1 WOMEN, GENDER, AND CRIME

Introduction

LEARNING OBJECTIVES

- Define how sex and gender impact victims, offenders, and workers in the criminal justice system.
- Identify the influence of feminism on criminology.
- Discuss data sources for female offending and victimization rates.
- Explain the contributions of feminist methodologies for understanding issues about women, gender, and crime.

Since the creation of the American criminal justice system, the experiences of women either have been reduced to a cursory glance or have been completely absent. **Gendered justice**, or rather injustice, has prevailed in every aspect of the system. The unique experiences of women have historically been ignored at every turn—for victims, for offenders, and even for women who have worked within its walls. Indeed, the criminal justice system is a gendered experience.

Yet the participation of women in the system is growing in every realm. Women make up a majority of the victims for certain types of crimes, particularly when men are the primary offenders. These gendered experiences of victimization appear in crimes such as rape, sexual assault, intimate partner abuse, and stalking, to name a few. Although women suffer in disproportionate ways in these cases, their cries for help have traditionally been ignored by a system that many in society perceive is designed to help victims. Women's needs as offenders are also ignored because they face a variety of unique circumstances and experiences that are absent from the male offending population. Traditional approaches in criminological theory and practice have been criticized by feminist scholars for their failure to understand the lives and experiences of women (Belknap, 2007). Likewise, the employment of women in the criminal justice system has been limited because women were traditionally shut out of many of these male-dominated occupations. As women began to enter these occupations, they were faced with a hypermasculine culture that challenged the introduction of women at every turn. Although the participation of women in these traditionally male-dominated fields has

increased significantly, women continue to struggle for equality in a world where the effects of the "glass ceiling" pervade a system that presents itself as one interested in the notion of justice (Martin, 1991).

In setting the context for the book, this chapter begins with a review of the influence of feminism on the study of crime. Following an introduction of how gender impacts victimization, offending, and employment experiences in the criminal justice system, the chapter presents a review of the different data sources and statistics within these topics. The chapter concludes with a discussion on the research methods used to investigate issues of female victimization, offending, and work in criminal justice–related fields.

THE INFLUENCE OF FEMINISM ON STUDIES OF WOMEN, GENDER, AND CRIME

As a student, you may wonder what **feminism** has to do with the topic of women and crime. Feminism plays a key role in understanding how the criminal justice system responds to women and women's issues. In doing so, it is first important that we identify what is meant by the term *woman*. Is "woman" a category of *sex* or *gender?* Sometimes, these two words are used interchangeably. However, *sex* and *gender* are two different terms. *Sex* refers to the biological or physiological characteristics that make someone male or female. Therefore, we might use the term *sex* to talk about the segregation of men and women in jails or prison. In comparison, the term *gender* refers to the identification of masculine and feminine traits, which are socially constructed terms. For example, in early theories of criminology, female offenders were often characterized as *masculine*, and many of those scholars believed that female offenders were more like men than women. Although sex and gender are two separate terms, the notions of sex and gender are interrelated in the study of women and crime. Throughout this book, you will see examples of how sex and gender both play important roles in the lives of women in the criminal justice system.

The study of women and crime has seen incredible advances throughout the 20th and 21st centuries. Many of these changes are a result of the social and political efforts of feminism. The 1960s and 1970s shed light on several significant issues that impacted many different groups in society, including women. The momentum of social change as represented by the civil rights and women's movements had significant impacts for society, and the criminal justice system was no stranger in these discussions. Here, the second wave of feminism expanded beyond the focus of the original activists (who were concerned exclusively with women's suffrage) to topics such as sexuality, legal inequalities, and reproductive rights. It was during this time that criminology scholars began to think differently about women and offending. Prior to this time, women were largely forgotten in research about crime and criminal behavior. When they were mentioned, they were relegated to a brief footnote or discussed in stereotypical and sexist ways. Given that there were few female criminologists (as well as proportionally few female offenders compared to the number of male offenders), it is not surprising that women were omitted in this early research about criminal behavior.

Some of the first feminist criminologists gained attention during the 1960s and 1970s. The majority of these scholars were focused primarily on issues of equality and difference between men and women in terms of offending and responses by the criminal justice system. Unfortunately, these liberal feminists focused only on gender and did not include discussions that reflected a multicultural identity. Such a focus resulted in a narrow view of the women who were involved in crime and how the system responded to their offending. As Burgess-Proctor (2006) notes,

> By asserting that women universally suffer the effects of patriarchy, the dominance approach rests on the dubious assumption that all women, by virtue of their shared gender, have a common "experience" in the first place. . . . It assumes that all women are oppressed by all men in exactly the same ways or that there is one unified experience of dominance experienced by women. (p. 34)

While second-wave feminism focused on the works by these white liberal feminists, third-wave feminism addresses the multiple, diverse perspectives of women, such as race, ethnicity, nationality, and sexuality. With these new perspectives in hand, feminist criminologists began to talk in earnest about the nature of the female offender and began to ask questions about the lives of women involved in the criminal justice system. Who is she? Why does she engage in crime? And, perhaps most important, how is she different from the male offender, and how should the criminal justice system respond to her?

As feminist criminologists began to encourage the criminal justice system to think differently about female offenders, feminism also encouraged new conversations about female victimization. The efforts of second- and third-wave feminism brought increased attention to women who were victims of crime. How do women experience victimization? How does the system respond to women who have been victims of a crime? How have criminal justice systems and policies responded to the victimization of women? Indeed, there are many crimes that are inherently gendered that have historically been ignored by the criminal justice system.

Feminism also brought a greater participation in the workforce in general, and the field of criminal justice was no exception. Scholars were faced with questions regarding how gender impacts the way in which women work within the police department, correctional agencies, and the legal system. What issues do women face in these occupations? How has the participation of women in these fields affected the experiences of women who are victims and offenders?

Today, scholars in criminology, criminal justice, and related fields explore these issues in depth in an attempt to shed light on the population of women in the criminal justice system. Although significant gains have been made in the field of **feminist criminology**, scholars within this realm have suggested that "without the rise of feminisms, scholarly concerns with issues such as rape, domestic assault, and sex work—let alone recent emphases on intersectionality and overlapping biases of race, class, sexualities, and gender—would arguably never have happened" (Chancer, 2016, p. 308). Consider the rise of black feminist criminology, which looks at how the relationship between race, gender, and other issues of oppression create multiple marginalities for women of color (Potter, 2015).

PHOTO 1.1 The icon of Lady Justice represents many of the ideal goals of the justice system, including fairness, justice, and equality.

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SPOTLIGHT ON WOMEN AS CRIMINAL JUSTICE ACADEMICS

Like many other fields, the academy has historically been a male-dominated profession. Yet the number of women faculty has grown significantly over the past four decades. This is also true in the academic study of crime and the criminal justice system. Criminal justice and criminology rank as one of the top 10 disciplines for undergraduate degrees. with more than 61,000 graduates in 2018–2019 (U.S. Department ot Education, 2020). Although the disciplines of criminology and criminal justice first emerged in the early 20th century, it wasn't until the 1970s that feminist scholars and scholarship began to emerge and make their mark on the academy.

As a national organization, the American Society of Criminology dates back to 1941. The founding members of the organization were all male (ASC, n.d.). It was not until 1975 that the annual conference showcased a panel on women and crime. Even with the growing

interest in female crime and victimization, not to mention an increase in the number of female scholars, the majority of the association members questioned whether gender was a valuable variable to study. In response to these challenges, a small group of female scholars combined their efforts to lobby for more panels on the study of women and crime. In 1984, the Division on Women and Crime was instituted as an official branch of the American Society of Criminology. Today, women are 49% of the members of the organization (Fahmy & Young, 2017). Although we see nationally that more men complete bachelor degrees in criminal justice (.90 females for every 1 male), graduate study has seen an increased representation of women, with 1.17 women completing a master's degree, and 1.48 female Ph.D.s for every 1 male in the field. Unfortunately, this growth has not resulted in increased diversity in the field: Black Americans make up 14% of master's degrees in criminal justice and 7% of doctorates, and Latina/o/x comprise 11% of master's and only 5% of Ph.Ds (Updegrove et al., 2018).

Although much of the work of feminist criminology is done by female scholars, there are also men who investigate issues of gender and crime. At the same time, there are female scholars whose work does not look at issues of gender. Over the past decade, a body of work has looked at the productivity of criminologists and, in particular, how female scholars compare to male scholars. Scholarly productivity is a key measure in the decisions to hire, retain, tenure, and promote faculty. Men publish more than women, but the gender gap in publishing is reduced when we take into account the length of time in the academy because the men generally report a longer career history (Snell et al., 2009). Even when we look at co-authored publications, men are listed as authors in 90% of all mainstream journal articles in criminology and criminal justice (Eigenberg & Whalley, 2015). Men are also less likely to serve as a co-author when the lead author is female (Crow & Smykla, 2014). Meanwhile, female academics are much more likely to co-author research with their male counterparts—90% of women compared to 56.3% of men (Fahmy & Young, 2017). Research by female authors is also less likely to be cited, and this phenomenon also has race and ethnicity effects. White men are most likely to have their work cited in subsequent research (77.1%) compared to white women (12.4%), while both men and women of color rarely find their research referenced by others (men of color = 1.3%; women of color = 0.7%; Kim & Hawkins, 2013). Recent social media hashtags such as #citeasista and #womeninacademia have been used to support women's scholarship across the academic community to help shift these trends. Specific journals such as *Women and Criminal Justice* and *Feminist Criminology* have also provided platforms for increased visibility of female authors as well as scholarship using a feminist framework (Posey et al., 2020).

In addition, we have seen an increase in the number of LGBTQIA+ scholars and scholarship. The subfield of queer criminology stands in opposition to its heteronormative parent and offers insight on the unique issues that LGBTQIA+ communities face within the criminal justice and legal systems (Buist & Lenning, 2016). Queer criminology has seen significant growth over the past two decades and includes research on topics such as same-sex intimate partner violence (Messinger, 2017), queer male experiences with the police (Meyer, 2019), the lives of queer gang members (Panfil, 2017), queer and transgendered youth in the juvenile justice system (Hunt & Moodie-Mills, 2012), and transgendered women in prison (Jenness, 2021). In 2021, the Division of Queer Criminology was established within the American Society of Criminology to support academics in teaching, research, and policy-making within the field.

Although feminist scholars have made a significant impact on the study of crime over the past 40 years, there are still several areas where additional progress is needed. Just as feminist criminology rose out of a fight against the maleness of the discipline, criminology

continues to struggle with its whiteness. Scholars such as Richie (1996), Burgess-Proctor (2006), Potter (2015), and Ritchie (2018) discuss the need for intersectional scholarship to examine the relationships between crime and race, ethnicity, gender, and class, not only to represent diverse voices and experiences but to highlight how systems of oppression shape the experiences of those who experience both the criminal justice system and the academy. The emerging subfield of survivor criminology gives voice to the intersectionalities of marginalization, which is not isolated from the experiences of trauma, but rather is a lived reality that is complex, layered, and nuanced (Cook, Williams, Lamphere, Mallicoat, & Ackerman, 2022).

WOMEN, GENDER, AND CRIME

How does the criminal justice system respond to issues of gender? Although there have been significant gains and improvements in the treatment of women as victims, offenders, and workers in the criminal justice system and related fields, there is still work to be done in each of these areas.

Women as Victims of Violence

The experience of victimization is something that many women are intimately familiar with. Men are more likely to be the victim of most crime, but women are the majority of victims of certain forms of violent crime. In addition, women are most likely to be victimized by someone they know. In many cases, when they do seek help from the criminal justice system, charges are not always filed or are often reduced through plea bargains, resulting in offenders receiving limited (if any) sanctions for their criminal behavior. Because of the sensitive nature of interpersonal violence cases, victims can find their own lives put on trial to be criticized by the criminal justice system and society as a whole. Based on these circumstances, it is no surprise that many women have had little faith in the criminal justice system. You'll learn more about the experience of victimization in Chapter 2.

Women who experience victimization have a number of needs, particularly in cases of violent and personal victimization experiences. These cases can involve significant physical damage; however, the emotional violence can be equally, if not more, traumatic for victims to deal with. Although significant gains have been made by the criminal justice system, the high needs of many victims, coupled with an increased demand for services, means that resources such as domestic violence shelters and rape crisis centers are often unavailable. You'll learn more about the experience of women in crimes such as rape, sexual assault, intimate partner violence, and stalking in Chapters 3 and 4, while Chapter 5 highlights issues of victimization of women around the globe.

Women Who Offend

How do female offenders compare to male offenders? When scholars look at the similarities and differences between the patterns of male and female offending, they are investigating the *gender gap*. What does this research tell us? We know that men are the majority of offenders for most

of the crime categories, with a few exceptions. **Gender gap** research tells us that the difference between male and female offending is larger in cases of serious or violent crimes, while the gap is narrower for crimes such as property and drug-related offenses (Steffensmeier & Allan, 1996).

Although men are more likely to engage in criminal acts, women offenders dominate certain categories of criminal behavior. One example of this phenomenon is prostitution, a so-called victimless crime in which the majority of arrests involve women. Similarly, girls are overrepresented in status offenses—acts that are considered criminal only because of the offender's age. For example, the consumption of alcohol is illegal only if you are under a designated age (generally 21 in the United States). Chapter 8 highlights different offense types and how gender is viewed in relation to these offenses. A review of these behaviors and offenders indicates that most female offenders share a common foundation—one of economic need, addiction, and abuse.

Gender also impacts the way that the criminal justice system responds to offenders. Much of this attention comes from social expectations about how women "should" behave. When women engage in crime (particularly violent crimes), this also violates the socially prescribed gender roles for female behavior. As a result, women in these cases may be punished not only for violating the law but also for violating the socially prescribed gender roles. In Chapter 9, you'll learn more about how women can be treated differently by the criminal justice system as a result of their gender. As more women have come to the attention of criminal justice officials, and as policies and practices for handling these cases have shifted, more women are being sent to prison rather than being supervised in the community. This means that there is a greater demand on reentry programming and services for women. These collateral consequences in the incarceration of women are far reaching because the identity as an ex-offender can threaten a woman's chances for success long after she has served her sentence.

The Intersection of Victimization and Offending

One of the greatest contributions of feminist criminology is the acknowledgment of the relationship between victimization and offending. Research has consistently illustrated that a history of victimization of women is a common factor for many women offenders. Indeed, a review of the literature finds that an overwhelming majority of women in prison have experienced some form of abuse—physical, psychological, or sexual—and in many cases, they are victims of long-term multiple acts of violence. Moreover, not only is there a strong relationship that leads from victimization to offending, but the relationship between these two variables continues also as a vicious cycle. For example, a young girl who is sexually abused by a family member runs away from home. Rather than return to her abusive environment, she ends up selling her body as a way to obtain food, clothing, and shelter because she has few skills to legitimately support herself. As a result of her interactions with potentially dangerous clients and pimps, she continues to endure physical and sexual violence and may turn to substances such as alcohol and drugs to numb the pain of the abuse. When confronted by the criminal justice system, she receives little if any assistance to address the multiple issues that she faces as a result of her life experiences. In addition, her *criminal* identity now makes it increasingly difficult to find valid employment, receive housing and food benefits, or have access to educational opportunities that

could improve her situation. Ultimately, she ends up in a world where finding a healthy and sustainable life on her own is a difficult goal to attain. You will learn more about these challenges in Chapters 10 and 11 and how the criminal justice system punishes women for these crimes.

Women and Work in the Criminal Justice System

Much of the study of women and crime focuses on victimization and offending, but it is important to consider how sex and gender impact the work environment, particularly for those who work in the justice system. Here, the experiences of women as police and correctional officers, victim advocates, probation and parole case managers, and lawyers and judges provide valuable insight into how sex and gender differences affect women. Just as the social movements of the 1960s and 1970s increased the attention on female offenders and victims of crime, the access to opportunities for work within the walls of criminal justice expanded for women. Prior to this era of social change, few women were granted access to work in these occupations. Even when women were present, their duties were significantly limited compared to those of their male counterparts, and their opportunities for advancement were essentially nonexistent. In addition, these primarily male workforces resented the presence of women in "their" world. Gender also has a significant effect for fields that are connected to criminal justice. One example of this is found in the field of victim services, which has typically been viewed as women's work.

Women continue to face a number of sex- and gender-based challenges directly related to their status as women, such as on-the-job sexual harassment, work-family balance, maternity, and motherhood. In addition, research reflects on how women manage the roles, duties, and responsibilities of their positions in a historically masculine environment. The experience of womanhood can impact the work environment, both personally and culturally. You'll learn more about these issues in Chapters 12 and 13 of this book.

DATA SOURCES ON WOMEN AS VICTIMS AND OFFENDERS

To develop an understanding of how often women engage in offending behaviors or the frequency of victimizations of women, it is important to look at how information about crime is gathered. Although there is no one dataset that tells us everything that we want to know about crime, we can learn something from each source because they each represent different points of view. Datasets vary based on the type of information collected (quantitative and/or qualitative), who manages the dataset (such as government agencies, professional scholars, community organizations), and the purpose for the data collection. Finally, each dataset represents a picture of crime for a specific population, region, and time frame or stage of the criminal justice system.

The **Uniform Crime Reports (UCR)** represents one of the largest datasets on crime in the United States. The Federal Bureau of Investigation (FBI) is charged with collecting and publishing the arrest data from more than 17,000 police agencies in the United States. These statistics are published annually and present the rates and volume of crime by offense type, based on arrests made by police. The dataset includes a number of demographic variables to evaluate these crime statistics, including age, gender, race/ethnicity, location (state), and region (metropolitan, suburban, or rural).[1]

PHOTO 1.2 Most official crime statistics, such as the Uniform Crime Reports, are based on arrest data.

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UCR data give us a general understanding of the extent of crime in the United States and are often viewed as the most accurate assessment of crime. In addition, the UCR data allow us to study how crime changes over time because we can compare arrest data for a variety of crimes over a specific period (e.g., 2009–2019) or from one year to the next. Generally speaking, it is data from the UCR findings that are typically reported to the greater society through news media outlets and that form the basis for headlines that proclaim the rising and falling rates of crime.

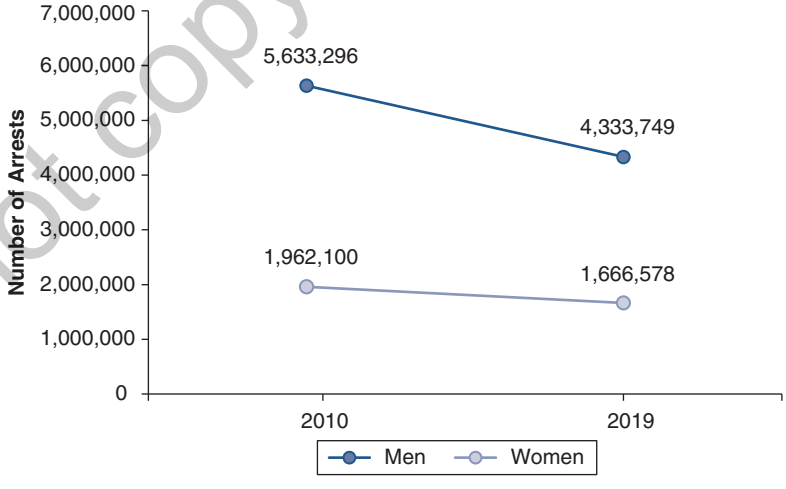
A review of arrest data from the UCR indicates that overall arrests of women (including juveniles) decreased 15.1% between 2010 and 2019. During the same period, the number of arrests of men declined 23.1%. Such results might lead us to question why the percentage is larger for men than for women. To understand this issue, we need to take a deeper look. Figure 1.1 and Table 1.1 illustrate the UCR data on arrest trends for men and women for 2010 and 2019. In 2010, the UCR shows that women made up 25.8% of all arrests (7,595,396 total number of arrests, with women accounting for 1,962,100 arrests). In contrast, 2019 UCR data indicate that 6,000,327 arrests were made, and women accounted for 27.8% of these arrests (1,666,578; Crime in the United States 2019 [CIUS], 2019). Note that the number of arrests involving women decreased by more than a quarter of a million (295,522), but the total number of arrests over the decade decreased by more than 1.5 million. This change shows that although

arrests of both men and women decreased, the male arrests decreased at a greater rate than that of women between 2010 and 2019.

When assessing trends in crime data, it is important to consider the time period of evaluation because this can alter the results. Both the 10-year and 1-year overall arrest trends demonstrate a decrease for both women and men, yet the percentage changes for men and women are significantly closer between 2018 and 2019. Figure 1.2 and Table 1.2 demonstrate the arrest trends for these 2 years. The proportion of arrests involving men fell 3.8%, while the proportion for women decreased 3.4%, indicating that the proportion of men arrested is similar to that of women between these 2 years. Although this gives us a picture of overall crime trends, we see the picture differently when we look at the trends for specific crime categories. Here, a deeper look at the data shows that violent crime decreased at a similar proportion for both men (1.0%) and women (0.7%) while property crime declined more for men (4.1%) compared to a 2.4% decline for women.

Although the UCR data can illustrate important trends in crime, the reporting of UCR data as the true extent of crime is flawed for the majority of the crime categories (with the exception of homicide), even though these data represent arrest statistics from approximately 95% of the U.S. population. Here, it is important to take several issues into consideration. First, the UCR data represent statistics on only those crimes that are reported to the police. As a result, the data are dependent on both what police know about criminal activity and how they use their discretion in these cases. If the police are not a witness to a crime or are not called to deal with an offender, they cannot make an arrest. Arrests are the key variable for UCR data. This means that unreported crimes are not recognized in these statistics. Sadly, many of the victimization experiences of women, such as intimate partner abuse and sexual assault, are significantly underreported and therefore do not appear in the UCR data.

FIGURE 1.1 ■ 10-Year UCR Arrest Trends



Source: CIUS (2019).

TABLE 1.1 ■ 10-Year UCR Arrest Trends

	Men			Women		
	2010	2019	% Change	2010	2019	% Change
All arrests	5,633,296	4,333,749	-23.1	1,962,100	1,666,578	-15.1
Violent crime	258,262	233,368	-9.6	62,202	62,053	-0.2
Homicide	5,320	5,461	+2.7	699	771	+10.3
Rape*	11,862	13,909	–	137	465	–
Robbery	53,345	38,294	-28.2	7,805	7,321	-6.2
Aggravated assault	187,735	175,704	-6.4	53,561	53,496	-0.1
Property crime	606,362	427,740	-29.5	376,437	264,181	-29.8
Burglary	145,7891	81,600	-44.0	28,687	21,690	-24.4
Larceny-theft	422,355	304,860	-27.8	339,320	229,976	-32.2
Motor vehicle theft	32,468	37,001	+14.0	7,241	11,328	+56.4
Arson	5,758	4,279	-25.7	1,189	1,187	-0.2

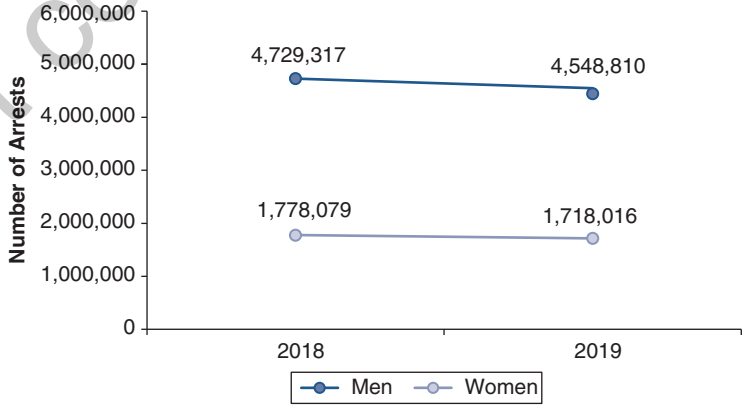
Source: CIUS (2019, Table 33).

Note: 8,891 agencies reporting; 2019 estimated population 196,355,871; 2010 estimated population 185,356,420.

*The 2010 rape figures are based on the legacy definition, and the 2019 rape figures are aggregate totals based on both the legacy and revised UCR reporting definition. For this reason, the percentage change is not provided.

Note: Most recent data available at time of publication.

FIGURE 1.2 ■ 1-Year UCR Arrest Trends



Source: CIUS (2019).

Second, the UCR collects data only on certain types of crime (versus all forms of crime). Crime is classified as either Part 1 offenses or Part 2 offenses. Part 1 offenses, known as *index crimes*, include eight different offenses: aggravated assault, forcible rape, murder, robbery, arson, burglary, larceny-theft, and motor vehicle theft. However, these categories may have limited definitions that fail to capture the true extent of arrests made for these crimes. Consider the category of rape. Historically, the UCR defined forcible rape as "the carnal knowledge of a female forcibly and against her will" (CIUS, 2012, para. 1). Although the UCR also collects data on attempted rape by force or threat of force within this category, the definition failed to capture the magnitude of sexual assaults, which may not involve female victims or may involve other sexual acts beyond vaginal penetration. In January 2012, the FBI announced a revised definition for the crime of rape to include "the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim" (FBI, 2012a, para. 1). This new definition went into effect in January 2013. Not only does the new law allow both males and females to be identified as victims or offenders but it also allows the UCR to include cases where the victim was unable or unwilling to consent to sexual activity (e.g., in cases involving intoxication). In addition,

TABLE 1.2 ■ 1-Year UCR Arrest Trends

	Men			Women		
	2018	2019	% Change	2018	2019	% Change
All arrests	4,729,317	4,548,810	-3.8	1,778,079	1,718,016	-3.4
Violent crime	263,504	260,887	-1.0	69,776	69,312	-0.7
Homicide	6,089	6,125	+0.6	877	817	-6.8
Rape	15,513	15,083	-2.8	430	467	+8.6
Robbery	46,410	44,182	-4.8	8,431	8,206	-2.7
Aggravated assault	195,492	195,497	0%	60,038	59,822	-0.4
Property crime	471,286	452,028	-4.1	280,544	273,906	-2.4
Burglary	92,398	86,895	-6.0	23,140	22,796	-1.5
Larceny-theft	329,965	319,015	-3.3	242,836	237,342	-2.3
Motor vehicle theft	44,183	41,491	-6.1	13,209	12,504	-5.3
Arson	4,740	4,627	-2.4	1,359	1,264	-7.0

Source: CIUS (2019, Table 37).

Note: 9,752 agencies reporting; 2019 estimated population 208,476,526; 2018 estimated population 207,708,086.

the new definition removes the requirement of force. As a result of these changes, the category of rape captures a greater diversity of sexual assaults. This new definition is more in line with the variety of laws related to rape and sexual assault that exist for each state. With this change in how these sexual offenses are counted, it is not currently possible to compare data on the number of these cases prior to 2012. Over time, these changes will help present a more accurate picture of the prevalence of rape and sexual assault in society.

Third, the reporting of the crimes to the UCR is incomplete because only the most serious crime is reported in cases where multiple crimes are committed during a single criminal event. These findings skew the understanding of the prevalence of crime because several different offenses may occur within the context of a single crime incident. For example, a crime involving physical battery, rape, and murder is reported to the UCR by the most serious crime, murder. As a result, the understanding of the prevalence of physical battery and rape is incomplete.

Fourth, the reporting of these data is organized annually, which can alter our understanding of crime as police agencies respond to cases. For example, a homicide that is committed in one calendar year may not be solved with an arrest and conviction until the following calendar year. This might initially be read as an "unsolved crime" in the first year but as an arrest in the subsequent year.

Finally, the participation by agencies in reporting to the UCR has fluctuated over time. Although there are no federal laws requiring agencies to report their crime data, many states today have laws that direct law enforcement agencies to comply with UCR data collection. For example, notice how there were 9,752 agencies that reported data in 2018 and 2019, but only 8,891 agencies that reported their arrest data in both 2010 and 2019. This means that the analyzers of crime trends over time need to take into consideration the number of agencies involved in the reporting of crime data. We must also take into account the estimated population for each year. Failure to do so could result in a flawed analysis of crime patterns over time.

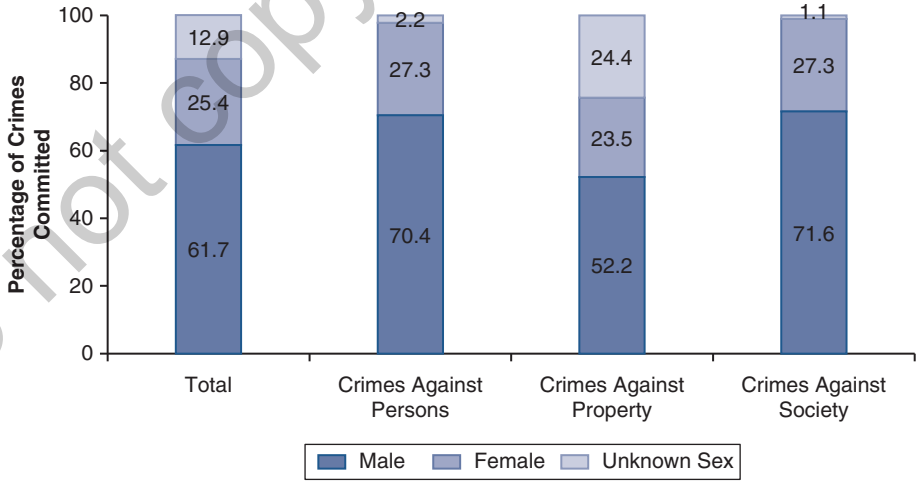
These flaws in UCR data can have significant implications for the understanding of crime data. Most of us get our information about crime from news headlines or other media reports. These 30-second clips about crime rates do little to explain the intricate nature of UCR data definitions and collection practices. Indeed, when the UCR was first assigned to the FBI, early scholars commented, "In light of the somewhat questionable source of the data, the Department of Justice might do more harm than good by issuing the Reports" (Robison, 1966, p. 1033).

In an effort to develop a better understanding of the extent of offending, the **National Incident-Based Reporting System (NIBRS)** was implemented in 1988. Rather than compile monthly summary reports on crime data in their jurisdictions, agencies now forward data to the FBI for every crime incident. The NIBRS catalog involves data on 22 offenses categories and includes 46 specific crimes known as Group A offenses. Data on 11 lesser offenses (Group B offenses) are also collected. In addition to an increased diversity in the types of crimes that data are collected on, the NIBRS abolished the hierarchy rule that was part of the UCR. This means that cases that involve more than one specific offense will now count all the different offenses that are reported and not just the most serious event. In addition, NIBRS data are collected on attempted as well as completed crimes.

Overall, NIBRS allows for a more comprehensive understanding of crime in terms of the types of crimes that we collect information about and the data that is collected on these offenses. In 2019, NIBRS data noted that 61.7% of offenders were male and 25.4% were female (gender was unknown in 12.9% of cases). NIBRS also tells us that half of victims in these crimes were women (51%). Just half of victims knew the perpetrator(s) but did not have a familial relationship to them (50.4%), and an additional 24.4% of victims were related to the offender (NIBRS, 2020a). Figure 1.3 and Table 1.3 show the NIBRS arrest data for men and women in 2019. Comparing these two sources of data, we find similar results in the number of arrests for women and men. Although UCR data shows that women made up 27.8% of all arrests in 2019, NIBRS data notes that 25.4% of all arrests involved women. Similarities are also noted when we can compare like-defined categories. For example, women make up 12.4% of all homicide arrests in the UCR. In NIBRS, they make up 12.2% of arrests. In cases of larceny-theft, UCR data notes that women are 43% of all arrests. In NIBRS, women are 27.4% of arrests. One explanations for this discrepancy is that NIBRS collects data on unknown sex (which accounts for 24.6% of all larceny-theft arrests) whereas the UCR only collects data for males and females.

However, the transition of agencies to the NIBRS has been slow. As of October 31, 2020, 43 states were NIBRS certified and 8,742 agencies representing 48.9% of the population are reporting their data to NIBRS. This is in comparison to more than 18,000 agencies who are eligible to report data to the UCR nationwide. Although the NIBRS is an improvement over the UCR, this system still carries over a fatal flaw from the UCR in that both are limited to reported crimes. In spite of this, it is hoped that the improvements in official crime data collection will allow an increased understanding of the extent of female offending patterns. NIBRS was slated to be fully implemented with all agencies reporting to it by January 1, 2021, but it is currently not known whether this transition has been completed.

FIGURE 1.3 ■ NIBRS 2019 Data by Sex



Source: NIBRS (2019).

TABLE 1.3 ■ NIBRS 2019 Data by Sex

Offense Category	Total Offenders[1]	Sex					
		Male	%	Female	%	Unknown Sex	%
Total	**6,543,257**	**4,034,643**	**61.7**	**1,662,913**	**25.4**	**845,701**	**12.9**
Crimes Against Persons	**1,795,462**	**1,264,513**	**70.4**	**490,958**	**27.3**	**39,991**	**2.2**
Assault Offenses	**1,644,158**	1,130,332	68.7	478,332	29.1	35,494	2.2
Homicide Offenses	**8,739**	6,887	78.8	1,069	12.2	783	9.0
Human Trafficking Offenses	**1,385**	1,069	77.2	266	19.2	50	3.6
Kidnapping/ Abduction	**26,000**	21,195	81.5	4,371	16.8	434	1.7
Sex Offenses	**115,180**	105,030	91.2	6,920	6.0	3,230	2.8
Crimes Against Property	**3,240,716**	**1,690,492**	**52.2**	**760,669**	**23.5**	**789,555**	**24.4**
Arson	**11,391**	7,026	61.7	1,975	17.3	2,390	21.0
Bribery	**636**	450	70.8	176	27.7	10	1.6
Burglary/Breaking & Entering	**325,415**	174,429	53.6	41,554	12.8	109,432	33.6
Counterfeiting/ Forgery	**97,141**	52,558	54.1	31,060	32.0	13,523	13.9
Destruction/ Damage/Vandalism	**547,245**	301,703	55.1	105,435	19.3	140,107	25.6
Embezzlement	**25,567**	12,610	49.3	12,372	48.4	585	2.3
Extortion/Blackmail	**4,088**	2,019	49.4	1,119	27.4	950	23.2
Fraud Offenses	**308,954**	146,127	47.3	89,652	29.0	73,175	23.7
Larceny/Theft Offenses	**1,505,641**	723,399	48.0	412,155	27.4	370,087	24.6
Motor Vehicle Theft	**201,613**	101,267	50.2	31,898	15.8	68,448	34.0
Robbery	**138,408**	114,245	82.5	16,155	11.7	8,008	5.8
Stolen Property Offenses	**74,617**	54,659	73.3	17,118	22.9	2,840	3.8

(*Continued*)

TABLE 1.3 ■ NIBRS 2019 Data by Sex (*Continued*)

Offense Category	Total Offenders[1]	Sex					
		Male	%	Female	%	Unknown Sex	%
Crimes Against Society	**1,507,079**	**1,079,638**	**71.6**	**411,286**	**27.3**	**16,155**	**1.1**
Animal Cruelty	**9,453**	5,173	54.7	3,480	36.8	800	8.5
Drug/Narcotic Offenses	**1,302,614**	920,182	70.6	374,602	28.8	7,830	0.6
Gambling Offenses	**1,874**	1,315	70.2	471	25.1	88	4.7
Pornography/ Obscene Material	**19,406**	13,768	70.9	4,312	22.2	1,326	6.8
Prostitution Offenses	**13,015**	6,015	46.2	6,931	53.3	69	0.5
Weapon Law Violations	**160,717**	133,185	82.9	21,490	13.4	6,042	3.8

Source: NIBRS (2019).

[1]Offenders are counted once for each offense type to which they are connected. Neither the offender data nor the offense data for the 2,054,435 incidents reported with unknown offenders were used in constructing this table.

In contrast to the limitations of the UCR and NIBRS datasets, the **National Crime Victimization Survey (NCVS)** represents the largest victimization study conducted in the United States. National-level victimization data were first collected in 1971–1972 as part of the Quarterly Household Survey conducted by the Census Bureau. In 1972, these efforts evolved into the National Crime Survey (NCS), which was designed to supplement the data from UCR and provide data on crime from the victims' perspective. The NCS was transferred to the Bureau of Justice Statistics in 1979, where the bureau began to evaluate the survey instrument and the data collection process. Following an extensive redesign process, the NCS was renamed the National Crime Victimization Survey in 1991.

The greatest achievement of the NCVS lies in its attempt to fill the gap between reported and unreported crime, often described as the **dark figure of crime**. The NCVS gathers additional data about crimes committed and gives criminologists a greater understanding of the types of crimes committed and characteristics of the victims. In 2019, the NCVS interviewed 249,008 individuals aged 12 and older in 155,076 households. Based on these survey findings, the Bureau of Justice Statistics makes generalizations to the population regarding the prevalence of victimization in the United States (Morgan & Turman, 2020).

In addition to reporting the numbers of criminal victimizations, the NCVS presents data on the rates of crime. You may ask yourself, "What is a crime rate?" A crime rate compares the number of occurrences of a particular crime to the size of the total population. The NCVS crime rates

TABLE 1.4 ■ NCVS Crime Rates by Sex: 2019

	Violent victimization rate*	Violent victimizations reported to police rate
Total	21.0	8.6
Sex:		
Male	21.2	7.5
Female	20.8	9.6

Source: Morgan & Truman (2020).

*Includes rape or sexual assault, robbery, aggravated assault, and simple assault. Includes threatened, attempted and completed events. Rates are per 1,000 persons age 12 and older.

are the number of instances of crime per 1,000 people. Crime rates make it easy to understand trends in criminal activity and victimization over time, regardless of changes to the population.

According to the NCVS, the rate of violent victimization of women in 2002 was 30.7 per 1,000 people. By 2015, the crime rate had fallen to 21.1. By 2019, it was 20.8. Table 1.4 highlights the rates of crime for 2019 for violent victimization. NCVS data also highlights that many victims do not report their victimizations to the police. With only 40.9% of victims reporting violent crime and 32.5% of victims reporting property crime, the NCVS provides valuable insight about the dark figure of crime that is missing in official crime statistics. This dark figure of crime varies by offense. For example, 60.5% of cases of aggravated assault were reported, but victims reported only 38.4% of simple assault cases. Similar patterns are observed in cases involving property crimes: 79.5% of motor vehicle thefts were reported, yet other thefts were only reported 26.8% of the time (Morgan & Truman, 2020).

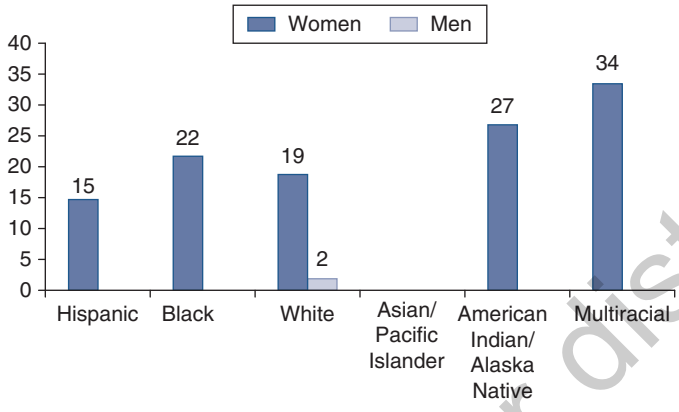
Just as the UCR/NIBRS is not the only data source on offending, the NCVS is not the only national-level data source on victimization. A number of different studies investigate victims of crime and how the justice system responds to their victimization. One example of this type of survey is the **National Violence Against Women Survey (NVAWS)**. The NVAWS consisted of a random sample of 8,000 women over the age of 18. The NVAWS was first administered between November 1995 and May 1996 and represented one of the first comprehensive data assessments of violence against women for the crimes of intimate partner abuse, stalking, and sexual assault. Another example is the **National Intimate Partner and Sexual Violence Survey (NISVS)**, which is conducted by the Centers for Disease Control and Prevention and the National Center for Injury Prevention and Control. In 2010, the NISVS included data from 16,507 interviews. The NISVS reports victimization from a variety of crimes, including sexual assault, intimate partner abuse, and stalking. These findings are then used to create estimates about the extent of crime throughout the United States. Figure 1.4 highlights the lifetime prevalence of rape by race and ethnicity based on data from the NISVS. These results demonstrate that about 1 in 5 white (18.8%) and Black (22%) women and 1 in 7 (14.6%) Hispanic women in the United States have been raped at some point in their lifetime. By breaking up these data

based on race and ethnicity, we can highlight how the risk of rape is even greater among the American Indian/Alaska Native population, where more than 1 in 4 (26.9%) women experience rape in their lifetime. Unfortunately, we do not know much about how race and ethnicity impact rates of male rape from these data, only to say that fewer than 1 in 50 (2%) white men are impacted by the crime of rape in their lifetime (Black et al., 2011). Figure 1.5 presents the findings from this study for the crime of sexual assault. Here, we can see that not only are these crimes much more prevalent but also there are differences for both men and women by race/ethnicity. Studies such as these provide valuable data for understanding the experiences of victims (both men and women) that may not be reflected by the NCVS or UCR data.

Other countries also collect data that shed light on the nature of crime and victimization. The Australian Bureau of Statistics (ABS) collects data on arrested individuals throughout Australia. Unlike the UCR, which collects data on a calendar year basis, the ABS data cycle runs from July 1 to June 30. In its 2019–2020 cycle, there were 374,645 individuals aged 10 and older processed by the police for eight different offenses (homicide, assault, sexual assault, robbery, kidnapping, unlawful entry with intent, motor vehicle theft, and other theft; Australian Bureau of Statistics, 2021). Another example of an official source of crime statistics is the annual report produced by the Bundeskriminalamt (Federal Criminal Police Office of Germany). The Bundeskriminalamt (BKA) statistics include data for all crimes handled by the police. In 2019, of the 5,436,401 crimes reported to the police, 3,124,161 were considered "cleared" or solved. Violent crime represents only 3.3% of crime in Germany. The largest crime category is theft and represents 33.5% of all criminal offenses. Men are much more likely to be considered a suspect by the police in these criminal activities—out of 2,019,211 suspects, only 25% are women. Men are also more likely to be victims (59.1%; BKA, 2019). Australia's and Germany's crime statistical agencies are just two examples of official foreign data sources on criminal offending at the country level. Because of the differences in laws and reporting practices, it is difficult to compare such statistics at a global level. However, there have been attempts to collect basic information on recorded crime across several jurisdictions. The United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (UN-CTS) compiles crime data from a variety of different sources, including the World Health Organization, Eurostat, and national police organizations from individual countries (to name a few). Their data indicate that there were 42,106 global victims of homicide reported to the police in 2017 across 31 countries, and 90.6% of victims were male (UNODC, 2021).

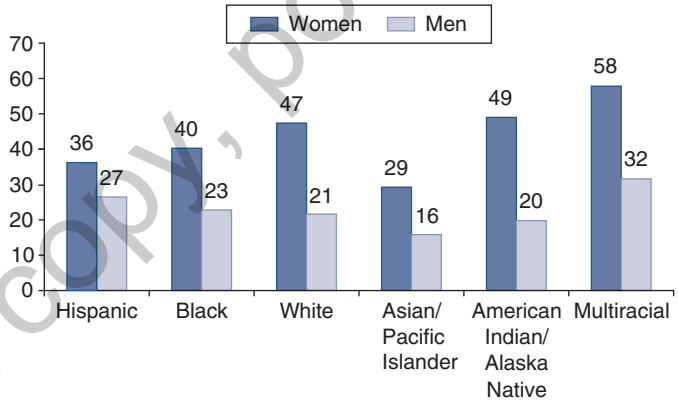
Similar to the NCVS, the Crime Survey for England and Wales (CSEW) is administered to a random sample of households and is designed to develop estimates about the rate of crime and victimization in England and Wales. The CSEW began as part of the British Crime Survey in 1984 and included data from Scotland and Northern Ireland. Today, those jurisdictions carry out their own victimization surveys though the design and intent of their data collections are similar. With the most recent data capturing January to December 2021, it is the only national-level survey currently available that collected data during the COVID-19 pandemic. Like the NCVS, the CSEW attempts to shed light on the dark figure of crime by capturing victimizations that may not be reported to the police. In 2021, the CSEW estimated that there were approximately 12.8 million incidents of victimization. Approximately half of

FIGURE 1.4 ■ National Intimate Partner and Sexual Violence Survey: Lifetime Prevalence of Rape of Men and Women by Race/Ethnicity



Source: Black et al. (2011).

FIGURE 1.5 ■ National Intimate Partner and Sexual Violence Survey: Lifetime Prevalence of Sexual Assault of Men and Women by Race/Ethnicity



Source: Black et al. (2011).

these crimes (6 million) were reported to the police. Although many categories of crime saw decreases during periods of lockdown due to the Covid-19 pandemic, offenses such as fraud and cybercrimes increased significantly. In addition, crimes of violence and sexual offenses exceeded pre-pandemic levels during the latter half of 2021 (Office for National Statistics, 2022).

Finally, there are sources that collect data as part of criminological research. These data typically focus on a particular crime within a particular region. The data can be either quantitative

or qualitative (or both) and represent either a snapshot in time or follow a group of individuals over a range of time (longitudinal studies). Although the findings of these studies are often not generalizable to the masses, they provide valuable insight about victimization and offending. Throughout this text, you'll be exposed to a number of these studies, in the chapters and in the highlighted readings.

In summary, official crime statistics offer only one perspective on the extent of crime in society. Although the UCR and NCVS data and other international data sources provide a wealth of statistics about crime, their results are limited. Using these official data programs, combined with self-report studies and victimization surveys, scholars can investigate issues of gender and crime in a variety of different ways. Each source of data has its strengths and weaknesses in terms of the types of data that are collected and the methods that are utilized, but together they provide a wealth of information that is invaluable in understanding the complex nature of gender and crime.

THE CONTRIBUTIONS OF FEMINIST METHODOLOGY TO RESEARCH ON WOMEN, GENDER, AND CRIME

One of the criticisms of mainstream criminology (and a central theme of feminist criminology) is that traditional perspectives on crime fail to recognize the intricate details of what it means to be a woman in society. The feminist movement has had a significant effect on how we understand women and their relationships with crime. As a result, the methods by which we conduct research on gender have also evolved. Many scholars who do research on gender engage in quantitative methods of research and analysis, yet this is not the only approach, particularly when dealing with sensitive issues. Here, the influence of feminism can alter the ways in which we conduct research, evaluate data, and draw conclusions based on the findings yielded from the research experience. By incorporating a feminist perspective in the research environment, scholars are able to present a deeper understanding of the realities of women's lives by placing women and women's issues at the center of the research process.

The concept of giving women a voice, particularly in situations where they have been historically silenced, is a strong influence on **feminist research methods**. Many of the research studies in this book draw on feminist research methods. From the conceptualization of the research question to a discussion of which methods of data collection will be utilized and how the data will be analyzed, feminist methods engage in practices that are contrary to the traditional research paradigms. The scientific method focuses on objectivity and the collection of data is detached from the human condition, while feminist methods require a paradigm shift from what is traditionally known as research. Although many of the researchers who first engaged in research through a feminist lens were women, feminist methodology does not dictate that the gender of the research participant or researcher be female. Rather, the philosophy of this method refers to the types of data a researcher is seeking and the process by which data are obtained (Westervelt & Cook, 2007). Feminist methods are largely qualitative and allow emotions and values to be present as part of the research process. Although some feminist methodologists have criticized the process by which data are often quantified because it does not enable the intricate

nature and quality of women's lives to be easily documented, others argue that quantitative data have a role to play within a feminist context. Regardless of the approach, the influence of feminism allows researchers to collect data from a subject that is theoretically important for their research versus data that are easily categorized (Hessy-Biber, 2004; Reinharz, 1992).

There is no single method of research that is identified as the *feminist method*. Rather, the concept of feminist methodology refers to *the process by which data are gathered* and *the relationship between the researcher and the subject*. This process involves five basic principles: (1) acknowledging the influence of gender in society as a whole (and inclusive of the research process); (2) challenging the traditional relationship between the researcher and the subject and its link to scientific research and the validity of findings; (3) engaging in consciousness raising about the realities of women's lives as part of the methodological process; (4) empowering women within a patriarchal society through their participation in research; and (5) an awareness by the researcher of the ethical costs of the research process and a need to protect their subjects (Cook & Fonow, 1986).

For many researchers who study women in the criminal justice system, the use of feminist methodologies is particularly beneficial. Not only does it allow researchers to explore in depth the issues that women face as victims and offenders, but it also provides the opportunity for the researchers to delve into their topics in a way that traditional methods fail to explore, such as the context of women's lives and their experiences in offending and victimization. For example, a simple survey question might inquire whether an incarcerated woman has ever been victimized. We know that scholarship on incarcerated women has consistently documented the relationship between early life victimizations and participation in crime in their adolescent and adult lives. Yet traditional methods may underestimate the extent and nature of the victimization because the women may not understand the question or identify their experiences in this way. Feminist methodologies allow the exploration of these issues at a deeper level, and also they allow scholars to develop an understanding of the multifaceted effects of these experiences.

Although many feminist researchers mainly employ qualitative tactics, it is important to note that the use of feminist methods does not exclude the use of quantitative methods. In fact, quantitative methods can yield valuable data on the experiences of women (Westmarland, 2001). For example, survey data can yield information on gender discrimination, such as the sexual harassment of women in policing. In addition, quantitative data and statistics are often useful for legislators when developing policies. Reinharz (1992) provides the example of the use of statistics in the development of sexual harassment policies whereby quantitative data "encouraged the establishment of sexual harassment committees in universities and . . . eventually provided legal redress for individuals" (p. 80). Indeed, researchers who study issues of women and crime can benefit from the lessons of feminist methodologies in their use of both quantitative and qualitative methods.

Finally, feminist methods are not limited to issues of gender. Rather, feminist methodologies employ tools that are applicable across criminological topics. By recognizing from the outset the class, racial, and gendered structures of oppression that may be at work in women's lives, this method gives voice to the larger structural processes that shape the experiences that often go unseen and unheard by others. Thus, this method provides a framework for building trust with those participants who may be unsure about the research process and creates opportunities for understanding individuals and groups who may very well be inaccessible when approached in any other way (Westervelt & Cook, 2007, p. 35).

CONCLUSION

The feminist movement has had a significant effect on the experience of women in the criminal justice system—from victims to offenders to workers. Today, the efforts of the pioneers of feminist criminology have led to an increased understanding of what leads a woman to engage in crime and the effects of her life experiences on her offending patterns, as well as the challenges in her return to the community. In addition, the victim experience has changed for many women in that their voices are beginning to be heard by a system that either blamed them for their victimization or ignored them entirely in years past. The feminist movement has also shed light on what it means to be a woman working within the criminal justice system and the challenges that she faces every day as a woman in this field. Although women have experienced significant progress over the last century, there are still many challenges that they continue to face as offenders, victims, and workers within the world of criminal justice.

SUMMARY

- The terms *sex* and *gender* are often used interchangeably, but they have different implications for research on women and crime.
- Women are significantly more likely to be victimized by someone they know and are overrepresented in crimes such as sexual assault and intimate partner violence.
- Feminist criminologists have identified a significant link between victimization and offending.
- Many criminal justice occupations are male dominated and reflect gendered assumptions about women and work within these realms.
- Data from the Uniform Crime Reports (UCR) and National Incident-Based Reporting System (NIBRS) often fail to identify much of female victimization because crimes of rape, sexual assault, and intimate partner abuse go largely underreported.
- Victimization studies, such as the National Crime Victimization Survey (NCVS), help illuminate the dark figure of crime by collecting data on crimes that are not reported to police.
- Self-report studies, such as the National Intimate Partner and Sexual Violence Survey (NISVS), provide estimates of the prevalence of rape, sexual assault, intimate partner abuse, and stalking in the United States.
- Feminist research methods give women a voice in the research process and influence how data on gender are collected.

KEY TERMS

Dark figure of crime (p. 16)
Feminism (p. 2)
Feminist criminology (p. 3)
Feminist research methods (p. 20)
Gender gap (p. 7)
Gendered justice (p. 1)
National Crime Victimization Survey (NCVS) (p. 16)
National Incident-Based Reporting System (NIBRS) (p. 13)
National Intimate Partner and Sexual Violence Survey (NISVS) (p. 17)
National Violence Against Women Survey (NVAWS) (p. 17)
Uniform Crime Reports (UCR) (p. 8)

DISCUSSION QUESTIONS

1. What impact has feminism had on the study of women and crime?
2. Discuss how the Uniform Crime Reports (UCR) and the National Incident-Based Reporting System (NIBRS) represent the measure of female offending and victimization in society.
3. How do datasets such as the National Crime Victimization Survey (NCVS), the National Violence Against Women Survey (NVAWS), and National Intimate Partner and Sexual Violence Survey (NISVS) investigate issues of violence against women?
4. How do feminist research methods inform studies on women and crime?

CHAPTER ACTIVITIES

1. Have students conduct a visual presentation of women in the criminal justice system from both the historical and contemporary viewpoints using photographs or other visual media. The groups should discuss their selections as well as explain the implications of how women are portrayed in these roles.
2. Have students reflect on the influences of feminism in the study of female crime. To do so, instructors might ask: What contributions have feminists made, both theoretical and applied? What impact have the contributions of feminism had on criminology?
3. Have students locate an empirical research article in a journal such as *Feminist Criminology* or *Gender and Society* on female offenders or female victims. Students can summarize their article and present the major findings in class. Alternatively, have students locate a journal abstract on a topic that addresses female offenders or female victims and share the abstract in class. This will help the class hear a variety of topics but

will take less class time and will require less of the students, who may not yet be ready to read a research article.

4. Have students work in groups to develop a list of challenges researchers face when attempting to study female offenders and female victims. Students can work together to make a list of 5–10 ways to overcome these challenges.

5. Have students visit the National Institute of Corrections website or the Bureau of Justice Statistics website and find a published report on female offenders. Students should prepare a list of three major findings and share these findings in class.

WEB RESOURCES

Centers for Disease Control and Prevention: http://www.cdc.gov

Crime in the United States 2019: https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019

National Crime Victimization Survey: https://www.icpsr.umich.edu/web/pages/NACJD/NCVS/index.html

National Incident-Based Reporting System: https://ucr.fbi.gov/nibrs/2019

Uniform Crime Reports: http://www.fbi.gov/about-us/cjis/ucr/ucr

United Nations Survey of Crime Trends and Operations of Criminal Justice Systems: https://www.unodc.org/unodc/en/data-and-analysis/statistics/data.html

NOTES

1. Up-to-date statistical reports on crime data from the Uniform Crime Reports can be accessed at http://www.fbi.gov/ucr/ucr.htm