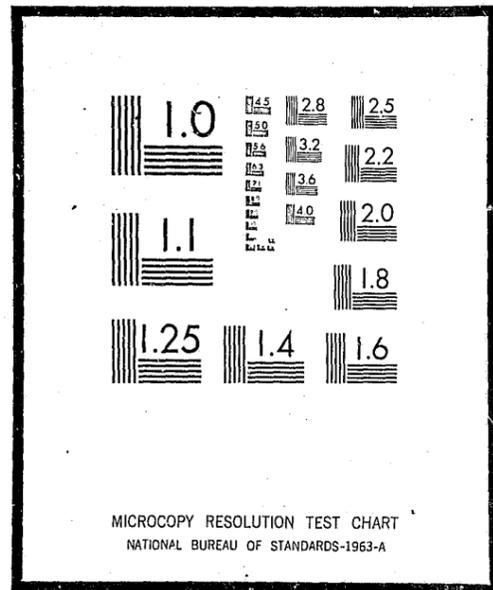


NCJRS

IIB1.1

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U.S. Department of Justice.

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

Date filmed

4/14/76

THE FEMALE DEFENDANT IN WASHINGTON, D.C.

Susan Katzenelson

Final Report

January 1976

31709

READING ROOM

This project was supported by Grant No. 74-NI-99-0008 awarded by the Law Enforcement Assistance Administration, U.S. Department of Justice, under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Points of view or opinions stated in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. This report is one of a series of descriptive statistics reports prepared at the end of the first year of the PROMIS Research Project. For a description of that Project, including its structure, data sources and data limitations, the reader is referred to "First Year Research Designs, PROMIS Research Project," Institute for Law and Social Research, Washington, D.C., December 1975.

THE INSTITUTE FOR LAW AND SOCIAL RESEARCH
Washington, D. C.

Executive Summary

The purpose of this study was to describe and analyze a largely understudied area of criminality: that of female offenses. As both the theory and the limited empirical research in the field suggest, compared to males, female crime is relatively less frequent and serious, and remains to a large degree unnoticed and unreported.

In addition to describing female crime, an enterprise justified in its own right, this research also tried to learn about patterns of criminality in general. The data were organized in two ways: first, the distribution of male and female offenses was analyzed in relation to offender characteristics, such as race and prior arrest record, enabling comparisons between male and female patterns of crime. Then, the offenses categorized by type of crime, offender characteristics, etc., were broken down by sex, to learn about the relative share of males and females in each of these categories. This comparative frame of reference used in the study made it possible to present the findings, both about male and female offenders, their offenses and dispositions, in a more relativistic form, allowing the reader to gain some possible insights into the complex issues of criminal behavior.

The present empirical analysis was based on known offenses resulting in an arrest in the District of Columbia in 1973, as recorded by the Prosecutor's Management Information System (PROMIS). PROMIS includes information collected from forms filled out by the police and the prosecutor

for adult criminal incidents occurring in Washington, D.C., with the exception of federal and traffic offenses, drunkenness, disorderly conduct, and municipal violations. Of the 15,460 recorded arrests, 16.4 percent (or 2,537) were of females.

Who is the typical female offender in Washington, D.C.? Fifty percent of the female arrests were of women aged 24 years or younger; and 85 percent of the female arrests involved women aged 40 years and younger. Seventy-nine percent of the female arrests involved black women; but that figure was relatively lower than the proportion of male arrests (88 percent), involving blacks. One explanation of this statistic could be the finding that a relatively large number (27 percent) of the prostitutes arrested in Washington, D.C. were white.

Only 31 percent of the women charged were employed at the time of their arrest, a percentage much lower than the 54 percent for male arrestees. Over 40 percent of the females in the study had at least one previous arrest--again, a figure lower than the 59 percent for males, but still indicative of a high degree of recidivism. In terms of demographic variables, then, the profile of the typical female offender that emerged was that of a young, unemployed black woman, having no known previous arrests.

Female crimes followed the expected pattern, supporting the hypothesis about their lesser frequency and seriousness. Over 40 percent were victimless, 23 percent violent and 32 percent property, and most of them caused only a minimal amount of social harm in terms of injury,

theft, or property destruction. Women were charged with only 12 percent of all the known violent offenses and 15 percent of the property offenses for 1973, but were charged with 23 percent of all the so-called victimless offenses for that year. They were charged with 10 percent of all the felonies and 21 percent of all the misdemeanors.

The offense patterns of women seemed to change with age: victimless crimes (mainly prostitution) peaked at the younger age, between 21-25; property crimes (mainly larceny) peaked at a later age, between 31-35; and violent crimes (mainly assault) were highest at the older age group, between 41-45. These changing crime patterns might be related to variations in the social status and role of women throughout the life cycle. In particular the proportions of violent crimes among the older age group involved mainly intrafamily assaults.

Women victimized their friends and families more often than men did, and the main targets of female violence were friends, acquaintances and family members.

A large proportion (74 percent) of the women charged with property-motivated offenses were unemployed. For males, the proportion unemployed for the offense types studied appeared to follow a more consistent and strong pattern than for females. Those charged with property crimes tend to have a higher rate of unemployment than those charged with violent crimes.

Of possible importance is the finding on race differences: black offenders of both sexes were more into violent and property crimes, whites into victimless crimes. But the most striking variation was found between black and white females: 26 percent of black female crime was violent and

32 percent was against property, compared to only 9 percent violent and 24 percent property crime for white females. On the other hand, only 40 percent of the black female offenses were victimless, compared to 64 percent of the white female offenses.

Several researchers (see for example Freda Adler or M. Wolfgang and F. Ferracuti) hypothesized, that the higher involvement of black females in violent and property crimes is related to their more independent socioeconomic status in the black family, as breadwinners. Using black female crime as an indicator, one could predict a possible future increase in the amount and seriousness of all female crime, as the economic participation and independent social status of women, in general, tends to increase.

A relatively high percentage of all the offenders had at least one previous arrest, although blacks appeared to be more recidivistic than whites, and men more than women. Recidivism also varied with offense type, and was highest among women for the group charged with victimless crimes. Victimless crime was the only category in which the proportion of female recidivists was as much as that of the male recidivists: 52 percent. Assuming that many of their previous arrests were also for victimless crimes, like prostitution, drug offenses or gambling, these recidivists seem to go through the channels of the criminal justice system repeatedly, without the apparent benefit of rehabilitation, or deterrence.

An additional question raised by this study, following the description of female offenders and offenses, was the issue of evenhandedness in the disposition of cases charged to women. In general terms, males and females had similar dispositions: most of the cases, (about 57 percent) were dropped either during or after papering (prosecutor review to determine whether a case should be filed with the court), and only a small proportion

of them (about 6 percent) ended in conviction by trial. When considering race, black and white females again had similar dispositions, although white males seemed to enjoy more leniency than black males, a fact explained possibly by the different offense types and seriousness of these two groups. But most importantly, a differential pattern of disposition emerged when considering offense types: in terms of cases dropping out, as compared to cases ending in conviction, women fared better than men in violent and property crimes, but were treated more harshly when charged with victimless crimes. For violent crimes, 66 percent of the cases charged to women, as compared to 58 percent of the cases charged to men, were dropped during or after papering; while 21 percent of the females and 26 percent of the males were found guilty.

The findings on property crimes pointed in the same direction: more of the cases charged to women were dropped (66 percent of the female offenses but only 53 percent of the male offenses), and less of the cases charged to women ended in conviction (22 percent for women, 32 percent for men).

This picture was reversed when looking at victimless crimes: cases charged to female offenders were dropped at a lesser rate (46 percent, as compared to the 60 percent dropout rate for males); and ended in conviction at a higher rate (36 percent, as compared to 29 percent for males). One hypothesis that may explain this finding suggests that the criminal justice system, in its handling of women, reflects existing social values. Some of these values set differential standards for female behavior, and sanction more severely transgressions of the socially accepted "feminine" code of morality. Another possible explanation of this finding, suggested

by prosecutors, is that by their very nature, prostitution cases tend to have stronger evidence.

As a general conclusion, the study supported the notion of female crime being much less frequent and serious than male crime, although the trend may be toward an increase in the future volume and gravity of female offenses. In light of the large percentage of victimless crimes causing very little harm, a possible solution for the overburdened law enforcement agencies could be the exclusion of these crimes from arrest and prosecution, preferably by their legal decriminalization, and the funneling of more of society's resources to deal with the serious and harmful crimes, whether committed by men or women.

Introduction

"Female crime" is a largely understudied area of criminology, principally because of the belief that it is less serious and less frequent. Although some classical theories address the problem of female criminality,¹ there are very few empirical studies to substantiate them, or even to describe in detail the phenomenon under study.

The purpose of this paper is to utilize a large, available database² to describe known female offenses in relation to some specific hypotheses, and to try to gain useful insights into criminal behavior in Washington, D.C., and its handling by the criminal justice system.

Theoretical Background

Most studies of female crime compare it to male crime and point to its relatively less serious nature and low frequency. Two distinct lines of explanation can be distinguished: one accepts female crime as being truly less frequent and serious,³ and explains it by saying that women

¹ For a discussion of some of the classical theories by Lombroso, Thomas, Freud, Davis, and others, see Dorie Klein's article, "The Etiology of Female Crime: A Review of the Literature," Issues in Criminology, vol. 8(2), 1973, pp. 3-30.

² The Prosecutor's Management Information System (PROMIS), U.S. Attorney's Office, Washington, D.C., as described in "The Prosecutor's Role in the Urban Court System: the Case for Management Consciousness" by W.A. Hamilton, and C.R. Work, Journal of Criminal Law and Criminology, vol. 64(2), 1973, pp. 183-189.

³ A review of biological psychological, and sociological theories explaining the lower female crime rate is found in Otto Pollak's study, The Criminality of Women, New York, A.S. Barnes and Company, Inc., 1961.

are basically different from men, biologically, psychologically and socially. The other explanation questions the validity of the known ratio between male and female crime,⁴ and argues that female crime approximates its male counterpart at least in frequency, if not in form. In the latter case, the emphasis is on cultural, social and psychological variables characterizing female behavior and the male response to it as an explanation for the hidden nature of female crimes.

Both approaches agree that female crimes are less serious, less violent, less professional, and that they involve mainly larceny, shoplifting, forgery, fraud, drug and alcohol-related offenses, prostitution and vice.

In terms of its etiology, female crime is still viewed as partially determined by the feminine physique and personality, but increasing importance is assigned to social variables, reflecting the differential roles women have in our society.⁵

⁴ See Pollak, op.cit., p. 1, or Leon Radzinowicz in "Variability of the Sex Ratio of Criminality," The Sociological Review, vol. 29, 1937, pp. 76-102. In their questioning the known ratios, they use arguments about the "fictitious" nature of criminal statistics, or the "masked" behavior of women as explanation of a higher proportion of female crime remaining hidden, compared to male crime.

⁵ Gisela Konopka, The Adolescent Girl in Conflict, Englewood Cliffs, N.J., Prentice Hall, 1966; Bertha J. Payak, "Understanding the Female Offender," Federal Probation, vol. 27(4), 1963, pp. 7-12; Judson Landis and Frank Scarpitti, "Delinquent and Nondelinquent Orientation and Opportunity Awareness," Interdisciplinary Problems in Criminology, ASC, 1964; Walter Reckless and Barbara Kay, The Female Offender, submitted to the President's Commission on Law Enforcement and Administration of Justice, Washington, D.C., 1967; Marie Andree Bertrand, "Self-image and Delinquency: A Contribution to the Study of Female Criminality and Woman's Image," Acta Criminologica, vol. 2, 1969, pp. 71-144.

Another major issue is the treatment of the female offender in the criminal justice system. A variety of studies⁶ point to the differential treatment of the female offender all through the criminal justice system, starting from her chances of being discovered, reported, arrested, charged and prosecuted, to the probability of her being convicted and incarcerated. For example, Reckless and Kay conclude: A large part of the involvement of women in crime that is not officially acted upon, "can be traced to the masking effect of women's roles, effective practice on the part of women of deceit and indirection, the instigation of men to commit their crimes (the Lady Macbeth factor), the willingness of men to 'cover up' for them and the unwillingness of the public and the law enforcement personnel to hold women accountable for their deeds (the chivalry factor)."⁷ Yet, many studies argue that women, viewed as property by men, and tied to them by obligations of personal morality, are more severely punished for violations regulating "proper" feminine behavior.

Thomas, in a colorfully written and classical analysis, searches into the sociocultural reasons for this doubly differential treatment, and concludes that morality is an "adult and male system, and men are intelligent enough to realize that neither women nor children have passed

⁶ Rose Giallombardo, Society of Women, New York, John Wiley & Sons, Inc., 1966; Brief on the Woman Offender by the Canadian Correctional Association, Ottawa, 1968; Linda Singer, "Women and the Correctional Process," American Criminal Law Review, vol. 11(2), 1973, pp. 295-308; Meda Chesney-Lind "Judicial Enforcement of the Female Role," Issues in Criminology, vol. 8(2), 1973, pp. 57-69; Kirk Schenerman and P. Kratowski, "Incarcerated Male and Female Offenders' Perceptions of Their Experiences in the Criminal Justice System," Journal of Criminal Justice, vol. 2(1), 1974, pp. 73-78.

⁷ Reckless and Kay, op.cit., p. 13.

through this school. It is on this account that man is merciless to woman from the standpoint of personal behavior, yet he exempts her from anything in the way of contractual morality, or views her defections with allowance and even with amusement."⁸

These assumptions seem to indicate, that "at each stage in the procedure women are treated either more harshly, or more leniently, depending on the special value threatened by the crime."⁹

In view of the literature, with its limited scope and little use of empirical findings, the main task this paper undertakes is a statistical description of female crime in a major urban area. An intriguing question, especially in light of the tremendous increase in known serious female crime,¹⁰ is: what are the projections for the future, given the social changes affecting women's status and functions in today's society?

An interesting insight might be gained by viewing black women as a predictive group.¹¹ Considering their relatively high and authoritative position within the black subculture, as breadwinners and heads of

⁸ William I. Thomas, Sex and Society, Chicago, Univ. of Chicago Press, 1907, p. 234.

⁹ Freda S. Adler, The Female Offender in Philadelphia, dissertation, Univ. of Pennsylvania, Philadelphia, 1971, p. 22.

¹⁰ See for example, the Uniform Crime Report (UCR) for 1973. Based on 2,378 agencies, with an estimated population of 94,251,000, the UCR lists the following percent increases between 1960-1973 for selected offenses, by sex: All crimes increased 27.8% for males, 95.3% for females; violent crimes, 131.5% for males, 134.1% for females; property crimes, 77.1% for males, 315.7% for females. The different pace of increase is even stronger when comparing male and female juvenile delinquents.

¹¹ See the hypothesis advanced by Freda Adler, op.cit., on the criminal "halo" effect accompanying the black female's masculine status as head of household.

family, they might resemble the future status of all women, who are becoming more independent. Thus, their present criminal behavior might serve as an indicator for the "future shape of things to come." Especially in regard to violent behavior, one might argue that it "depends more on cultural differences, than on sex differences. In a more matriarchal role than that of her white counterpart, the Negro female both enjoys and suffers more of the male role [and] this imposed role makes her more aggressive, more male-like, more willing and more likely to respond violently."¹² Based on available statistics,¹³ black women, with the assumption of male roles and responsibilities, seem to approximate the male crime pattern.

The social changes in sex roles affect not only female behavior, but also male values, attitudes and behavior. Most likely, this will also change the handling of female offenders by a so far predominantly male system. In general terms, one would hypothesize an increase over time in the frequency and seriousness of known female offenses, and a trend toward their more equalized treatment in the criminal justice system.

The Washington, D.C. Study

The source material for this empirical study is the Prosecutor's Management Information System (PROMIS) of the U.S. Attorney's Office

¹² Marvin E. Wolfgang and Franco Ferracuti, The Subculture of Violence, London, Tavistock Pub. Ltd., 1967, p. 154.

¹³ E.H. Sutherland and D.R. Cressey, Criminology, 9th ed., New York, J.B. Lippincott Co. 1974, Chs. 6, 7, or Earl R. Moses, "Negro and White Crime Rates," Sociology of Crime and Delinquency, M. Wolfgang, L. Savitz and N. Johnston (eds.), New York, John Wiley & Sons, Inc., 1970, pp. 430-439.

in Washington, D.C. PROMIS records all known adult offenses resulting in an arrest in Washington, D.C., except federal and traffic offenses, drunkenness, disorderly conduct, and municipal violations. Naturally, offenses not resulting in an arrest might reveal quite different characteristics of offenders. The information included is collected from forms filled out by the police and the prosecutor for all the 1973 cases. Out of a total of 15,460 arrests, 16.4 percent (or 2,537) were of females.

The study uses descriptive statistics to analyze female crime separately, and in comparison with male crime, controlling for a limited number of independent variables. Due to the size of the sample, all differences reported are statistically significant; in interpreting the statistics one should ask whether the difference appears substantial enough to suggest the need for considering a policy change. Since the purpose of this preliminary paper is descriptive rather than analytical, no attempt is made to introduce extensive statistical controls in inferring causal relationships. That task remains for subsequent papers under the PROMIS Research grant referred to on the cover page.

I. A Profile of the Female Offender in Washington, D.C.

The background variables of age, race, employment, and residence were studied to describe District of Columbia offenders by sex.

Age. Most offenses were charged to young people, age 16 to 25. The median age for male offenders was 25, for females slightly over 24. Over 85 percent of all offenses were charged to persons aged 40 years and younger. Female crime peaked at 23 (9.3 percent of all female crimes), considerably later than the peak for males at 19 (8.2 percent

of all male crimes). The overall percentage of offenses charged to females was 16.4 percent. Only two age groups, around 23 and 43, exceeded this mean. The two peaks were accounted for by different offenses: prostitution for the 21 to 25 group, and aggravated assault for the 41 to 45 group. These variations in crime patterns by age might be related to changes in the female role and identity throughout life.

Race. Most arrests in the District of Columbia were accounted for by blacks--79 percent of the female offenses, and 88 percent of the male offenses. In comparing the sexes, 25 percent of all white offenses, but only 15 percent of all black offenses, involved females. This finding might be accounted for by the fact that a much higher percentage of prostitution cases were charged to white females than to black females. (Viewing these figures, one should keep in mind, that approximately 75 percent of the District of Columbia population is black.)

Employment. For the purpose of computing employment rates, only cases with a definite response (86.5 percent of the total) were included. Significantly more (54 percent) male offenders were employed at the time of their arrest than female offenders (31 percent). Women constituted only 10 percent of the employed offenders, but 33 percent of the unemployed ones. This finding is not surprising, however, in light of the differential distribution of employment in the general population by sex.¹⁴

¹⁴ The Statistical Abstract of the United States, 1974, in its figures on Labor Force and Participation Rates, 1960 to 1973 (Table 543, p. 337), quotes the employment rates in 1973 as 78.7 percent for males and 44.5 percent for females, out of the total labor force.

Length of Residence in the District of Columbia. The female offender seems to be slightly more mobile geographically than her male counterpart: 44 percent of the females, as compared to 41 percent of the males, were nonresidents. Only 36 percent of the female offenders, compared to 43 percent of the male offenders, have resided over five years in the District of Columbia. This fact might be related to race: with respect to the racial mix of the residential population, proportionately more female offenders arrested in the city were white, and these white female offenders were more likely to reside outside of the District of Columbia.

Criminal History. Out of those with previous arrests (56 percent of the total), 88 percent were male, 12 percent female.

Of all males, 58.7 percent had a record, compared to only 41.2 percent for females. This gap is even larger if the category of victimless crimes (in which males and females had the same proportion of recidivists, 52 percent) is not considered: the male recidivism rate is then 61 percent; the female recidivism rate, 33 percent. Male recidivists had more prior arrests than female recidivists. And of the most persistent recidivists, those with four or more previous arrests, over 90 percent were male.

II. Characteristics of Female Offenses

The type and seriousness of the offense and the victim involved were used to describe the cases brought against females in 1973.

Type of Offense. One of the questions this study aimed to answer was, what were the types of crimes charged to females? About 44 percent of all the cases were felonies; but females were charged with only

10.2 percent of them (compared to their 16.4 percent share in all crimes), while they accounted for 21.2 percent of the misdemeanors. The male/female ratio for felonies was 8.8:1, for misdemeanors 3.7:1. Looking at it another way, of all female offenses, only 27 percent were felonies, compared to 47 percent for males.

In viewing a detailed listing of the various crime categories (Table 1), it appears that females are charged with only a small percentage of most of the crimes. Only in the categories of aggravated assault, personal and business fraud and embezzlement, arson, business larceny, gambling, consensual sex offenses and unclassified offenses did the proportion of crimes accounted for by women exceed their overall mean of 16.4 percent.

When grouping the various crime categories by felonies and misdemeanors, in most of the cases relatively more of the female offenses were charged as misdemeanors. This might indicate that female crime is not only less frequent, but within the same offense type, is also less serious. (One of the interesting exceptions is aggravated assault: 14.6 percent of the misdemeanor assaults, but 18.7 percent of the felonious assaults were charged to women.)

A breakdown by different crime categories revealed that women were charged with a small percentage of violent crimes and a relatively greater proportion of property and victimless crimes. Of the 5,049 violent offenses, 11.6 percent were charged to females. But if rape cases (448) were excluded, women accounted for 12.7 percent of violent crime. Of the 5,367 property offenses, 15.2 percent were charged to women, and they were responsible for 22.8 percent of the 4,756 victimless crimes.

TABLE 1

Distribution of Offenses by Felony/Misdemeanor, and the
Percent of the Total Charged to Females

Offense Type		Percent of the Total Charged to Females		
		Misdemeanors	Felonies	Total
Crimes involving a victim	Murder	---	15.5(200)	15.5(200)
	Manslaughter	---	10.2(49)	10.2(49)
	Negligent homicide	10.0(10)	---	10.0(10)
	Aggravated assault	14.6(609)	18.7(1393)	17.5(2002)
	Simple assault	9.1(678)	0.0(6)	9.0(684)
	Assault on a police officer	9.7(31)	13.3(173)	12.7(204)
	Forcible sex - victim 16 and over	0.0(17)	0.0(340)	0.0(357)
	Forcible sex - victim under 16	0.0(3)	1.4(69)	1.4(72)
	Forcible sex - male victim	0.0(2)	0.0(19)	0.0(21)
	Armed robbery	9.0(11)	5.0(714)	5.1(725)
	Robbery	15.4(26)	10.0(688)	10.2(714)
Personal victimization without violence	Larceny	17.3(986)	8.0(350)	14.9(1336)
	Auto theft	0.0(41)	7.8(331)	7.0(372)
	Fraud	27.6(58)	20.8(130)	22.9(188)
Crimes against residences or households	Burglary	12.3(495)	2.5(679)	6.6(1174)
	Property destruction	9.5(158)	33.3(6)	10.4(164)
	Arson	16.7(6)	26.9(26)	25.0(32)
Crimes against business or institutions	Robbery	0.0(4)	2.3(213)	2.3(217)
	Burglary	17.0(199)	2.3(173)	10.2(372)
	Larceny	31.9(913)	6.8(146)	28.4(1059)
	Embezzlement and fraud	31.0(129)	28.4(176)	29.5(305)
	Auto theft	33.3(3)	4.2(71)	5.4(74)
	Arson	100.0(1)	14.3(7)	25.0(8)
	Property destruction	8.9(56)	0.0(8)	7.8(64)
Crimes without identifiable victims	Weapons offenses - gun	8.9(664)	4.9(163)	8.1(827)
	Weapons offenses - other	9.0(177)	11.1(36)	9.4(213)
	Gambling	15.8(215)	19.7(157)	17.5(372)
	Consensual sex offenses	80.7(795)	2.4(41)	76.9(836)
	Drug offenses	10.1(1804)	4.4(68)	9.9(1872)
	Bail violations and prison breach	18.8(420)	11.2(215)	16.2(635)
Crimes which could not be classified		19.5(179)	12.6(103)	17.0(282)
TOTAL		21.2(8690)	10.2(6750)	16.4(15440)

Note: The number of cases (n's) are shown in parentheses for each category. N = 15,440. The 20 cases that were not classified as either a misdemeanor or a felony, were excluded from the distribution.

The largest proportion, 43 percent of all female crimes, was victimless (25 percent of all female offenses was prostitution); another 23 percent was violent (17 percent assaults), 32 percent against property (20 percent was larceny), and 2 percent all other offenses. This compares to a distribution of all male crimes of 28 percent victimless, 35 percent violent crimes, 35 percent crimes against property and 2 percent other offenses.

One way of obtaining insights on the pattern of criminal behavior of males and females is to compare the relative frequency of different offense types within each age group. When looking at the relative frequency of violent, property and victimless crimes within age groups for women (Table 2), the age group with the highest relative frequency of

TABLE 2
The Relative Proportion of Various Offense Types

Charged to Females, within Age Groups

Age	Offense Type			Total
	Violent	Property	Victimless	
Under 16	0	66.6	33.3	100. (6)
16-20	14.7	38.	47.3	100. (484)
21-25	13.6	29.4	57.	100. (907)
26-30	25.6	33.3	41.	100. (414)
31-35	38.3	41.7	19.9	100. (206)
36-40	48.6	33.3	18.1	100. (138)
41-45	50.4	28.2	21.4	100. (117)
46 and over	38.4	26.8	34.7	100. (216)
Total	23.6 (588)	32.8 (816)	43.6 (1084)	100. (2488)

victimless crimes is 21-25. The highest relative frequency of property crimes is in the 31-35 age group, while victimless crimes reach their highest relative share at the 41-45 age group.

As mentioned earlier, these different types of criminal behavior may be linked to women's changing roles and functions in their life cycle. For men, the order was somewhat different (Table 3): property crimes reached their highest frequency relative to the other crime types, in the age group 16-20, followed by violent and victimless crimes, both reaching their highest relative frequency at the age of 46 and over. In terms of specific crime categories: prostitution was the most frequent crime charged against women between the ages of 16

TABLE 3
The Relative Proportion of Various Offense Types
Charged to Males, within Age Groups

Age	Offense Type			Total
	Violent	Property	Victimless	
Under 16	44.4	27.8	27.8	100. (18)
16-20	31.	43.8	25.2	100. (2636)
21-25	31.6	38.4	30.	100. (3819)
26-30	36.5	35.5	28.	100. (2147)
31-35	40.5	30.1	29.4	100. (1301)
36-40	38.2	32.5	29.3	100. (877)
41-45	39.8	31.7	28.5	100. (578)
46 and over	42.4	23.1	34.5	100. (1298)
Total	35.2 (4460)	35.9 (4551)	28.9 (3672)	100. (12683)

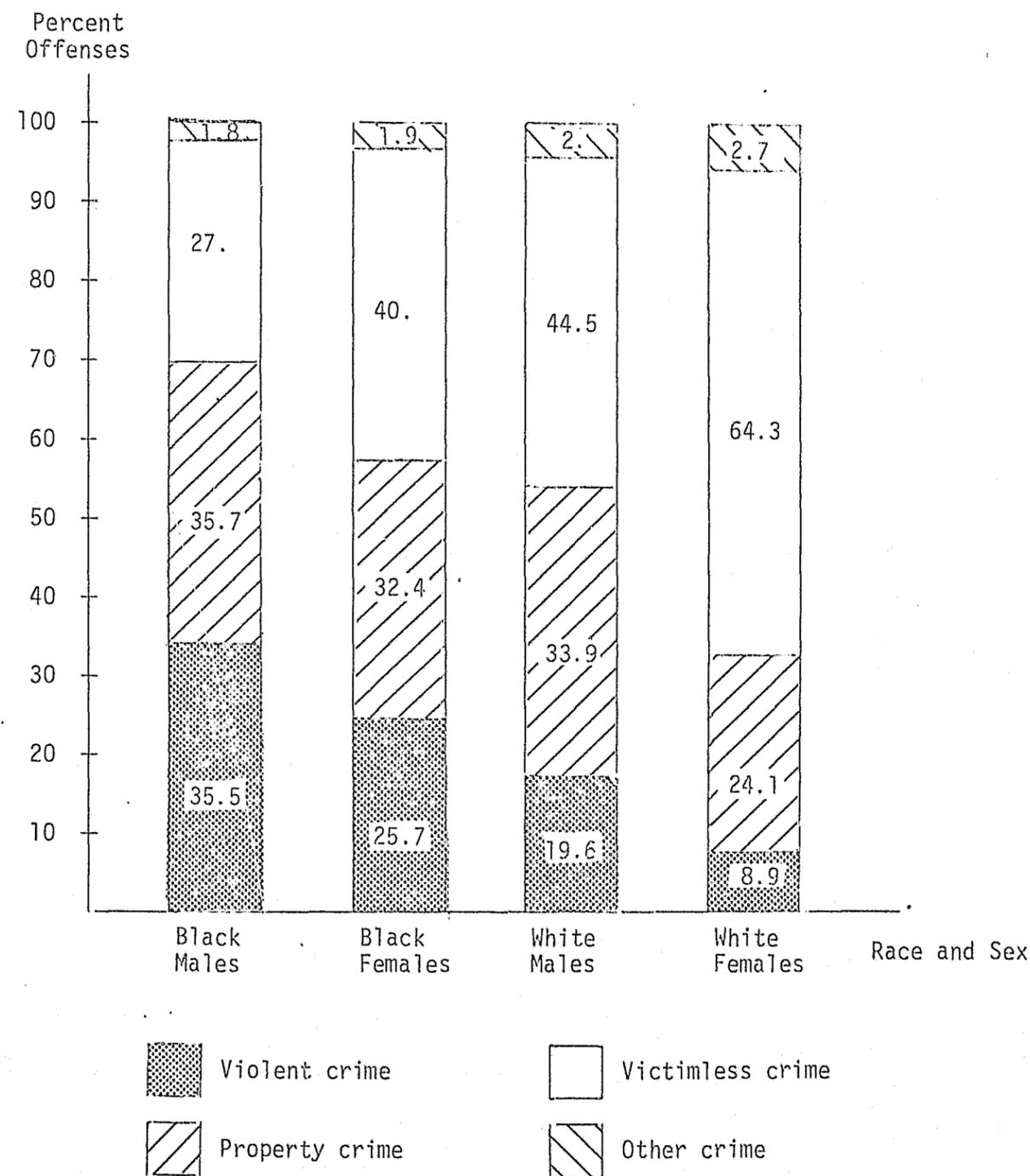
to 30, and aggravated assault for all women over 30. For males, the single highest category was drug offenses up to age 30, and aggravated assault over 30.

A further inspection of Tables 2 and 3 shows that the relative frequency of different crime categories for men and women varied considerably with age. Between the ages of 36 and 45, the percent of female crime that was violent was higher than the percent of male crime that was violent (48 percent and 38 percent, respectively). Similarly, property crime was relatively more prevalent among females than males between the ages of 31 to 40 (37 percent and 30 percent, respectively). Victimless crimes were relatively more frequent for females compared to males in the younger age group of 16 to 30 (constituting 50 percent of all female crime, but only 27 percent of all male crime for that age group).

Although the District of Columbia is not typical in the race composition of its residents, offense types of the two sexes were further analyzed by race, in order to obtain some insights on criminal behavior patterns.

In general, both for males and females, the white offender seemed more involved in victimless crimes, the black offender in violent and property crimes. When comparing the internal distribution of offenses within each race/sex group, black female offenses seemed to resemble that of the black male to a greater extent than that of the white female (Chart I). The most striking race difference for women was in the "violent crime" category: it constituted only 9 percent of white female offenses, but almost 26 percent of black female offenses. The

Chart I. Distribution of Offenses Within the Four Race-Sex Groups of Defendants



same gap held true for property crimes. On the other hand, victimless crimes accounted for 64 percent of white female arrests, compared to only 40 percent for black females.

The findings might support the hypothesis mentioned previously (by Wolfgang and Ferracuti, and by Adler) and might serve as a possible prediction for future changes in female crime patterns. If black women can indeed be viewed as forerunners of a future increase in economic participation¹⁵ and social position for all women, one can expect a relative increase in violent and property crimes and a corresponding decrease in victimless crimes. This, in turn, might eventually change the prevailing social values and expectations concerning the perception of certain types of deviant behavior as being more "masculine" or "feminine," and point to social and economic factors, rather than sex, as determinants of crime patterns.

There seems to be a positive relationship between unemployment and offense type. Violent offenders had relatively lower rates of unemployment than property offenders, with victimless crimes situated between

¹⁵ The Statistical Abstract of the United States, 1974, in its analysis of employment trends (Table 543, p. 337), points to some interesting race differences. Seventy-nine percent of the white male labor force was employed in 1973, as compared to 72.3 percent of the black male labor force, while only 43.6 percent of the white female labor force worked, compared to 48.5 percent of the black female labor force. When comparing 1960 and 1973 figures, black female rates changed only slightly from 47.2 percent to 48.5 percent, while the largest gain in employment was by white females from 36 percent to 43.6 percent. Male participation dropped for both races: from 82.6 to 79 percent for white males, from 80.1 to 72.3 percent for black males. This might indicate a trend toward closing the gap in economic status between the sexes and might have an effect on future patterns of crime.

these two categories, although the relationship appears to hold stronger for males than for females. (In terms of motivation, prostitution is usually considered a property offense; and for that reason, it was added to property rather than victimless crimes.)

The same general picture emerges when looking at specific offense categories with the highest and lowest percentages of unemployed offenders. Males charged with assaults, forcible sex, and gun offenses had the lowest rates (between 29-33 percent) of unemployment, compared to the property motivated offenses of robbery, burglary, and auto theft charged to males with high unemployment rates (between 56-68 percent). Again, for women the findings are less consistent and point to the possibility of employment being a less significant explanatory variable. While women with the highest rate of unemployment (80-89 percent) conformed to the male pattern and were charged with crimes seemingly property motivated, like robbery and prostitution, the offenses charged to women with low unemployment rates (between 40-57 percent) followed no specific pattern.

As was previously shown, over half of the offenders handled by the criminal justice system had at least one previous arrest. Recidivism was evaluated based on rearrest, not necessarily for the same crime. For both sex groups, black offenders were more recidivistic, although the gap was larger for males than females. Recidivists were also not equally distributed by type crime, among those charged with various offenses. For males, robbery was the offense charged to the highest proportion of recidivists (66.4 percent), followed by homicide and property crimes against residence and business. For females, the pattern

was different: most of the recidivists were found in victimless crimes; followed by robbery and homicide. Victimless crime was the only category in which the percentage of female recidivists was as high as that of the male recidivists: 52 percent. Given the current concern with recidivism, a further look at this most recidivistic female group, the one committing victimless crimes, is of interest. Among the female recidivists charged with victimless crimes 65 percent had their current arrest for prostitution, another 11 percent for drug offenses, 5 percent for weapon offenses, 3 percent for gambling, and 16 percent for bail violations. Eighteen percent of all the females arrested in the District of Columbia in 1973 were prostitutes and addicts with previous arrest records. The literature indicates that, for a majority of these recidivists, their prior arrests were also for victimless crimes.¹⁶ Some indication to the same effect can be found from the PROMIS data based on offenders, rather than offenses. The 2,537 female offenses in 1973 were accounted for by 2,031 female offenders. In other words, 402 or 16 percent of the female offenses were charged to women who were arrested more than once within a year. Forty-one percent or 261 of the 643 prostitution cases were charged to women recidivating within 1973, but it may be that many of these were the same women going through the "revolving" doors of justice, paying their dues, and returning to the streets without any change or rehabilitation.

¹⁶ Marshall B. Clinard, Sociology of Deviant Behavior, New York, Holt, Rinehart & Winston, Inc., 1974, pp. 507 and 522.

Although prostitution and drug addiction constitute illegal, and in the opinion of some, also immoral behavior, the women being arrested time and again for these offenses probably do not fit the intended definition of the "career criminal," causing serious harm to society and justifying concentrated efforts for punishment. By nature, prostitution and addiction are status offenses, embracing not only the offender's actions but his whole being. And indeed, if this status is viewed as undesirable morally or otherwise, a better and more effective way to deal with it may be outside of the criminal justice system so that the resources of the criminal justice system could be more successfully focused on the serious offender, male or female.

Seriousness of the Offense. The most frequent form of female crime as measured by the revised Sellin-Wolfgang seriousness scale, had a "0" score of seriousness compared to a 1 to 9 score for male crime.

Females also scored lower on the loss involved in property crimes: in only 30 percent of the female crimes (compared to 38 percent for males) was there any theft, damage or destruction of property.

Victim-Offender Relationship. The original question concerning victim-offender relationships covered the following alternatives: family, friend or acquaintance, complete stranger, and unknown. However, the category "unknown" lacked consistency and reliability due to different interpretations on the part of the policemen-respondents filling it out. For that reason, the following analysis, based only on the first three alternatives, drops the response category of "unknown," and covers a total of 8,000 cases.

Females were charged with relatively more crimes against family, while males were charged with relatively more crimes against friends, acquaintances, or strangers. This finding is consistent with the different offense patterns of the two sexes, and with their respective social behavior. Women's activity tends to be concentrated around the home, while men generally spend more time on the street, with groups of friends, or at work.

When subdividing victim type by offense, further evidence of this differential pattern emerges. Female offenses against friends and family tended to be more violent than male offenses (Chart II). Both in the violent and property crime category, women victimize family, friends and acquaintances more than men do.

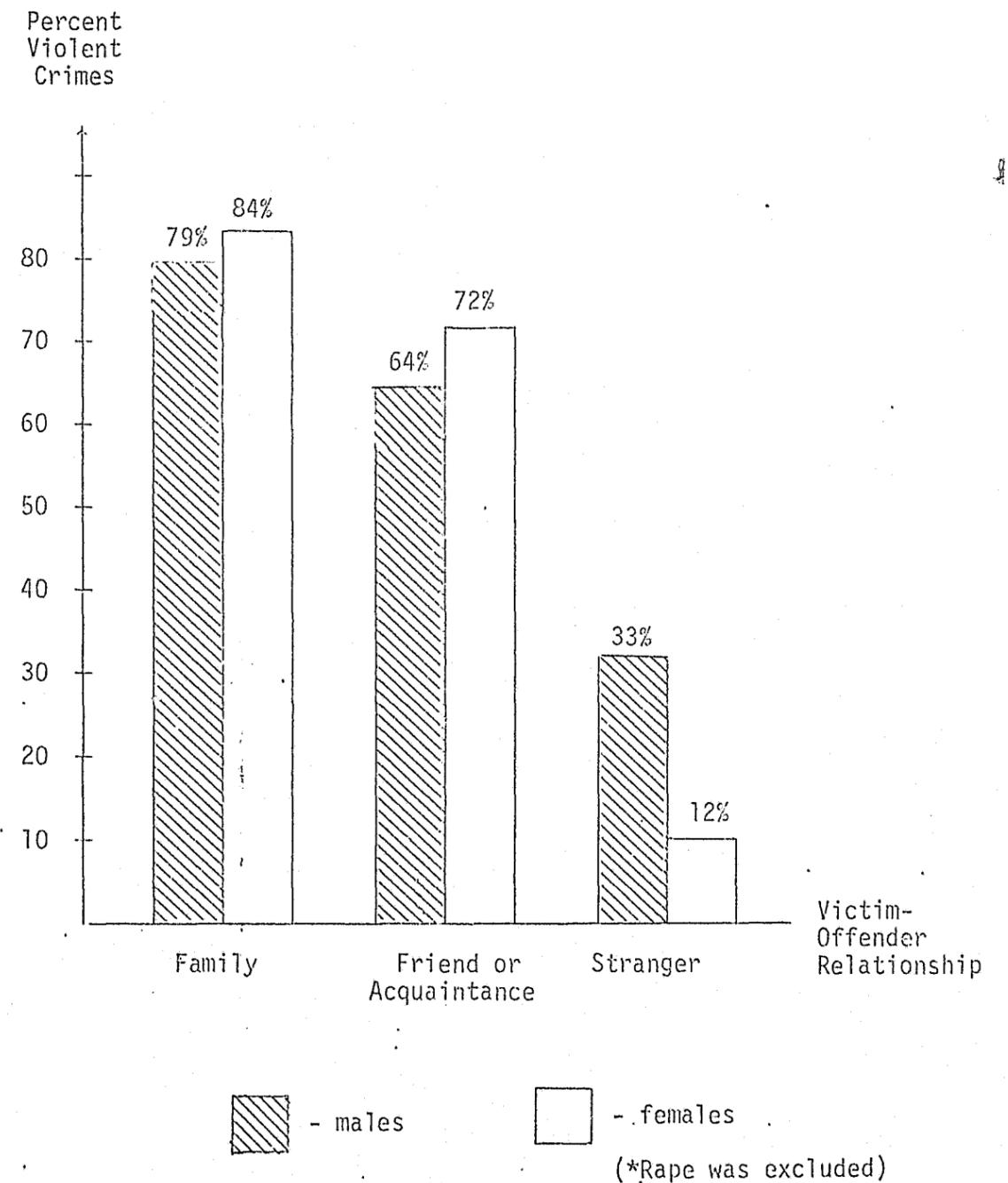
III. Handling of Female Offenses by the Criminal Justice System

The final disposition of cases brought against females was studied as they passed through the "channels of justice," with special attention given to the question of evenhandedness.

Final Disposition. In analyzing dispositions, the following categories were used: case still open, case not accepted at screening, case dropped after screening (including nolle prosequi, dismissal for want of prosecution, and grand jury ignoramus), not guilty, plea, guilty other than plea, and a residual category of other dispositions (mainly diversion programs).

Most cases, for both sexes, dropped out of the system either before or after screening rather than resulting in conviction. Offenses charged to women were accepted at screening relatively more often, but they also had a higher rate of being dropped at some point later.

Chart II
Percent Violent Crimes* Charged to Male and Female
Defendants Against Various Victim Types



There were some differences on racial lines (Table 4). Females of both races had mostly similar dispositions, but white males seemed to fare better than their black counterparts: only 21 percent of the white males were found guilty, compared to 30 percent of the blacks. Sixty-seven percent of the white males dropped out of the system before or after screening compared to 56 percent blacks. But this difference might be explained by the different type and seriousness of the offenses committed by black and white males, and does not necessarily imply lack of evenhandedness.

TABLE 4
Percent Distribution of Offense by Type of Disposition
And Defendant's Race and Sex

Disposition	Male			Female		
	White	Black	Total %	White	Black	Total %
Open	8.	9.	8.9	8.9	9.4	9.4
No Paper	28.7	23.1	23.7	19.9	19.1	19.2
Dropped after papering	38.7	32.6	33.1	35.	37.5	37.1
Not Guilty	2.4	4.4	4.2	6.5	4.7	5.
Guilty (plea or other)	21.	30.1	29.3	28.3	28.9	28.8
Other	1.2	.7	.8	1.5	.4	.6
Total Percent (No. cases)	100 (1195)	100 (11406)	100 (12601)	100 (403)	100 (2011)	100 (2414)

When controlling for offense type, the findings show interesting differences in disposition: for "male-type" violent and property crimes, females had their cases dropped more frequently, and males were more often found guilty. For "female-type" victimless crimes, the picture was reversed, and males enjoyed more leniency relative to females (Table 5).

Table 5
Percent Cases Dropped or Ending in Convictions
by Offense Type and Defendant's Sex

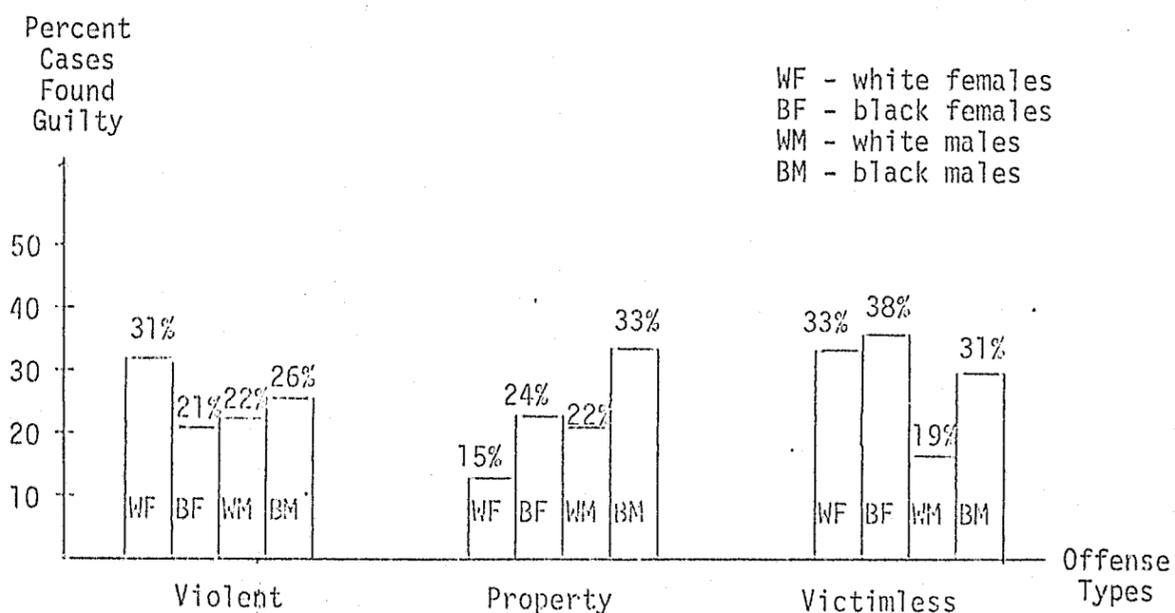
Offense Type	Selected Forms of Disposition and Offender's Sex		Guilty	
	Dropped before or after Papering		Males	Females
	Males	Females		
Violent	58.4	66	26	21.3
Property	53	65.7	32.3	22.
Victimless	60	46	29.4	36.4
Other	56	43	23.4	26.5

This tends to support the hypothesis that females are viewed as marginal to the male world. When they commit "masculine" crimes, they are judged with patronizing leniency. When they engaged in "feminine" offenses, they violate the values society assigns to female morality and since they pose a threat to the existing order, they are punished more severely. In

light of the previous finding about the different offense patterns of white and black females, the question was raised as to the effect of race on disposition controlling for offense type and sex.

As an operational indicator of leniency (or the lack of it), rates of dropping out of the system as compared to rates of conviction were used. The following inferences are suggested by this analysis (Chart III).

Chart III. Percent Cases Found Guilty by Offense Type and Defendant's Race and Sex



For whites, females fared better than males in property crimes, worse in violent and victimless crimes. For blacks, females seemed to be dealt with more leniently than males in both violent and property crimes, more harshly in victimless crimes. Further, white females fared better than black females in the disposition of property and victimless crimes, but not in violent crimes. And finally, white males fared better than black males in all of the offense categories.

In view of these findings, the differential in disposition between males and females as hypothesized by F. Adler, and reported earlier in this study, seems to be accounted for mainly by the difference between black male and female offenders; i.e., the hypothesis that females are treated more harshly in victimless crimes and more leniently in violent and property crimes seems to be supported when considering black male and black female offenders, but not whites. In interpreting these findings, one should be reminded of several other independent variables that might affect dispositions, such as seriousness of offense or offender's previous criminal history, which were not controlled for in the present analysis. Yet, at least in viewing victimless crimes that have equally low scores of seriousness and equal rates of recidivists for both sexes, a different criterion for disposition seems to be at work, i.e., one based on the sex of the offender.

IV. Conclusions

The data presented cover all known female offenses of one year in Washington, D.C. Although there are limitations to conclusions based only on known statistics from one city, the findings might suggest some answers about female crime.

In recent years, public opinion, shared by laymen and professionals alike, predicted an increase in the amount and seriousness of female crime. This prediction was not tested directly by these findings, but it is important to note that female crime is still only a fraction of all crime and includes mainly nonserious, victimless offenses.

As this research continues into its second and third year, some further comparative analyses of female crime will be conducted to learn about trends and changes over time.

To sum up the major findings, the female offender in the District of Columbia tended to be young, black, and unemployed. Most frequently, she was charged with victimless crimes that had minimal ratings of seriousness. About one-fifth of the female crimes was violent, and its main targets were family and friends. Typically, younger women seemed to be involved in prostitution, middle-aged women in larceny, and older women in assault, which might suggest a relationship between women's offense patterns and their social roles at different points in their life cycle. Black female offenders were charged with a much larger proportion of violent and property crimes than their white counterparts, and this fact might be used as an indicator for the trend all female crime will follow in the future.

A relatively large proportion of the women had a previous arrest record, and about one in six female offenders had more than one arrest in the District of Columbia for 1973.

Generally, women seemed to fare better in the criminal justice system in terms of having their cases dropped and being convicted less. But this held true only for violent and property crimes. In the victimless crime category, the picture was reversed, and females were treated more harshly than males. A large proportion of these offenses are charged against recidivists, mainly prostitutes. These offenses place a serious burden on the law enforcement agencies, and the criminal justice system apparently has little effect on these crimes, with respect to

deterrence or rehabilitation. It also appears that the ideal of even-handedness is not completely fulfilled in regard to these female offenders.

One suggestion of this study for the legislator and the heavily overburdened criminal justice system would be to legalize some offenses (namely, the victimless ones) or stop prosecuting them. The first alternative is the more desirable because nonprosecution of legally forbidden behavior breeds contempt for the law, discrimination, and other possible undesirable practices.

If prostitution, gambling, and other "marginal" deviations were not considered illegal, the system could channel more of its time, manpower, and resources to deal with serious, violent crimes and guarantee a higher rate of arrest, prosecution, conviction, and some more innovative and effective correctional programs for those offenders, male and female, who cause the most harm to society.

Bibliography

- Adler, F.S. The Female Offender in Philadelphia, Dissertation, University of Pennsylvania, 1971.
- Anderson, C.M. "The Female Criminal Offender." American Journal of Correction, 29(6), pp. 7-9, 1967.
- Bensing, R. and O. Schroeder. Homicide in an Urban Community, Springfield, Ill., C.C. Thomas, 1960.
- Bromberg, W. The Mold of Murder, Westport, CT., Greenwood Press, 1961.
- Chesney-Lind, M. "Judicial Enforcement of the Female Sex Role." Issues in Criminology, 8(2), pp. 51-69, 1973.
- Cowie, J., V. Cowie and E. Slater. Delinquency in Girls, N.Y., Humanities Press, 1968.
- deRham, E. How Could She Do That? A Study of the Female Criminal, New York, Clarson N. Potter, 1969.
- Hannum, T. "Differences in Female Prisoner Characteristics, 1960-1970." Correctional and Social Psychiatry and Journal of Applied Behavior Therapy, 19(3), pp. 39-41, 1973.
- Hoffman-Bustamante, D. "The Nature of Female Criminality." Issues in Criminology, 8(2), pp. 117-136, 1973.
- Klein, D. "The Etiology of Female Crime." Issues in Criminology, 8(2), pp. 3-10, 1973.
- Konopka, G. The Adolescent Girl in Conflict, Englewood Cliffs, N.J., Prentice Hall, 1966.
- Landau, S., J. Drapkin and S. Arad. "Homicide Victims and Offenders." Journal of Criminal Law and Criminology, 65(3), pp. 390-396, 1974.
- Landis, J. and F. Scarpitti. "Delinquent and Nondelinquent Orientation and Opportunity Awareness." Interdisciplinary Problems in Criminology, Papers of the ASC, 1964.
- Landis, M.K. "Prostitution - Delinquency's Time Bomb." Crime and Delinquency, 16(2), pp. 151-157, 1970.
- McKissack, M. "Property Offending and School-leaving Age." International Journal of Criminology and Penology, 1(4), pp. 353-362, 1973.
- Miller, E.E. "The Woman Participant in Washington's Riots." Federal Probation, 33(2), pp. 30-34, 1969.
- Payak, B.J. "Understanding the Female Offender." Federal Probation, 27(4), pp. 7-12, 1963.
- Reckless, W.C. and B.A. Kay. The Female Offender, Paper submitted to the President's Commission on Law Enforcement and the Administration of Justice, Washington, D.C., 1967.
- Scheuerman, K. and P. Kratcoski. "Incarcerated Male and Female Offenders' Perceptions of Their Experiences in the Criminal Justice System." Journal of Criminal Justice, 2(1), pp. 73-78, 1974.
- Singer, L. "Women and the Correctional Process." American Criminal Law Review, 11(2), pp. 195-208, 1973.
- Spencer, C. and J. Berecochea. Recidivism among Women Parolees. California Department of Correction, 1972.
- Velimesis, M.L. "Criminal Justice for the Female Offender." Journal of the American Association of University Women, pp. 15-16, October 1969.
- Wolfgang, M.E. "Ceasare Lombroso, 1835-1909." Journal of Criminal Law, Criminology and Police Science, 52(4), pp. 361-373, 1961.
- Wolfgang, M.E. and F. Ferracuti. The Subculture of Violence, London, Tavistock Pub. Ltd., 1967.

END