a population so lacking in various forms of human capital. Higher education provides a range of benefits for those leaving prison, whether they begin their studies while in custody or afterwards in the community (Sokoloff and Schencke-Fontaine 2017). The influential RAND study on the impact of correctional education found that participation in college courses in prison reduced recidivism rates among former prisoners by 43%, concluding that educational programming was more cost-effective than incarceration in reducing re-offending (see Davis et al 2013).

Runell (2015) links the desistance process to higher education for women, arguing that formerly system-involved students find access to positive social networks (social capital) and work opportunities. She found that participants in a college-based program for justice involved women made gains in self-efficacy and confidence. These students found their educational experiences transforming, being the hooks for change cited in desistance literature as alternatives to criminal lifestyles (Giordano et al., 2003). Although participants reported having decided while in prison to make something good of their lives, education helped leverage the desire and sustain the building of new identities, a process essential to desistance (Bushway and Paternoster, 2014; Farrall and Maruna, 2004; Maruna, 2001).

The higher educational environment is consistent with the structuration views of LeBel and colleagues (2008), whereby the internal push to change one's life is sustained by social factors such as employment or social connections. Enrollment in college or university study potentially gives the former prisoner an opportunity to 'knife off the past' in an environment with structural conditions that support the transformation in identity that desistance requires. Ex-prisoners may, if they choose, adopt the identity of student without revealing their pasts. The transformative developments that college students

experience through a process of maturation and consciousness raising are available to this unique group of students and may be, to them, even more meaningful. The role of student in this culture offers an alternative, non-stigmatized source of identity (Runell, 2015). Alternative associations with more normative social networks can help rescue the individual from her former negative associates.

As well, these new networks consisting of other students, faculty, and staff provide access to the benefits of social capital, heretofore unavailable to justice-involved women. Social capital is constituted of resources that flow from one's position in social networks. These social networks assist people in obtaining other tangible and intangible resources, which in turn, help sustain families and jobs (Bourdieu, 1986). The most familiar route to cultural and in large part, social capital, in contemporary society is the educational system (Lareau, 2015). Reisig et al (2002) points to the social control function of social capital wherein members of the network promote normative behavior. They also note that the structural locations of networks vary across social groups and tend to diminish in poor communities of people of color. Deficits in institutional familiarity, that is cultural capital, follow along with lower structural location and acting as a drag on social mobility (Lareau, 2011, 2015). Reisig, Holfreter and Morash (2002) also find that women offenders who are members of "comparatively deficient networks" (p. 181) are less likely to overcome their situations. Moreover, the possession of a criminal record restricts employment opportunities and access to state capital in an environment of reduced welfare and housing benefits.

Learning to navigate educational institutions involves acquiring forms of cultural capital that are consistent with values and aspirations in the world of legitimate employment. Ford and Schroeder (2010) argue that acquiring social capital through education, especially the attainment of a degree, supports the connection of individuals to normative values and goals. For justice-involved women who have been at the crosshairs of gender, racial, and economic marginality, higher education may open the door to fulfilling and productive lives.

This review of perspectives on desistance from crime in general and women's desistance in particular points the way to higher education as an environment that can assist women in transforming their lives after prison. There is a growing interest in connecting formerly incarcerated students to higher education and research is slowly expanding. However, few of these initiatives and even less accompanying research focus on women. A review article by Rodermond et al (2016) states that education tends to have a more profound impact on women's desistance than that of men but more research, especially qualitative studies, need to be done to illuminate the gendered effect of education.

Finally, one may ask, "why women"? Kruttschnitt (2010) states despite the fact that justice-involved women have made poor choices, they are "still an important resource for their communities and their families, and all of them will have a significant impact on the risk of criminality in the next generation of youth" (p. 39). In other words, for women who also the cultural center of their families and communities, investments in women's education will pay generational dividends. Institutions of higher education are positioned to make an important contribution to women's desistance from crime. And as liberal institutions, they will benefit from a unique expansion of diversity in life experience (Halkovic et al, 2013). However, colleges and universities need to be made more aware of the needs of this unique group of students and how education can play its very critical role in this process. Translational research, especially about women's pathways to both punishment and desistance, presented to institutions of higher education is a next important step in fostering women's productive lives as family members and citizens.

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