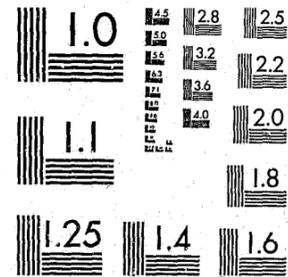


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FEMALES IN PRISON IN MICHIGAN, 1968-1978:  
A STUDY OF COMMITMENT PATTERNS

BY

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Who Am I???

By: Gail Yvonne McRaft

Who Am I?

Who Am I?  
I was taken, stolen from a land of free,  
I've toiled hard, bled, cried, and still no-one  
knew about me...  
I was forced to forget a language, that of my  
people,  
I've seen Black bodies piled high, high as church  
steeple...  
A great number of my children were feathered  
and tarred,  
Today I can still see where wounds have left  
their hideous scars...  
I've been maimed, abused, raped then cast  
aside,  
But through it all I've held pride...  
I've worked the cornfields, picked cotton too!  
And if I show defiance toward white massa, I  
was lashed a deep shade of blue...  
I worked from sunup, lots of times till  
sundown,  
Only to return to a shanty where my bed was  
the ground...  
I slept with the massa, cuz Miz Cindy was a  
Lady,  
Massa used me, and filled my womb wid a lil  
white baby...  
A baby I couldn't have cuz it wasn't mine,  
Just a product to be sold at market, time after  
time...

Who Am I?

Oh I carried kings, princesses and chiefs too!!  
All these babies I made for I am still a part of  
you...  
I'm a mother of nations, red, yellow, white and  
black,  
But because of my skin I'm still told to get back.  
Yet I walk wid my head in the sky,  
You hate me cuz you fear me but  
won't telly why...

Now you say you is the great one just cuz you  
man,

Who Am I?

I AM THE GREAT ONE CUZ I'M MOTHER  
OF NATIONS, FIRST WOMAN OF THE  
LAND!!!!

Cover by  
Celeste Burke

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PREFACE AND ACKNOWLEDGEMENTS

In the decade of the 1970s attention was focused on a subject that had been intermittently addressed and ignored throughout history, namely, the characteristics and behavior of adult female offenders and the criminal justice system which processed and committed them to jails and prisons. A great deal of controversy quickly developed about the changes which were observed or were thought to have occurred. Historically, the number of females incarcerated in the United States has been much smaller than that of males, reflecting differential rates of crime and criminal justice processing. In the nineteenth and early twentieth centuries the percentages had ranged between 10% and 25% in various regions of the United States. By the 1930s, the rate of incarceration of women dropped substantially so that less than 5% of all incarcerated persons were female. During the seventies, however, several states experienced rapid escalation in their population of female offenders in prisons. Since Michigan was among the latter group, it seemed appropriate to ascertain the critical factors associated with rapid increases in the prison population. This escalation of the female prison population continued even after there was a substantial decline and stabilization in the crime rate of women.

This report is a joint effort -- the result of collaborative discussion, research, and writing with other colleagues and students. Our work on this project began in 1979 with a small seminar which focused on review and analysis of the relevant literature on women in the criminal justice system. We quickly learned that systematic empirical research was lacking and that much of the available literature was impressionistic, anecdotal, ideological, and, at best, descriptive. Far more information was available about characteristics of female offenders, and most theories addressed crime as individual behavior to be explained at the psychological or socio-psychological levels primarily. Very little attention was directed to the operation of the criminal justice system as a critical factor in explaining gender differences in incarceration rates and outcomes. We were aware of the importance of these latter factors from our research on juvenile justice systems and from organizational studies of male prisons and state criminal justice systems.

The observation that the female offender has been ignored was poignantly illustrated by the first major criminal justice report of the twentieth century. In 1967 the President's Commission on Crime and Criminal Justice issued a ten-volume report with hundreds of policy recommendations, but nowhere in the entire report was gender examined as a critical variable. In fact, the female offender was not even referred to as such, nor were there any quantitative data about female offenders in the reports. Even in

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1973 the report of the National Advisory Commission on Correctional Standards and Goals gave little attention to gender in its examination of both adult and juvenile programs. Within the past decade, however, interest has grown rapidly, apparently because of the increasing awareness of the changing roles of women in society. Some argue that the extension of rights and opportunities to females inevitably results in increasing crime rates among women, and especially of more serious crime. These assertions, however, are made without adequate empirical support for two distinct features of female crime: 1) females have lower official crime rates than do males in nearly all categories, but especially in the index crime categories; and 2) there are significant differences in the behavior patterns of females and males with respect to type of offense and frequency of commission. Information from victimization studies is incomplete with regard to gender, but here too, all indications point to lower crime rates by females in nearly all major categories. Thus, it clearly seemed important to investigate the patterns of change that occurred in the incarceration of females in Michigan in 1968 to 1978.

Without the cooperation and assistance of a large number of persons, this research and its report would not have been possible. We deeply appreciate the cooperation of Mr. Perry Johnson, Director of Corrections, and Mr. William Keim, Deputy Director of the Department. Mr. James Yarborough of the Program Division provided invaluable help and essential assistance in recoding and processing of the data. We are most grateful to him. Likewise, several members of the central information staff helped us with decoding and processing of the information. At the Huron Valley facility we valued the cooperation of Miss Gloria Richardson, superintendent, and Mrs. Dorothy Coster, Director of Treatment, as well as that from several members of the clerical/administration staff.

Assistance in the form of a grant from the National Institute of Corrections of the U.S. Department of Justice, Bureau of Prisons provided us with financial support for the research. The assistance of Larry Solomon was particularly helpful.

In addition to the co-authors, many persons contributed directly or indirectly to this effort. Among them were several masters and doctoral students at the University of Michigan School of Social Work. These included Thomas Burbeck, Martha Stein, Josephine Hobson, Celeste Burke, Barbara Rachelson, and Victor Burke. Louise Booth assisted ably in editing and typing of the manuscript, and Christine Sherman also helped in typing several parts of the report. Responsibility for its content, however, rests with the primary authors.

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1  
THE FEMALE OFFENDER: REVIEW OF THEORY AND RESEARCH

*CELESTE BURKE and ROSEMARY C. SARRI*

Introduction

Historically, the subject of female criminality has received very little attention from policy makers or social scientists. One can surmise many reasons for the neglect of female crime and female offenders. When compared with male crime, it is and has been, vastly less in quantity. In 1978, 5,695,159 males were arrested and 1,342,821 females or a ratio of 5 to 1 (U.S. Department of Justice, UCR, 1978). Moreover, women offenders are arrested for less serious crimes than males, and they are perceived as less dangerous or threatening than their male counterparts. Female criminal behavior more often is viewed as deviant with respect to the traditional sex roles assigned to women in the society (Datesman *et al.*, 1975; Smart, 1977; Clark and Haurek, 1966). Because of this neglect, basic issues related to causation, frequency of participation, offense patterns, and various perceptions about present trends have received little attention. Only in the past decade have researchers in the United States and other industrialized countries attempted systematic study of female crime and female offenders. Far less is known today about how the criminal justice system has influenced the types of females processed and the subsequent behavior of those women.

It should not be assumed, however, that merely because female crime and offenders have been neglected that they have been dealt with justly, fairly or humanely. As we shall note in this chapter, nearly the opposite is closer to reality. The entire criminal justice system for all offenders in the United States could not be characterized as a just or humane system, but in the case of the female offender its ineffectiveness and inhumanity are even more apparent (Glick and Neto, 1977; Mitford, 1973; Arditi *et al.*, 1973).

This chapter will summarize some of the major theoretical orientations about the etiology of female crime, characteristics of female offenders, mechanisms for processing women in and through the criminal justice system, laws which govern the operation of that system, and conditions of incarceration. It will attempt to address what appear to be some of the more problematic issues of sexism and racism in the justice system. This perspective is useful because crime clearly is problematic behavior influenced by values, economics, social structural patterns, temporal characteristics and so forth.<sup>1</sup> Not only do the definitions of what is crime change over

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1. Interest in and concern about the female offender parallels more general concern about civil rights of the mentally ill, handicapped, and children. Professionals who serve these populations have often been less concerned about their individual rights than lawyers who have become advocates for individual civil rights and better social services.

time and in different societies, but even within the United States today what is defined as crime varies by sex, social class, race and age within, as well as between, states.<sup>2</sup>

#### HISTORICAL DEVELOPMENT OF THEORIES OF FEMALE CRIMINALITY

Explaining crime and delinquency has long been of interest to social practitioners (psychologists, psychiatrists, social workers, educators) as well as social scientists. Only recently, as information has become more widely available, have questions been asked about why crime rates vary among certain societies, cultures or ethnic groups. And, in the case of females an even more interesting question arises but has not been answered. Why is it that women commit fewer crimes than males overall, and why are their criminal behavior patterns so different from those of males? Unfortunately because of the relative political and social power of males, there is a tendency to consider how and why women are likely to behave more like men than vice versa. This orientation persists despite the fact that female behavioral patterns may be far more appropriate in a complex, crowded, post-industrial society.

#### The Beginnings: Stages One and Two

As with male criminality, a review of the historical, scientific and practice literature reveals that no single theory has been adequate at any time to explain female criminality. Comprehensive reviews of the etiology of crime by Klein (1973), Scutt (1976), Rasche (1974), and Hoffman-Bustamante (1973) conclude that multiple factors are involved in female criminality; therefore, a multi-factor theory is necessary for adequate explanation and prediction. One can profitably examine the study of female criminality from a historical perspective. At least six major stages of development can be identified; and while each is distinct, those which emerged first influenced all subsequent study, and elements of each can be identified today in both practice and research directed toward the female offender (Rasche, 1974).<sup>3</sup> The earliest theorists contended that female offenders were evil, immoral or possessed of demons; but they were viewed only as a minor problem. The social movement which culminated in the establishment of early prisons and the Houses of Refuge were strongly influenced by moral-ethical perspectives about criminality.

In the second stage there was a search for constitutional or physiological causes for female crime. Lombroso's theories were the first at-

2. The likelihood of being apprehended and subsequently processed through the criminal justice system varies widely because of individual staff discretion, time of the day or year when a particular offense is committed, resources available to the organization to implement an initial decision to apprehend, and so forth.

3. Rasche (1974) identifies five stages of development, but examination of her latter stage reveals that it is very comprehensive, and subdivision seems appropriate.

tempts at distinguishing male/female behavior related to crime (Lombroso, 1895).<sup>4</sup> He argued that female criminality was an inherent tendency which would wither away if atavistic persons were not permitted to reproduce. Contemporary theorists, such as Cowie, Cowie and Slater (1968) have incorporated related assumptions about delinquency and physical characteristics. Freud's theory emphasized psychological traits, but these were related to physiological characteristics inherent in women. Others emphasized genetic factors, asserting that criminality was inherited (Fernald, 1920; Healy and Bronner, 1926).<sup>5</sup> Both Freud and Lombroso emphasized the inferiority of women with respect to crime, but they also emphasized that those who were intellectually inferior or retarded were more susceptible to criminal influence.

#### Later Stages: Three and Four

The third stage represented by the work of the Gluecks (1934) viewed female crime in terms of individual characteristics, but as a product of the interaction of constitutional and environmental factors. They failed to consider temporal factors which influenced both their independent and dependent variables. Thus, characteristics of the population changed greatly; but their conceptions were limited to the absolute variables such as being foreign born, having parents of certain ethnicity, physical size and body build and so forth.<sup>6</sup>

During World War II interest grew in explanation based on analysis of socio-demographic characteristics and offense patterns, but it was limited far more to males than females. In the latter part of the fourth stage Otto Pollak (1964) published his treatise on female criminality, and that had a significant impact on subsequent research and writing. Pollak argued that there were no "real" male/female differences in criminality. He coined such phrases as "hidden crime" and deceitfulness of the female as an inherent attribute. He argued that the low rates of official female crime were due to the covert behavior of women, "their deceitfulness." Like Freud, he emphasized sexual factors as paramount, for he saw criminal women as attempting to extend their sexual role. The emphasis on sexism grew rapidly and pervaded the literature about female crime (Konopka, 1966; Vedder and Somerville, 1970; Sarri *et al.*, 1975). Interest in other socio-psychological aspects of female crime led to a number of studies with a social inter-

4. Lombroso's descriptions of female behavior are both amusing and appalling. Nonetheless, his work had considerable influence on many later writers such as Fernald (1920), Glueck and Glueck (1934), Pollak (1950), and Thomas (1923).

5. Even today one finds references to inherited traits as explanatory variables for criminal behavior (Cowie, Cowie and Slater, 1968; Pollak, 1950 and 1964).

6. Glueck and Glueck also incorporated into their analysis behaviors which are no longer a basis for criminal action--"common night walking"; "lewd and lascivious"; "fornication"; and "crimes against chastity." However, they still have meaning, especially with reference to status offenders.

actionist perspective. In contrast to Sutherland who focused on the peer group and neighborhood in his theory of differential association, theorists who wrote about female delinquency emphasized family interactions and relationships (Morris, 1964). In W.I. Thomas' work on adolescent female deviance, behavior was viewed as the result of ineffective social regulation by the family (Thomas, 1923). More recent literature emphasized discipline (Gilbert, 1972); family tension (Morris, 1964); loneliness (Konopka, 1966 and 1976 and Riege, 1972).

#### RECENT DEVELOPMENTS AND THE CONTEMPORARY SCENE

In the fifth stage interest emerged in studying the processing of females in and through the justice system. Most attention was directed toward prisons rather than courts or probation agencies, and this choice affected the behavior which was studied and the conclusions reached. Studies of inmate social systems are characteristic of this period, and attempts were made to distinguish male/female differences (Tittle, 1972; Ward and Kassebaum, 1965; Giallombardo, 1966 and 1974; and Heffernan, 1972). Relatively little interest was shown in pre- or post-institutional behavior or toward organizational factors of the justice system which influenced the size, movement, and control of the prison population. Because most of the research involved case studies and participant observation, generalizations were necessarily limited. However, the literature incorporated the findings about qualitative differences in homosexual behavior between males and females and other forms of accommodation learned in closed institutions. Propper's (1976) recent comparative study of homosexuality in female institutions illustrates the advantages of a methodology where several organizations are studied simultaneously.

The late sixties might be referred to as a transition period to the sixth and final stage. There were numerous efforts to delineate the distinguishing features of female crime and female offenders. From these studies a profile of the female offender emerged as a young adult, likely to be poor and undereducated, and reared in a disturbed or problematic family situation with abusive or neglecting parents (Velimesis, 1975). The emphasis was on interpersonal, moral, and sexual behavior as more characteristic of female than male crime. Male crime was viewed as provoked by utilitarian motives and as a result of social structural factors such as social class, access to legitimate opportunities, and differential association. Female crime, on the other hand, was explained almost wholly in socio-psychological terms, despite the fact that socio-demographic characteristics of female and male offenders were similar. Given the traditional sex-role definitions, such conceptualization might be expected.

The sixth stage and the contemporary period began in the early seventies and reflects the influence of the feminist movement as well as growing societal concerns about the human rights of offenders. In this decade the women's and human rights movements have stimulated a number of studies, reports and essays about female crime (Mitford, 1973; Burkhart, 1973; Smart, 1977; Singer, 1973; Crites, 1976; Figueira-McDonough, 1976; Simon, 1975). From these, two theories have emerged about female criminal behavior--"equal opportunity" and "discriminatory control." The former approach suggests that with greater equality females are more likely to engage in more criminal behavior because they have the opportunity to do so (Adler, 1975;

Simon, 1975). The "discriminatory control" argument is that women receive biased treatment from social control agencies in arrest, detention, and disposition (Hoffman-Bustamante, 1973; Chesney-Lind, 1973 and 1977; Armstrong, 1977). A fuller understanding of female crime, others argue, requires that elements of both arguments be taken into consideration (Figueira-McDonough, 1979). Obviously, full documentation requires data presently unavailable from offenders, law enforcement and judicial agencies.

#### MAJOR CONTEMPORARY INFLUENCES

The contemporary scene is also influenced by three major general theories about criminal behavior: strain, subculture, and control. These apply differentially to females but unfortunately many researchers accept a theoretical formulation developed for males and apply it directly to females. For the "strain" theorist, the lack of access to opportunities is the major rationale for deviant behavior; however, the opportunity structure for females varies markedly from that for males because of the social welfare system as well as the labor market. The "subcultural" school views criminal deviance as a result of the internalization of contracultural values. "Control" theorists address the lack of commitment to or involvement with legitimate groups and institutions. It is possible that each of these theories would help to illuminate selected aspects of female crime, but how and in what ways is insufficiently documented. Much of the research continues to be dominated by implicit or explicit assumptions about human nature and "natural" sex differences.

#### The Impact of Changing Sex Roles

Little is known today about how broad social change in sex roles may be affecting deviant behavior, but one cannot assume that the only direction of influence is from males to females. Elements of that modelling and influence may be present in some deviant behavior, but it also is possible that such behavior may be more widely accepted. Likewise, the emergence of new sex roles and sex-role balances may result in new patterns of deviance. The very rapid increase in all types of substance abuse by males and females in the 1960s and 1970s is one possible example of a new pattern which is more closely linked to age and economic opportunity than it is to sex. Wiersma's study of working class adolescents in a juvenile court indicates that many females wholly reject the model of the female presented in the "middle-class women's movement" (Wiersma, 1974), and yet they evidenced increasing criminal behavior.

#### Econometric Models

More recently, economists have attempted to employ econometric models to explain criminal behavior. Although they explicitly take environmental factors into consideration, they are lacking in sophisticated analysis of socio-psychological factors. Given the fact that the definition of crime is broad and ambiguous, changing with time and place, any simple explanation is bound to be insufficient. If proposals for decriminalization of status offenses, alcohol and drug use, prostitution, and gambling were implemented in law, there would be a tremendous reduction in the numbers of

women processed through the criminal justice system; and theories about female criminal behavior would undoubtedly be modified substantially.<sup>7</sup> As Quinney (1975) indicates, crime must be understood in its social and political contexts so that one's theory must take into consideration why and how certain behaviors come to be defined as criminal and are applied to selected persons.

#### DUE PROCESS OR CRIME CONTROL: DIVERGENT THEMES

There is a basic ambivalence inherent in the United States' approach to crime which centers on the conflict between two divergent themes, rooted deeply in American culture (Finckenauer, 1978). The first theme confronts the issue of maintaining stability and social organization, limiting the disruptive effects of deviant behavior. This issue may be summarized as a "crime control" approach. At times of social upheaval or rapid social change this model is relied upon more extensively. Policy may reflect a view of crime as one aspect of the larger issue of maintaining "law and order." Upon examining the rhetoric of political campaigns from 1964-76, Finckenauer suggests that in the sixties and early seventies "crime was not a simple or single issue, but rather included race, lawlessness, civil rights, and other emotional issues" (Finckenauer, 1978, p. 17). Scammor and Wattenberg (1970), writing about the same period, claim that public attitudes toward crime reflected concern with the more "personally frightening aspects of disruptive social change." This concern generated a wide range of responses in the years that followed. Historically, similar periods of heightened public concern have led to greater emphasis on controlling the problematic conditions associated with crime (most notably during the depression).

The second basic theme, often in direct contradiction to demands for crime control, is one of "due process." This model represents the United States' constitutional concern with justice. This orientation encompasses the controversies surrounding the interpretation of the constitutional imperatives for due process. Debate revolves around divergent conceptions of justice, appropriate methods for processing alleged offenders, and delineation of suitable responses to convicted persons (Finckenauer, 1978). Herbert Packer (1968) places these two models on a continuum and has called for more attention to seeking a balance between the two approaches. He suggests that such a balance would result in "control with justice."

#### WHO ARE THE FEMALE OFFENDERS?

##### Arrest Statistics

Arrest statistics are available via the UCR and contain data since 1933. Based on contributions from about ten thousand law enforcement agencies, the

7. It is possible to assume that in the future when the conservation of environmental resources will be highly valued, abuse of such might be the basis of a serious criminal charge. As Durkheim long ago suggested, the definition of crime reflects the society's values and priorities.

TABLE 1.1  
FEMALES AS A PERCENTAGE OF TOTAL ARRESTS  
IN THE U.S. 1953-1978<sup>a</sup>  
(in percentages)

Year	Total Crime	Violent Crime	Property Crime	Serious Crime
1953	10.84	11.93	8.46	9.40
1954	10.97	11.60	8.18	8.89
1955	11.00	12.03	8.36	9.12
1956	10.91	13.51	8.04	9.06
1957	10.63	13.06	8.51	9.29
1958	10.61	11.96	9.26	9.73
1959	10.68	12.73	10.07	10.54
1960	11.04	11.77	10.76	10.95
1961	11.26	11.61	11.44	11.47
1962	11.47	11.51	12.57	12.38
1963	11.68	11.56	12.87	12.65
1964	11.93	11.64	13.92	13.54
1965	12.12	11.41	14.99	14.37
1966	12.33	11.32	15.58	14.80
1967	12.67	10.79	16.00	15.03
1968	13.08	10.33	16.11	15.04
1969	13.82	10.63	17.96	16.58
1970	14.58	10.50	19.71	18.04
1971	15.07	10.91	20.06	18.34
1972	15.27	11.01	21.35	19.25
1973	15.60	10.40	22.30	20.00
1974	16.70	10.40	22.30	20.00
1975	16.40	10.60	23.10	20.70
1976	16.20	10.70	23.60	21.20
1977	16.60	10.60	23.80	21.30
1978	16.50	10.50	24.20	21.50

<sup>a</sup>Source: *Crime in the United States, 1974 and 1978. Uniform Crime Reports* (Washington, D.C. Federal Bureau of Investigation, 1975).

UCR provides information on the number of arrests per year, type of offense, age, sex, and race of arrestees (Simon, 1975, p. 35). The FBI divides crimes into two categories: Type I offenses: homicide (murder and non-negligent manslaughter), manslaughter by negligence, forcible rape, robbery, aggravated assault, burglary, larceny, and auto theft. Type II includes: other assaults, arson, forgery and counterfeiting, fraud, embezzlement, stolen property (buying, receiving and possessing), vandalism, weapons (carrying, possessing, etc.), prostitution and commercialized vice, sex offenses, narcotic drug law violations, gambling, offenses against the family and children, driving under the influence, liquor law violations, drunkenness, disorderly conduct, vagrancy, all other offenses and suspicion. The Type I offenses are referred to as "serious" crimes and constitute the FBI index in the UCR.

#### Problems with Crime Statistics

The data on offenders and offenses are imprecise for a variety of reasons. Many crimes are not reported; others do not result in arrest or conviction. The official crime reports include all who are arrested regardless of the subsequent outcome. Only recently have there been attempts to correlate data from self-reports and victimization surveys with official data (Hindelang, 1979). Another problem arises from variable definitions of criminal behavior--particularly in crimes for which women are frequently arrested. Thus, national reports which refer to incidence of criminal behavior must be viewed cautiously. Rita Simon (1975, p. 36) emphasizes that "arrest" and "crimes committed" can not be used interchangeably. She also points out that "crimes known to the police" represents a much larger estimate of crimes committed but such statistics do not contain any revealing demographic information. Also, the proportion of crimes cleared by arrest varies from one offense to another. In summary, then, "crime statistics reflect differentials in the administration of criminal law, not differences in the incidence of criminal behavior" (Sarri, 1978; Gold and Reimer, 1976; Short and Nye, 1970; Elliott and Ageton, 1979; Hindelang, 1979).

#### Crime Rates and Offense Patterns: 1953-1974

Rita Simon's analysis of official data represents the most complete picture of female crime in America to date. From Simon's analysis it appears that in 1960 women accounted for 11% of arrests for all offenses. By 1972 this percentage had increased to 15% and to about 17% by 1974 (Crites, 1976, p. 35; see Table 1.1). Simon (1975) and Crites (1976) also point out that these increases suggest that more women are committing "serious" crimes. By 1974 women accounted for 20% of the arrests for "serious" crimes (Simon, 1975; Crites, 1976; Bartel, 1979). Table 1.2 indicates that when this trend is analyzed by offense it appears that women's involvement in violent crime has remained stable during this period. This challenges the popular conception that female criminality has taken on a new and more violent character. The largest increases occurred in property crimes, and within that category larceny increased the most as Table 1.3 indicates. Among Type II offenses the greatest increases were registered for embezzlement, fraud, forgery and counterfeiting (Simon, 1975, p. 46). Simon predicts that if these trends continue, approximately equal numbers of men and women will be arrested for fraud and embezzlement and larceny

TABLE 1.2  
FEMALE ARRESTS BY OFFENSE 1953-1978<sup>a</sup>  
(in percentages)

Year	Criminal Homicide	Robbery	Aggravated Assault	Burglary	Larceny Theft	Auto Theft
1953	14.1	4.5	15.9	2.0	13.9	2.6
1954	14.2	4.2	15.9	2.3	13.0	2.5
1955	14.2	4.2	16.0	2.3	13.3	2.6
1956	14.8	4.3	17.6	2.3	12.6	2.5
1957	14.7	3.9	17.5	2.0	13.2	2.7
1958	16.4	4.5	15.7	2.4	14.3	3.2
1959	16.8	4.6	16.4	2.7	15.4	3.2
1960	16.1	4.6	15.3	2.8	16.8	3.6
1961	15.9	4.9	15.2	3.2	18.0	3.7
1962	17.2	5.1	14.7	3.6	19.6	3.9
1963	15.9	4.9	14.9	3.3	20.1	3.7
1964	16.6	5.3	14.4	3.7	21.4	4.3
1965	16.3	5.3	14.4	3.8	25.2	4.2
1966	15.9	5.1	14.0	3.8	24.0	4.1
1967	15.4	5.2	13.6	4.1	24.8	4.3
1968	15.4	5.5	13.1	4.1	25.2	4.9
1969	14.8	6.3	13.2	4.3	27.2	5.1
1970	14.8	6.2	13.3	4.6	29.0	5.0
1971	16.0	6.4	13.9	4.8	29.1	6.0
1972	15.6	6.6	13.9	5.1	30.8	5.7
1973	15.1	6.9	14.0	5.3	32.8	5.9
1974	14.8	6.8	14.1	5.4	31.7	10.4
1975	15.6	7.1	13.9	5.5	32.5	7.0
1976	14.7	7.2	13.8	5.2	32.6	6.9
1977	14.2	7.4	13.5	6.0	32.9	8.1
1978	14.5	7.2	13.3	6.3	33.1	8.6

<sup>a</sup>Source: *Crime in the United States, 1974 and 1978. Uniform Crime Reports* (Washington, D.C., Federal Bureau of Investigation, 1975).

by the 1990s, and for forgery and counterfeiting the proportions should be equal by the 2010s. However, Simon also predicts that continuation of the trends from 1958-1972 will result in fewer women being arrested for criminal homicide and aggravated assault (see Table 1.2).

Simon's analysis revealed a large part of the increase in arrests of women could be explained by changing police attitudes and behavior. Laura Crites (1976) claims that police officers who state, in effect, "If it's equality these women want we'll see that they get it" lends further credence to this speculation. But, Simon (1975, p. 48) counters that this doesn't explain the fact that rates of arrests have varied by the nature of the offense. She concludes that shifting patterns of participation in the labor force are responsible for providing women with more opportunity for committing crime, thus accounting for some of the recorded increase. An important caution in analyzing trends in female participation in crime is to be alert to the sample or population size. Percentage increases may seem very large when the number of cases is very small.

#### Crime Rates and Offense Patterns: 1974-1979

Since Simon (1975) and Crites (1976) completed their analyses of female participation in crime, patterns of female crime appear to have remained fairly stable. Women have continued to comprise between 16 and 17% of persons arrested each year since 1974 (see Table 1.1). The shift toward higher frequencies of female offenders among the serious offenses has resulted in an increase of approximately 2% in arrests for index (serious) crimes in the five-year period from 1974 to 1979 (see Table 1.1). As of 1978, women accounted for approximately 22% of arrests for index offenses. Consistent with the pattern that emerged from Simon's analysis, this latter increase is the result of more arrests for property crimes rather than for crimes of violence. Table 1.1 indicates that the percent of females arrested for violent crimes has remained approximately 10.5% for each year since 1974. The 1978 Uniform Crime Report indicates that larceny continues to be the "serious" offense for which women are most frequently arrested. It accounted for about 80% of female arrests for index offenses in 1978. This perusal of arrest statistics suggests that the increase in the percentage of women among those arrested for all offenses has levelled off. Rather than the result of any differential action by women in the criminal justice system, this may in large part be explained by the fact that females under 18 commit more index crimes (see Table 1.3). That total population in the United States grew rapidly until 1975, the peak year for the eighteen-year old cohort. The adolescent population has declined since then and is expected to continue to decline for several years. Thus, barring severe economic recession, one could predict a relatively stable pattern of female criminal behavior in terms of rate and a decline in absolute value. In any case, it appears that there may be a break in the rather steady pattern of increasing arrests of women that has been exhibited by the UCR data since 1953.

#### CHARACTERISTICS OF WOMEN OFFENDERS

Laura Crites (1976) challenged Simon's conclusions about female criminality and reported increases in the crime rate for women. Crites examined the

TABLE 1.3  
ARREST PATTERNS IN THE UNITED STATES 1960, 1974 AND 1978

Offenses	Total Arrests 1960	Female Percent Total	Female Under 18 Percent	Total Arrests 1974	Female Percent Total	Female Under 18 Percent	Total Arrests 1978	Female Percent Total	Female Under 18 Percent
Property <sup>a</sup>									
Females	29,292	10.6	43.2	139,169	22.5	43.7	285,493	24.6	39.9
Males	244,562			497,676			878,321		
Index <sup>b</sup>									
Females	36,957	10.6	37.0	159,011	19.4	41.0	312,379	22.1	38.4
Males	311,855			660,351			1,098,446		
Violent Crime <sup>c</sup>									
Females	7,563	10.3	11.1	19,720	10.9	22.0	26,386	10.6	20.8
Males	66,220			161,803			222,215		
Total									
Females	259,038	10.7	19.1	540,987	16.9	31.6	1,037,838	17.0	32.5
Males	2,155,159			2,655,339			5,058,143		

Source: *Crime in the United States, 1974 and 1978. Uniform Crime Reports* (Washington, D.C. Federal Bureau of Investigation, 1975, pp. 184-186 and 1978, p. 206).

<sup>a</sup>Includes burglary and auto theft

<sup>b</sup>Includes criminal homicide, rape, robbery, aggravated assault, burglary, larceny and auto theft

<sup>c</sup>Includes criminal homicide, rape, robbery, and aggravated assault

possibility that increased psychological liberation and increased employment in positions of responsibility have had significant impact on the increase in reported female criminality in this century. She says that while Labor Department statistics indicate that women's participation in the labor force rose from 8% in 1900 to 37% in 1972, the employment benefits accrued largely to white middle-class females. From demographic information it appears that women offenders are "predominantly poor," most frequently from minority groups, uneducated, responsible for their own support, and often have had children they must support (Crites, 1976, p. 37; Sarri, 1978). Crites concludes that these women do not identify with the women's movement and many actually oppose the movement. Hovey (1971) studied the work experience of women offenders and concluded that their work experience had been in "low-wage and low-status occupations." For these women, Crites says, the women's movement has been "almost totally meaningless."

Alternative explanations for increased female arrests include Laurel Rans's allusion to the impact of inflation on the categorization of more thefts as serious crimes. Others suggest that improved recording procedures, expanded policing, as well as unemployment and economic need, have been linked to changes in crime rates (Crites, 1976, p. 39; Rans, 1975, p. 2-3).

#### Women Offenders and the Criminal Justice System

Recent investigations have examined the processing of women offenders at various stages in the negotiation of the criminal justice system (Simon and Sharma, 1979). The system as we have defined it consists of three basic components designated as the police, the courts, and corrections. Considerable discretion is available to all personnel in the handling of female offenders at the several stages in the justice system, and it is clear that women receive differential treatment from the system. However, there is much debate as to whether these differences produce positive or negative consequences for the affected women. Much of the differential in dealing with female offenders is actually rooted in laws as well as in the moral-ethical perspectives such laws reflect.

Initial Processing of Female Offenders. At every step in the criminal justice process, female offenders are a minority. In 1978 one out of every five adults arrested was a female, and one out of every twenty in jail was a female. Adult females are incarcerated far less than are males, resulting in a popular view that women are dealt with benignly by the justice system. But, such is clearly not the case in the juvenile system. Rogers's (1972) data on Connecticut's processing of juvenile females and that from Pennsylvania about adults readily dispels such views (Velimeses, 1975). Rogers shows conclusively that females are processed and sentenced more often than males for minor crimes, and once incarcerated they remain longer in institutions.

A survey of 150 women in 1975 in Pennsylvania of nine "representative" county jails revealed that 69% were awaiting trial, 14% were serving sentences and 17% were held for other reasons (Hendrix, 1972). The observers noted that the most serious problem was the overuse of jails in large urban counties, not in the rural counties. Many women were detained for a few days and then released without a trial. Family life, however,

was seriously disrupted because 65% were held for more than 10 days and 35% for more than a month. Strangely, of those held for more than a month, more were awaiting trial than were serving a sentence. Women held in these jails were charged as follows: 32% were held for felony charges; 36% for misdemeanors; and 29% for other reasons. Clearly, the need for detention in jail can be justified only for those charged with felonies and not even for that entire group if the criteria for detention is protection of the public from dangerous behavior or the probability that the female will abscond prior to her trial. These findings take on greater import when considered with those from the Manhattan Bail Project and several home detention experiments (Sarri and Hasenfeld, 1976). Offenders who are detained prior to trial are more likely to be convicted than those not held but charged with the same offense, and if convicted, they are more likely to be institutionalized.

Conviction and Sentencing. Examination of conviction rates where data have been available reveals patterns similar to those for arrest. Adult females are less likely to be convicted than their male counterparts. However, Simon (1975) shows that between 1961 and 1971 there was an increase of 62% in female convictions compared to a 20% increase for males. The probability of conviction was highest for fraud, embezzlement, and forgery. Patterns of conviction did not follow the increases in arrest categories for that period, nor were they related to expected impact of the women's movement. Particularly noteworthy in state data from Ohio and California was the high proportion of convictions for narcotics violations. In contrast, property arrests were not linked to increased conviction rates.

Sentencing is particularly problematic for females because of the many ways in which indeterminate sentences may be interpreted and applied (Armstrong, 1977; Haft, 1974; Conway and Bogdan, 1977; Wheeler, 1976; Singer, 1973). For example, the fact that female prison populations declined for a number of years meant that more "free beds" were available. As a result, the average time spent was longer in those instances, regardless of the person's offense.

#### Law and the Administration of Justice

In myriad ways statutes governing the criminal justice system have discriminated against females. Any historical examination of law in the Western world documents sexism in both law and legal practice. Which comes first--the perspectives about female criminality, or statutes defining female crime--matters very little, because once the ideology and law are established, each reinforces the other. The processing of females into and through the justice system manifests some marked contrasts between males and females. It is frequently stated that adult females are treated more leniently by the system, when comparisons are made with males for the same offenses (Simon, 1975; Singer, 1973; Arditi *et al.*, 1973). For example, the population of state correctional facilities was 97% male in 1974 when the male proportion of all adult arrests was 85% (U.S. NCJISS, 1975, 1976). At the same time, women were arrested, tried, convicted, and incarcerated for behavior (e.g., promiscuity and prostitution) for which men were not prosecuted in the vast majority of jurisdictions.

Sexual Behavior. Courts have applied a "reasonableness" test in matters of alleged sex discrimination; and because it is relatively easy to justify a law on the grounds of reasonableness, most sex-discriminatory laws have been upheld. The Fourteenth Amendment has been invoked to constrain racial discrimination in voting, employment, social welfare, education, and other areas; but only very recently have attempts been made to employ it to prohibit or discourage discrimination against women. Nowhere is this discrimination more apparent and of greater importance than in the administration of justice. Sexism is a pervasive phenomenon. It is only recently, for example, that in some states delinquency laws discriminating against females have been struck down as unconstitutional.

In recent years some sex-based discrimination, particularly in military benefits and in some areas of criminal law, has been ruled unconstitutional by the courts. For example, it has been held that laws permitting longer sentences for women than men for the same crime contravene the Fourteenth Amendment (Robinson v. York, 1968, in Connecticut; Commonwealth v. Daniels, 1968, in Pennsylvania; State v. Chambers, 1973, in New Jersey; and Commonwealth v. Butler, 1974).

State and Federal laws have long discriminated against females (Davis and Chaires, 1973); but a further problem remains, namely, the attitudes and ideologies of persons administering it (i.e., judges, probation staff, or other court staff) may result in violations of the Fourteenth Amendment equal protection clause by inducing them to award females longer sentences than males under the guise of "protection of the female." Even when laws appear to be nondiscriminatory, they often are, from an operational point of view, discriminatory. One example of prima facies discrimination was the Connecticut law that until 1972 made it a crime for an unmarried woman to be in manifest danger of falling into habits of vice it was not applicable to males in the same position.

Prostitution and promiscuity are two behaviors for which women almost exclusively are prosecuted despite the obvious injustice of such processing. In the majority of American states prostitution is defined as the "engaging, offering, or agreeing to engage in sexual intercourse for a fee."<sup>8</sup> Discrimination may arise in two ways: some laws confine "prostitution" to the activities of females--male prostitutes are not covered; second, in most jurisdictions the customer is not penalized at all. In regard to the latter, some states are now enacting or have enacted "john laws" or "customer laws" specifically to veto the activities of the person keeping the prostitute in business--the customer. For example, New York has had a law which stated that "patronizing a prostitute" was a violation, with a maximum sentence of imprisonment of 15 days. Even here, however, the effect of the double standard is obvious, in that in New York the penalty for

8. In the United Kingdom, Australia, and Canada the actual act of prostitution--exchange of the body for money--is not a crime; it is the solicitation that is prohibited. Several states have similar proposals under consideration; and in Iowa, Michigan, Missouri, Montana, Nevada and Rhode Island and the District of Columbia prostitution is not a crime, but solicitation is illegal.

the prostitute is far more severe--maximum prison sentence, three months. Data reported by Dorsen (1970) for New York City in 1968 indicate that there were 3,500 convictions of prostitutes, but only 2 convictions of patrons out of the 112 arrested. Thus, far more prostitutes are arrested and convicted than customers. "Pimping", or living off the proceeds of prostitution, is also a crime; however, it seems that here too the vigilance of the police is not as rigorous as in relation to the prostitute herself. New York City, 1968, had 3,500 convictions of prostitutes, but only 182 arrests of pimps and fewer than 50 convictions. Even though there are more prostitutes than pimps, it would be reasonable to suppose that because the prostitute is more obvious in her activities, she would be more likely to be proceeded against than the pimp, who may be able to conceal his activities with greater ease.

#### WOMEN IN CUSTODY

Despite the discrimination or inequities which may exist among police, judges, prosecutors and others in the law enforcement and judicial system, the most serious problems exist in residential facilities: jails, prisons, reformatories, lockups and other facilities. Journalistic reports by Mitford (1973), Burkhart (1975), Wooden (1976), and others do not exaggerate the conditions. These have been corroborated by substantial recent research which clearly demonstrates consistent inequities: in programs and services available to women offenders; in incarceration for behavior for which males are not incarcerated; and in longer sentences for identical or lesser crimes.

The incarceration of adult women in separate prison facilities developed within the past century, since 1880; for adolescent females the use of separate institutions is even more recent, dating from the early 1900s. Prisons structured for females were purportedly established to provide female inmates with the same benefits of rehabilitation given their male counterparts. Prisons were built to comply with the reformists' beliefs that women prisoners needed sexual morality and sobriety if they were to resume their "predestined roles as homemakers, mothers and wives." They were located in isolated rural areas, and the public knew very little about the persons or events inside, in contrast to a voluminous popular and scientific literature about male prisons.<sup>9</sup>

As of 1979, there were approximately 300,000 adults in state and federal prisons (U.S. Department of Justice, 1978). Of that population approximately 18,000 were females. There were about 990 females housed in 6 Federal and 7,437 in 40 state facilities in contrast to 25 Federal and 260 state facilities for men. Of the 160,863 persons in more than 4,000 local jails in the LEAA census (NCJISS, 1978), 7,739 were adult women. Approximately 38,000 women were held in the United States in some type of correc-

9. There are several biographies and autobiographies written by inmates about conditions and life styles in women's prisons. Perhaps one of the most compelling descriptions is that written by Elizabeth Gurley Flynn (1963) who spent more than twenty-five years at the Federal prison for women in Alderson, West Virginia.

tional facility on any given day in the mid 1970s. The rate is far higher for juveniles than for adult women since the age range is relatively small (13-17) for juveniles as compared to adult women (17-60). Furthermore, the female juvenile population is 25% of all incarcerated juveniles, whereas for adult women the rate of incarceration overall is 3.6%--a dramatic difference. Given the fact that the juvenile arrest rate is less than 25% of the total, these data suggest that chivalry is certainly not being shown to juvenile females. However, in the case of adult women, the incarceration proportion of 3.6% falls below that which would be expected given the arrest ratio of 5 to 1 in 1974.<sup>10</sup>

Several recent surveys have been completed of females in adult prisons and juvenile institutions (LEAA, 1975; Citizens Task Force, 1971; U.S. Department of Labor, 1971; Glick and Neto, 1977; Vinter, NAJC, 1976; Women's Prison Association, 1972; McGowan and Blumenthal, 1976; Sims, 1976). Although there are some variations in findings among these surveys because of differences in sampling procedures and methodologies, the basic findings about population characteristics of females in residential correctional facilities are essentially similar as the following summary indicates:

1. Two-thirds of the incarcerated females were under thirty years of age. The median age for misdemeanants was twenty-four years and twenty-seven for felons.
2. Fifty to fifty-five percent of the women were nonwhite, but Chicanos and Native Americans were also overrepresented in selected states.
3. Nine out of ten women reported that they expected to support themselves upon release. Seven out of ten were heads of households, and two-thirds had an average of 2.4 dependent children. However, 25% of the mothers reported that the children were not residing with them at the time of their detention and arrest. More than half were not married (55-60%), a further indication of the problematic situation for minor children since these women must rely on extended family support or lose their children to the state.
4. The majority were unskilled and educationally handicapped. Although most had been employed (70%) at some time, that employment was sporadic and insufficient in most cases. About a third received public welfare benefits. Forty-five percent had not completed secondary school, and 14% completed only elementary school.
5. The offenses for which women were incarcerated were not systematically available for all of the states; but in terms of frequency substance abuse of all types, theft and other property violations, and prostitution were the largest categories, with only small percentages of women offenders incarcerated for homicide, assault, or robbery. It is clear from the data which are available that there have been no significant increases in commitments for violent crime since the Women's and Equal Rights movements became widely known in the late sixties and early seventies.

10. It still should be noted that many of the behaviors for which women continue to be arrested do not result in arrests for men. Thus, there is no reason why the correspondence should be identical unless comparisons are made between comparable offenses. As Simon (1975) indicates, these differences do persist in some of the comparisons, but they are not as outstanding as many writers imply.

### Problems for the "Forgotten Offender"

Incarcerated women offenders have been referred to as "the forgotten offender" (Simon, 1975, p. 64). Because of the relatively smaller number, females in prisons, jails and training schools have received much less attention; but lack of interest is also due to the fact that females have done little to attract attention. Unfortunately, most correctional reform has been preceded by disruption or violence. Prisoners who riot, destroy property, and threaten lives are far more likely to be listened to in terms of their complaints and requests than are those who passively accept the institutional environment as it is. Women offenders also have received less attention because the crimes which they commit are far more often "victimless" crimes and do not threaten society.

For whatever reason, the needs of women offenders have gone unmet in some important ways. Issues related to the treatment women offenders receive in prison will continue to merit increased concern if women are arrested and convicted in larger numbers. If the trend is manifested in sentencing of women offenders that Cahalan (1979) identified for incarceration rates in the U.S., then it seems that the increased use of prisons and longer sentences will add to the problems associated with incarceration of female offenders--even if the percentages of females arrested has indeed stabilized at about 16%.

The problems that female offenders face can be subsumed under four basic headings (Gibson, 1973). The first, "the limitations of size" refers to the resistance encountered in building facilities specifically for female offenders. Because there are relatively few female offenders, the per capita expenditures are much greater for female offenders than for their male counterparts; but the program often is far less adequate (Arditi et al., 1973; Mary Glover v. Johnson, 1979). Gibson cites one study which compared the yearly cost of maintaining a female inmate in a women's facility (\$10,000) with the cost for maintaining a male inmate (\$4,500) in a male facility. The second problem area Gibson describes is the oppressiveness of the institutions. She claims that despite the lack of visible security measures, there was as much or more oppression and restraint directed toward female offenders as there was at any male prison. These practices inhibit the development of independence and self-directedness among women offenders. The inaccessibility of women's facilities creates a hardship for women offenders because they have difficulty maintaining contacts with their families and lawyers, or in gaining access to parole boards (Simon, 1975, p. 70). Critical issues involve the inadequacy of educational and vocational training that is made available to women offenders. Fewer vocational training programs have generally been incorporated into the organization of women's prisons, and those programs that have been included typically reflect stereotypic thinking about women's roles (Smart, 1977; Gibson, 1973; Arditi et al., 1973; Simon, 1975). This training prepares women for low-pay, low-status jobs. Consequently, "The parolee with limited skills, a prison record and a condition of parole stipulating that she must be employed" (Gibson, 1973) is placed in a very difficult position.

Recidivism for female offenders is higher for women who have prior records and for women who have been engaged in drug use than for other women offenders. These women have less successful paroles than men (Simon,

1975, p. 83). However, most women in prison are first offenders and tend to have a better chance for successful parole than their male counterparts (Simon, 1975, p. 82).

Since 1970, there has been greater concern about the long institutionalization of juvenile females charged as status offenders. There have been concerted efforts toward reform by national and local interest groups like the Junior League, National Council on Crime and Delinquency, the National Council of Jewish Women, the Children's Defense Fund, the National Coalition for Children and Youth, and the League of Women Voters. It is not accidental that the majority of these groups are women's organizations. In fact, most interest groups working for prison reform in the past two centuries have been women's organizations. The payoff for their efforts, however, has been far greater for male than for female programs and services. Citizens groups of women have been particularly active in Pennsylvania, and they have had a profound positive effect there both on deinstitutionalization of female facilities and on the quality of programs. Most recently they submitted a set of ten goals and standards for female correctional programs throughout the state.<sup>11</sup>

#### RACISM AND THE JUSTICE SYSTEM

The literature on female criminality largely ignores the distinctions in the status of nonwhite and white women in the United States (Crites, 1976). It further assumes that law enforcement agencies may operate with a "sex" bias in their identification and handling of criminal behavior, but it is silent on how that bias may interact differentially with race. As Iglehart (1977) suggests in her review of nonwhite and white female criminality, the history of nonwhite women in the United States would caution against such an assumption. Stereotypes define the feminine role in terms usually associated with white Euro-American women--as obedient, docile, passive, attractive and dependent. In contrast, the cultural image of the nonwhite woman is that she is the head of the family, aggressive, independent, self-reliant, and morally permissive. It might very well be expected that law enforcement personnel would respond quite differently to the same behavior given those role images of nonwhite and white women.

As long ago as 1904 (Dubois) and as recently as 1975 (Quinney) have reported research findings which indicate that the status of being nonwhite involves a far greater probability of being arrested, jailed, convicted, imprisoned, and executed. Although females have a far lower probability than do males of being arrested and processed through the criminal justice system, it could be expected that nonwhite females would be at greater risk than white females. Throughout this chapter we have already noted the

11. See Pennsylvania (1975) for a cogent statement of standards for female correctional programs developed by the Pennsylvania Program for Women and Girl Offenders, Inc. This is the first time such a statement of standards has been prepared at any level of government--local, state, or federal. It does rather clearly argue that there are distinctive needs of females, but these in no way would be jeopardized by the passage of ERA. On the other hand, passage of that amendment would not be sufficient to insure the implementation of program standards for men and women in the areas of medical care, educational handicaps, due to past inequities, and so forth.

disproportionate numbers of minority group members in most steps of the processing. Sims's recent account of her observations of southern jails provides clear support for this proposition (Sims, 1976). Moreover, she reports frequent incidents of gross sexual and physical abuse of women offenders and arrestees in most of the states she visited.

Iglehart (1977) analyzed female prison populations from 1890 to 1970 where data were available. From her analysis she concluded:

1. Nonwhite women were substantially overrepresented in prison populations (50 - 55% of the total population). They were committed more often to state facilities, whereas white women were more often placed on probation or in local facilities in their own communities.
2. Most female prisoners fell into the 25-34 age category, but nonwhite women tended to be consistently younger than whites. Selo (1976) noted a similar age pattern in juvenile facilities.
3. Although nonwhite women more often reported their marital status as single, higher proportions had children for whom they were responsible.
4. Although there were variations among nonwhite and white women in commitment offense patterns, theft and victimless crimes predominated for both races. Nonwhite women committed more serious person crimes than did white women, but the former still constituted only a small proportion of the total (5 to 20%). In the federal prisons 52% of the females were nonwhite, and more than 75% were committed because of substance abuse or property crimes. Even among women charged with homicide, Boudouris (1971) observed that a majority reported that physical abuse and battering by their male spouse or friend was a precipitating factor in their subsequent act of homicide.
5. Until recently the criminal justice literature has given little attention to females as victims of crimes. With the availability of information from the national victimization surveys (U.S. NCJISS, 1976), it is now clear that females are less involved in crime than are males--both as offenders and as victims. The one expected exception occurs in the case of rape where the women are the victims almost exclusively. Observation of the victimization data also reveals that nonwhite females are far more often the victims of crime than are white females--with one exception, that of theft, excluding personal larceny. Reports of victim assistance programs indicate that these are meager programs at best, and usually they have as their primary aim the obtaining of witnesses and corroborating evidence for prosecutors. The nonwhite female is thus further handicapped by the operation of the criminal justice system as a victim as well as an offender.

In contrast to the situation for males, relatively little data is available about racial factors in other stages of the criminal justice processing system; so it is difficult to know where and how racial biases operate to produce the disproportionate numbers of nonwhite women in institutions. Data for Detroit 1930-1970 suggest that police processing may be far less stringent today than it was a quarter of a century ago. The arrest rate declined in this period, dropping from 29 to 12 per thousand nonwhite women, while for whites it remained constant at 2 per thousand. This shift occurred during the period when Detroit was undergoing a massive nonwhite-white popula-

tion change in the inner-Metropolitan area. Nevertheless, in 1970, 79% of all females arrested in Detroit were nonwhite when the total percentage of nonwhites in the city was 40%.

#### CONCLUSION

This chapter indicates that many of the arguments about women and crime remain unresolved. Researchers in this area unanimously agree that additional study is necessary before further conclusions can be drawn about the nature of female criminality and about the patterns of women's participation in crime. Review of the female offender literature demonstrates conclusively that the justice system arrests, processes, and sentences females differently than it does males. Discrimination and sexism is a serious and pervasive problem in statutes, law enforcement, courts and correctional agencies. These findings suggest that more attention must be directed toward identifying and correcting problems that exist with the processing of female offenders. Similarly, effort needs to be made to plan for and deal effectively with the increased numbers of imprisoned female offenders. This report will provide some of the information necessary to clarify many of the controversies described here. In the chapters that follow, information will be provided about female offenders in a single state, Michigan, during a critical decade, 1968-1978. Findings from this research will provide support for some of the propositions suggested here, and they will also suggest areas for further research.

#### MICHIGAN PRISONS FOR WOMEN: A BRIEF HISTORICAL VIEW

ROSEMARY C. SARRI

Prisons for females and attempts at reform of female offenders are not new, despite contemporary assertions to the contrary. As long ago as the sixth century the Byzantine empress, Theodora, initiated a plan for the reform of 500 prostitutes through confining them in a convent for "restoration." Several centuries later in the fourteenth century, the Magdalen Home, a halfway house for female prostitutes, was established in Vienna. This program spread throughout Europe and was brought to the United States in 1839 when the first Magdalen Home was opened in New York (O'Faolain and Martines, 1973). Perhaps the most influential of the nineteenth century reformers was Elizabeth Gurney Fry, an English Quaker, who in 1813 volunteered as a teacher in the women's section of the Newgate Prison in London (Lewis, 1965). She quickly determined that drastic action was required to improve social conditions for poor women and their children, both of whom ended up in prison largely because of their poverty and lack of education. She proposed many programs that became the basis for women's corrections throughout the Western world. She argued that separate programs for males and females were essential and that staff likewise should be female in women's programs--from the superintendent to the guard. In 1845 the Women's Prison Association opened Hopper Home in New York and implemented many of Fry's theories of education, work, discipline, employment placement, religion, and orderly life. The thrust of all of the early programs was to aid and assist women who were believed to be redeemable with education and supervision. Interestingly, although few women were employed in corrections at that time, most of the great reformers were middle class women who dedicated their lives to improving the status and conditions of poor women and their children.

The movement for special programs for female offenders spread westward from New York and Massachusetts to Michigan, and in 1861 the Detroit House of Corrections was opened with a female wing that was designated as the first reformatory program for women in the United States (Helfman, 1951). Prior to that and as early as 1841, only two years after the state prison opened in Jackson, Governor William Woodbridge addressed the state legislature on the conditions of confinement for female convicts in the Jackson prison. He unsuccessfully urged alternative arrangements for their incarceration. At that time about six to fifteen women were held in one to two open congregate cells at the Jackson prison with only male staff to supervise them. In addition, women were held in equally bad conditions in local jails.

During the twenty-year interval between 1841 and 1861, various individuals and groups attempted to secure alternative prison facilities for female offenders. A young businessman and member of the Detroit Common Council, John J. Bagley, convinced the Council in 1856 of the desirability of a special facility. The Detroit Free Press published a series of articles about the Wayne County Jail as a "den of infamy", "a charnelhouse of corruption", and a "worse than pest house" (Detroit Free Press, August 7, 1859). With that publication Bagley was able to secure sufficient support for the building of a new workhouse that would be a model correctional program. The noted correctional superintendent, Zebulon Brockway of Monroe, New York, was secured and charged with developing a reformatory program for women as well as a more effective program for male offenders (Smith, 1964).

The Detroit House of Corrections became a model site for Brockway's reforms, designs, and policies. It also became a model for many other states, particularly with respect to its prison industries and innovative approaches to living conditions, discipline, work, and education. Brockway was critical of the Auburn and Pennsylvania correctional approaches and instead advocated the establishment of profit-making industries along with a sound educational program, discipline, and orderly life. He was strongly influenced by the work and programs of Elizabeth Fry. He recognized the negative effects of institutionalization and deliberately attempted to remove the stigma of "having done time" when persons were placed for employment from his programs. He established an elaborate classification system and a basis for earning rewards that was similar to the current token economies utilized in many correctional facilities today. Basic to his program was the assumption that environmental conditions were the primary cause of crime.

All of Brockway's annual reports on the Detroit House of Corrections are available for the years from 1861 to 1873 when he was superintendent (Detroit Municipal Reference Library). They provide a very detailed and vivid picture of his administration and of the programs that he initiated, along with some results of those programs. Because he believed that environmental conditions led the person to crime, he asserted that the person had to be retrained to normative behavior. He was particularly optimistic about the probabilities of success with female offenders. Brockway instituted many innovative approaches for his time, although later many of these were discarded when society came to place more emphasis on punishment and custody. He believed that women's programs should be staffed exclusively by women -- something that does not exist in 1980, more than a century later. He also thought that female offenders should be encouraged and supported in maintaining close ties with their families. Women also were to have their personal belongings with them in prison and to wear their own clothes if they so desired. Many of these policies contrasted sharply with usual practice in most correctional facilities of that time. Although great emphasis was placed on hard work and discipline, it was designed within a normative orientation that emphasized increasing the likelihood of successful reintegration following completion of one's sentence. Brockway even implemented a plan for indeterminate sentencing as a motivational mechanism, but the courts subsequently rejected it.

When one reviews the characteristics of offenders in Brockway's annual reports, some of the reasons for his emphasis on work and education become clearer. For example, his December, 1862 report states that 199 out of 554

offenders admitted during that year were females with the vast majority from Detroit, but some from outstate courts and the United States courts which contracted for service. Only half of the females were literate and few had been gainfully employed in a legitimate occupation. The major offenses for which women were committed were larceny, prostitution, and drunkenness. Sixty percent were foreign born with 40% from Ireland, and many from Germany, Scotland, and England. Less than 10% were Michigan-born. Most of the women had had children, but only about half were married. Half of the women were less than thirty years of age, and 85% were white. The number of females who were processed by the criminal justice system was relatively far higher than today, varying between 20% and 25% of the total population. This pattern continued well into the twentieth century as Iglehart noted (1977).

Emma Hall was employed by Brockway as one of the teachers in the Women's Division, and she went on to direct another innovative program in 1869, the House of Shelter (Bordin, 1978). The latter was the first half-way house planned as an adjunct to an institutional program. They continued to experiment with a variety of new approaches to programming for female offenders. Hall was the first female superintendent of a state institution in Michigan and only the third in the United States.

The programs instituted by Brockway succeeded both in terms of monetary receipts from the prison industries (chair, button, and brush factories) and also in terms of subsequent successful reintegration of offenders in the community. He tried his new educational and work programs with female offenders first, speaking about them as "laboratories for reform." Those programs which succeeded were often implemented for male offenders. Nonetheless, support for the program and for reform declined after 1871 such that Brockway resigned in 1873. Thereafter, more custodial programs received emphasis by the army and police officers who were appointed to direct them. It is probable that female correctional programs in Michigan have not returned to the level of development achieved by Brockway and Hall when one examines them with reference to the total society today.

The fifty years from 1873 to 1921 appear to have been rather uneventful, although toward the end, pressure built in Detroit for a new prison facility, because of overcrowding and its downtown location. A block of land was purchased near Plymouth for the new Detroit House of Corrections. The Women's Prison opened first in 1928 followed by the Men's Division in 1931 (Smith, 1964). The Women's Division contained eight English-type cottages with thirty-four private rooms in each. Women were permitted to have their own personal belongings. There was an honor cottage governed by an inmate committee instead of a matron so that residents could learn to function without immediate supervision. Women with three types of sentences were held at DeHoCo, as the facility was called. Misdemeanants were sentenced by Detroit and remained from a few days to a year. Women convicted of felonies were assigned by the state department of corrections with a minimum sentence of a few months to a maximum of life. Federal prisoners occasionally served their time at DeHoCo rather than at the Federal prison in Alderson, West Virginia. For the state and federal prisoners, services were contracted by those jurisdictions from Detroit which operated the facility. Males held in the Men's Division were also city wards sentenced there by the Detroit Recorder's Court for misdemeanors and for relatively short periods of time.

### The 1950s

In 1957 The Detroit Common Council initiated a survey of the Detroit House of Corrections following considerable negative publicity and the resignation of the superintendent (Detroit Common Council, 1957). On May 10 of that year, 155 female prisoners staged an 11 1/2-hour strike in the laundry. A self-appointed offender committee complained about overcrowding, overwork, lack of medical care, and poor living conditions. The Women's Unit was operated as a semi-autonomous appendage of the much larger Men's Division.

The Survey Committee was composed of correctional leaders from Pennsylvania, Illinois, Minnesota, and New Hampshire. It was particularly critical of the lack of leadership by city and state officials. The Committee recommended that the state of Michigan immediately assume full responsibility for the program for female offenders. They further criticized the state for expecting the city of Detroit to provide for capital development. They also recommended that the correctional program for women be operated entirely independent from that for adult males. In addition to organizational arrangements, the Committee made numerous recommendations pertaining to overcrowded living conditions, education, staffing, and staff training and discipline.

The recommendations of the Survey Committee pertaining to specific living and work conditions were implemented to a limited degree. A second review committee appointed by Mayor Cavanaugh in 1962 made further recommendations, particularly with respect to the state's assumption of responsibility for the program for females and for the development of a more thorough treatment and education program.

### The 1970s

A review of the programs and services at DeHoCo in the early 1970s indicates that apparently only minimal progress was made in program development to implement the recommendations of the review committees in 1957 and 1962. Relatively little information about the programs for females was contained in the annual reports of the department, except that there was repeated reference to the deterioration of the physical plant. To illustrate some of the constant features as well as some of the changes, an examination was made of the annual reports of 1972 and 1978 (Michigan Department of Corrections). In 1972 the city of Detroit operated the Detroit House of Corrections with an average daily population of 1,012, of whom 273 (27%) were females. Males were largely misdemeanants sentenced there for short periods of time. Only 1% of the males had sentences of one year or longer. In contrast, 89% of the females had sentences exceeding one year because they were primarily convicted of felonies and were state wards. Although the 1972 report also revealed more detailed information about the treatment program for males than for females, the actual program opportunities for females appear to have been more numerous in 1972 relative to the size of the female population than they were in 1978 when the new prison opened. Of the 273 females, 95 received academic training in the Caroline Parker Secondary School at the facility. More than 40 women were enrolled in academic classes at Schoolcraft College, and an

additional 30 participated in a special training program for the care of physically and mentally handicapped persons. Individualized programs were provided for an additional but undetermined number of persons. Most of the vocational training and work experience programming was in occupations considered traditional for women. As shall be noted subsequently, the new facility for women that was opened in 1977 was supposed to provide vastly improved opportunities for educational, vocational, and treatment programming. However, as of 1978, these remained largely as goals and were not implemented as operative programs for the majority of offenders. None of the recent reports provided any comprehensive program information about the institutional or community-based facilities for female offenders.

The major event of the 1970s was the building and opening of the Huron Valley Women's facility near Ypsilanti. This was the first state prison for women in Michigan because for more than 100 years the state had contracted with the city of Detroit for services at the Detroit House of Corrections. In the 1920s there had been some planning of a state facility for women near Lansing, but it was never completed. Gradually over the years substantial pressure built for the state to assume primary responsibility, and following the reviews of 1957 and 1962 this effort gained momentum. In 1975 the state assumed responsibility for administration of the Women's Division of DeHoCo, and that continued until August 5, 1977, when the new Huron Valley Facility was opened. It had a maximum capacity of 390 although it was originally designed for 210 women. Very quickly the facility became overcrowded as shall be noted in Chapter Three. Although the crime rate of women in Michigan did not increase markedly in the 1970s, the prison population more than tripled -- a growth rate far in excess of that experienced for males, although the latter also grew very rapidly. As Nagel (1977 and 1979) has noted in his national surveys, the building of new facilities often is perceived by judges as an opportunity to sentence persons to prison who otherwise might be placed on probation.

Correctional programs for women in Michigan were also impacted in the seventies by events outside the state. Chief among these were the program initiatives from the U.S. Department of Justice and its action arm, the Law Enforcement Assistance Administration, the impact of new goals and standards from the two Presidential Commissions, and the actions of courts to require corrections departments to protect the constitutional rights of offenders in numerous ways. The prisoners' rights movement also grew rapidly as did legal services for offenders in prison.

On May 19, 1977 a civil rights suit was filed on behalf of female offenders incarcerated by the State of Michigan against the Department of Corrections charging the latter with violating the constitutional rights of incarcerated female offenders by offering educational and vocational rehabilitation opportunities substantially inferior to those offered to male prisoners. The Federal Judge who decided the case, John Feikens, concurred that the opportunities were clearly inferior in quality and variety. The Court further noted that the critical issue in the Glover v. Johnson case was gender -- that women as a group were treated differently than men as a group and that these differences in treatment were directly related to gender. Such action was therefore deemed to be unconstitutional. Judge Feikens found that the treatment violated the Equal Protection mandate

of the Fourteenth Amendment and ordered the Department to remedy the imbalance in a variety of ways. He also ordered the State to provide greater assistance to ensure free exercise of women offenders' rights of access to the courts, and finally ordered that women had to be removed from the Kalamazoo County Jail where they were placed because of overcrowding at Huron Valley. The Federal Court continues to retain jurisdiction at this writing in 1980, to ensure compliance with its orders.

### Conclusion

This study spans an important decade in the history of correctional programming for women in Michigan, because in 1968 women were held at DeHoCo operated by the city of Detroit; whereas, in 1978 the state prison for women was open and operating at Huron Valley. However, the latter facility was more overcrowded than at any previous time in the past century. This occurred during a period of declining crime rates of women and a stable population situation in the state. The Federal Court assumed jurisdiction regarding the inadequacy of the educational and vocational rehabilitation program. It ordered the development of a comprehensive rehabilitation plan for female prisoners. Thus, in many ways, the state had come full circle from the activities of Zebulon Brockway in the 1860s when the women's reformatory program was implemented in Detroit. A statement by the Program Bureau of the Michigan Department of Corrections in September, 1969, provides an apt conclusion for this brief historical review for it restates the ongoing dilemma and highlights the lack of awareness of female offenders:

In reviewing early history, one finds emphasis on educational and rehabilitation programs as early as 100 years ago... a change from punitive custodial emphasis. Despite the change of emphasis, however, no one working in corrections today can make very strong claims that the new goals are being widely achieved. We know that if corrections is to be a success, men must leave the correctional system better than they came into it. But, in many cases this does not happen. Just a century ago, social conditions in many areas produced many who were at odds with society. Often these people end up in our prisons. While we recognize better than before that social causes produce crime and criminals, we still must send people back to the same social setting which produced them in the first place. We do so with more hope than confidence. This may be the clue to what the historian of a century hence will have to criticize about our own day -- that we put effort into improving prisons which might have gone into producing a society which would need no prisons.

## STUDY DESIGN AND METHODOLOGY

*ALFREDA IGLEHART and ROSEMARY SARRI*

This research examined the commitment patterns of female offenders to the Michigan Department of Corrections over a ten-year period of time, 1968 to 1978. Information for the research was provided by several agencies in three different data sets that included:

1. Michigan Department of Corrections data tape on all offenders committed to the Department, 1967-1978, with detailed pre-program characteristics as well as intra-program characteristics of this population.
2. State Crime Statistics, as prepared by the Michigan State Police, 1968-1978, for individuals processed by that agency during that period of time.
3. Socio-demographic information about Michigan cities and counties from the 1977 U.S. City-County Data Book and population projections of the University of Michigan Population Studies Center.

The data selected for this analysis included the period of time during which there was a rapid escalation of female offenders in adult prisons and other residential programs, but it also reflected the period of time in which the rate of incarceration was at its lowest point in the past quarter century. The information sets contain extensive data about the socio-demographic characteristics of the population. Although the interest was in comparative male/female analysis, the size of the data file relative to the resources available prohibited an analysis of the male population. Therefore, the tapes were prepared to include only the sample of committed females, in this case approximately 2,800, and a variety of reports already available from the Michigan Department of Corrections about the characteristics of males were utilized so that some comparisons could be made of both populations. It should be borne in mind that this population represents only a small proportion of all the females processed in Michigan by the criminal justice system. Many more females have their charge dismissed, are fined, incarcerated in local jails or placed on probation. It is probable that our data represent approximately 15% of all females arrested in Michigan in this time period.

Another limitation on the data set for those committed since 1976, the period of greatest growth, is the fact that a number of offenders had not been discharged from the system; therefore, the data in some instances are truncated. This situation is particularly important in Chapter 7 where sentencing patterns are analyzed.

Because a considerable amount of time was required to obtain the special file on arrests from the Michigan State Police for the period 1968-1978, those data are not presented in this report; but they did provide the researchers with general information that was useful, particularly in interpreting county commitment patterns. A subsequent report will contain analysis of the three data sets (Iglehart, forthcoming).

The research staff is well aware of some of the limitations of testing the hypothesis of interest in this research with secondary data, but it was decided that it was essential to analyze information available on a longitudinal basis so that some of the critical factors in variable incarceration rates might be identified and tested partially. Following that, it would be possible to design a more specific and rigorous study for testing of several of the propositions. The data set turned out to be extremely rich and provided ample opportunity for completing many of the research goals that were set forth. It was possible to analyze characteristics of offenders, as well as commitment patterns and several critical organizational attributes, with these data.

#### METHODOLOGY

After the computer tape was obtained from the Michigan Department of Corrections, this information was carefully examined, as was the code book which accompanied the tape and provided the basis for interpretation of the data. In the early stages a number of problems emerged as the research staff attempted to use both the tape and the code book. Because of the magnitude of these information system problems, both tape and code book were not usable in the existing form as a research file. Therefore, the analysis presented in this report could only be completed after there had been substantial revision to both the tape and to the code book. Each of the problem areas will be reviewed briefly in order to identify how the research staff resolved the problems so the analysis could proceed. This is done because experience has shown that when social researchers attempt to utilize agency information systems for research purposes, they must expect that a number of problems will emerge. Data frequently have to be cleaned, recoded and reorganized for this type of systematic analysis.

A major focus for this research was the exploration of changes in the socio-demographic background and organizational characteristics of committed females in order to explain some of the factors associated with the rise in female commitment patterns. A major obstacle to this analysis was the large amount of missing data on relevant socio-demographic variables. These are specified according to the year since there was substantial variation over time. Data available from 1968-69 provided little or no missing data. From 1970-75, 5 to 19% of the cases had missing data. The numbers of cases with missing data increased over time. In 1976 it had reached 32% of the cases, and in 1977 and 1978 the percentage of missing data rose to 55% and 59% respectively. Missing data included education, occupation, race, marital status, number of dependents, drug history, alcoholism history, psychiatric treatment experience, school adjustment, work adjustment, family of origin, IQ, reading level, and juvenile delinquency history.

Because it was impossible to proceed, given the volume of missing data, particularly since 1975, the staff contacted the data systems and informa-

tion section of the Department of Corrections. A staff member from that office indicated that much of the socio-demographic data had been keypunched from a statistical data sheet included in the offender's file; however, this sheet is no longer a part of the inmate's record, and in its absence, the keypuncher would have had to read through the file to find the needed information. Because this was time consuming, the data, therefore, were not placed on the computer tape. Significant increases in female commitments during the last five years also suggested that, as time passed, the keypunching of these data was less and less likely. It was not essential to annual departmental reports, apparently, since very little information about females was found in a review of the annual reports of the Department during the decade of the research.

It also appeared that the absence of much of the demographic information was not critical to the Department of Corrections statistical information system. They did not use these data in departmental research, nor were there any reports readily available from the Department that provided comparative male/female information and analysis. The social scientist, however, must have such information in order to do research in incarceration. Only recently have human service organizations recognized the value of valid and reliable information systems for their own decision-making and evaluation. Thus, the difference in perspective between the scientist and the policy-maker or administrator, or even practitioner, is far less today. All want to know the needs and characteristics of their target population, as well as the process and outcome from the services which they provide.

The Department readily granted permission for the research staff to retrieve the needed data from individual files. Inmate records at the Huron Valley Women's Facility were made available to the staff, and coders were employed to code the data from the records. A total of 800 records were coded; thus, greatly reducing the missing data overall. However, throughout this report the reader's attention is directed to missing data which will be noted in each of the chapters.

#### CODE BOOK VARIATIONS

During the years covered by this study, the Department of Corrections made many additions, deletions and other modifications in the code books that were used to build their data tape. As the research staff attempted to use these tapes for analysis over time, several problems emerged in the Department's code books. These included the following:

1. The code book was often not consistent with the data found in the tape. Apparently when changes were made in the code book, a period of transition followed. During this period, some data were keypunched according to the old codes, while other data were keypunched according to the new codes. Inconsistencies of this nature required clarification from the Department's Data Office. In addition, the research staff prepared a special program to cover the coding variations.

2. Alpha and numeric codes were sometimes used for the same fields. For example, the numeral "99" was used to represent a life sentence, and

"MX" was also used in the same field (denoting maximum sentence). All alpha codes were converted to numeric codes for this analysis.

3. There were a number of codes that created difficulties in interpreting the data. For example, "00" was used to code "no dependents" or "no information on inmate's dependents." As a result, those inmates with no dependents could not be distinguished from those with missing data on this variable. This lack of information was particularly problematic in the case of female offenders, for most national surveys indicate that 90% of adult female offenders have borne one or more children. However, the coding protocol for this data set prohibited the researchers from making an accurate comparison between the data set and the national surveys. The research staff's own coding of individual records indicated that the proportion was significantly higher than the 30+% reported by the Department for this decade.

4. Abrupt changes occurred in the frequency distribution for several variables. These changes appear to reflect changes in recoding or the application of different interpretations, rather than changes in inmate characteristics or behavior. For example, with religious preference, well over half of the inmates was reported as Islamic from 1968-70 (68% in 1968; 59% in 1969; and 59% in 1970). Then in 1971 only 1% were reported as being of the Islamic faith, while a significant increase occurred in the "other" category. It is quite probable that persons of the Islamic religion were moved to the "other" category in that year. Such variations were also noted for other variables.

5. A new code book was constructed because of the inconsistencies and variations found between the Department's code books and the data tape. This new code book clarified ambiguities and incorporated the information provided by the Department's Data Office. Before the newly constructed code book was utilized in the research, it was cleared for accuracy with the research staff of the Department.

#### STUDY SAMPLE

A summary of the sample of offenders that were the focus of this study is presented in Table 3.1. A total of 3,162 female offender cases were processed by the Department of Corrections between January 1, 1968, and December 31, 1978. Because this study's focus was more on the organizational processing of female offenders, more attention was directed to "new commitments" and cases incarcerated in prison or community-based programs. Thus, the basic unit of analysis for the research was the cases processed by the Department. A case was defined as an offender who spent all or part of a year as an offender commitment. Thus, among those classified as new commitments were persons who entered at least once, but also might have entered and reentered one or more times during the ten-year interval. Similarly, those who remained in prison for many years were counted as cases each year. However, the latter number is relatively small as Table 3.1 indicates, for as of January 1, 1978, there were 538 in prison or community programs; but of that number, 367 were new commitments during 1977. The ratio of new commitments to the total population each year of the decade ranged from .57 in 1967 to .98 in 1975. Since 1975 there has been a steady decline in the proportion of the population who are new commitments;

TABLE 3.1  
FEMALE OFFENDERS COMMITTED TO MICHIGAN  
DEPARTMENT OF CORRECTIONS 1967-1979

Year	Status			Total by Year	New Commitment as Proportion of Total Pop.
	New Commitments <sup>a</sup>	Prison <sup>b</sup>	Community <sup>b</sup> Programs		
1967	89	156	0	156	.57
1968	120	131	0	131	.92
1969	115	188	0	188	.61
1970	154	218	2	220	.70
1971	155	202	7	209	.74
1972	192	244	12	256	.75
1973	166	172	40	212	.78
1974	176	163	28	191	.92
1975	216	202	18	220	.98
1976	233	248	57	305	.76
1977	289	347	51	398	.73
1978	367	433	105	538	.68
1979	414	472	149	621	.67

<sup>a</sup> The number of commitments refer to the total number processed during the prior year up to 1/1 of the year listed. Thus for 1967 it includes all cases committed during 1966.

<sup>b</sup> Prison and community populations were available as of January 1 of each year; therefore, it was necessary to use a time span that was comparable for both categories.

but given the size of the population buildup in prison, this could be anticipated unless the length of stay was reduced significantly.

Although the unit of analysis for this research was the cases handled each year, there are many other approaches that could have been utilized to organize the data set. This approach was chosen because of the research staff's interest in the change over time and because of the particular interest in the characteristics of the new commitments each year. The nature and quality of the data available also indicated that the approach utilized here would be more appropriate. It would have been extremely difficult and

expensive to complete a longitudinal analysis of each case beginning with the State Police file record. In the next stage of this research, the plan is to draw a sample from the merged data set for a study of case careers and organizational decision-making.

Further study of Table 3.1 indicates that, of the women committed to the Department, most are incarcerated in prison. In fact, the proportion is above 90% because those in community-based programs usually have spent time in prison before being transferred to the community program. The latter programs were initiated for women only in 1970 despite the fact that women traditionally have been less of a threat to public safety than male offenders. Community programs for male offenders were available as early as the 1950s in Michigan. The proportion of incarcerated women offenders in community programs has increased steadily since 1970, but even in 1978 only 19% of the total population were in community programs.

Data available for the study sample included extensive personal and social characteristics such as age, occupation, race, years of education and educational test scores, criminal and other deviant behavior, prior experience in the criminal justice system, mental illness, patterns of substance abuse, birth place, religion, dependents, family stability, work adjustment, and so forth. Information about the counties on urbanization, social composition, employment levels, crime rate and so forth were abstracted from the 1977 City-County Data Tape.

Information for the historical analyses was obtained from the archives of the City of Detroit held in the Burton Room of the Detroit Public Library. The Bentley Library of the University of Michigan was the source of information about Miss Emma Hall, the first female superintendent for women of the Detroit House of Corrections. These two libraries contain rich resources about early developments in correctional programs in Michigan.

This report addresses primarily women processed into and within the Michigan Department of Corrections between 1968 and 1978. However, since the data tape that was received contained information from 1966-1967, as well as on 1979 processing, the more inclusive information was utilized in some of the analysis to provide us with the best longitudinal picture possible.

#### DATA RELIABILITY AND CODING

As was indicated earlier, 800 cases were coded directly by the research staff from case files in order to reduce the amount of critical missing data on the computer tape. This coding was also checked to insure its reliability. Because of the variations and inconsistencies noted in the data file, it was decided to complete systematic check coding of a sample of all the records in the study sample. A sample of 82 files was randomly drawn for a comparison check of the coding done by the Department with that of the research staff. A total of 25 variables was used for comparison, and an agreement of 93% was achieved when the two independent codings of variables were compared. Thus, the staff was satisfied that the data were relatively reliable.

#### DATA ANALYSIS

Preparation of the data for analysis required a substantial amount of time and energy. Because of code book and tape discrepancies, substantial time was required to prepare a final research file that was adequate for analysis. However, the richness of the data warranted the investment of resources since it now can be analyzed further beyond that which was completed for this report.

Data presented in this report consist primarily of two-way tables of frequencies and/or mean scores. This approach provided greater opportunity for detailed description and interpretation. It was decided that elaborate statistical analyses were inappropriate. However, some limited statistical procedures were utilized for heuristic purposes primarily. The research staff sought to use those procedures which would enable them to determine whether females in Michigan had become more criminally active as reflected in Departmental processing; whether the courts were handling women more severely in sentencing, especially with respect to the lengths of incarceration; and, whether parole boards retained females longer than previously. The reader must note however, that there are some problems in the latter years of the study because many females committed since 1976 when the population began to grow rapidly are still in prison. Therefore, the data about length of stay is truncated. In addition, it must be emphasized that this is a study only of women who were committed to the Michigan Department of Corrections to be incarcerated. Obviously, many more thousands of women in Michigan were processed and convicted by the courts in the decade of this study. These latter cases were dismissed or convicted and fined, given a suspended sentence, placed on probation or otherwise released. In order to understand fully the behavior and processing of female offenders, one would need information about all stages of processing. Nonetheless, this research can provide important findings of great value to social scientists, practitioners and policy makers.

PERSONAL AND SOCIAL CHARACTERISTICS  
OF FEMALE OFFENDERS

ALFREDA IGLEHART

SUMMARY

1. From 1968 to 1978, the number of females committed to prison in Michigan rose by 260%, far outdistancing the increase in female crime during this period of time.
2. From 1968 to 1978, the percentage of whites committed rose by 120%. The increase was 368% for nonwhites.
3. During the eleven-year study period, more than half of the females committed were of nonwhite or minority status.
4. Less than one-fourth of all incarcerated females were married, and that proportion did not change substantially during the decade.
5. Significantly fewer incarcerated females came from intact families of origin in 1978 as compared to 1968--a decline from 55% to 36%.
6. Incidence of drug history or psychiatric history rose dramatically.
7. During the study period, from one-half to two-thirds of all women committed were below the age of thirty with fluctuation observed but no significant changes.
8. An increasing proportion of women came from poorer families of origin during this period.
9. The education level of more recently committed females has been rising although only three out of ten had completed high school, and test scores do not substantiate any improvement in average educational performance.
10. The occupational level of committed women declined in more recent years.
11. Fluctuations occurred in the percentages of females known to have dependents. During the years under investigation, from one-fourth to one-half of all committed women were known to have dependents. From 1976 to 1978, about one-half of the incarcerated women were reported to have dependents.

12. An increase occurred in the percentage of females with both a psychiatric history and a drug history.
13. A higher percentage of nonwhites came from single-parent, poor families. Over the study years an increasing proportion of nonwhites were responsible for dependents, primarily children.
14. A higher percentage of nonwhites had sustained drug use or drug addiction prior to their incarceration.
15. A higher percentage of whites had contact with a mental health professional or mental health facility prior to their incarceration.
16. The majority of offenders were born and reared in Michigan, but a substantial number were born in southern states and migrated.

GENERAL CHARACTERISTICS

The number of females committed to prison in Michigan rose dramatically from 1968 to 1978 as Table 4.1 indicates. This decade was the period of the most rapid growth in the incarceration of women in Michigan since the establishment of the House of Corrections in 1867. In 1968, 115 women were sentenced to prison. The following year this number increased by 34% and continued increasing. By 1978, the number committed represented a 260% increase over the 1968 commitments.

TABLE 4.1

PERCENT INCREASE IN FEMALE COMMITMENTS BY YEAR

Year	Percent Increase in Female Inmates Using 1968 (115 commitments) as Base (100%)
1969	+ 34%
1970	+ 34
1971	+ 67
1972	+ 44
1973	+ 53
1974	+ 83
1975	+102
1976	+151
1977	+209
1978	+260

These data raise a number of questions about the women they represent. Are the females who were committed more recently similar to those who were committed four, six, eight, or even ten years ago? Can trends be identified from 1968 to 1978 that will, in some way, help account for the drastic increase in female commitments. Who are those individuals with the most likelihood of receiving a prison sentence? Are specific personal and social characteristics present among them? The following discussion will address these and related issues.

Table 4.2 presents a compilation of specific characteristics of female inmates for selected years covering an eleven-year period.<sup>1</sup> In 1968, 57% of the commitments were nonwhite. Over the next ten years, the percentage of nonwhite commitments increased, and in 1978, about three-fourths of the females committed to prison were of minority status. The proportion of minority persons in the state of Michigan was 12% in 1970; thus, the corrections population vastly overrepresents minority persons.

No significant changes are observed in the marital status of women committed during the study period. Less than one-fourth of the women were married at the time of their incarceration. The remaining women were divorced, widowed, separated or never married. Hence, prison commitment appears to be associated with women who are experiencing some type of "singlehood." This could suggest that marriage provides some type of protection or buffer from criminal activity. One obvious explanation lies in the difference in economic position of married and unmarried women. Singlehood, combined with other specific characteristics, may increase a woman's potential to engage in the types of criminal behavior that lead to incarceration.

Characteristics of the family of origin for the imprisoned females have undergone changes. Those with positive, healthy influence from their mother have increased somewhat, while the percentage of those with the same type of influence from fathers has fluctuated. More of the offenders reported having had more positive influence from mothers than from fathers. This difference could be related to the decreasing number of offenders from intact homes while they were growing up. In 1968, about half of the women committed reported having had intact homes. By 1978, that number had declined to 36%. This suggests that many of the offenders were reared in single-parent households, and the father was likely to be the absent parent.

School conformity decreased among the incarcerated females. More women fared poorly in the school system because of rebellious behavior, truancy, or dropping out. Adjustment to employment was particularly problematic for few of the women conformed to the demands of the work world. Lack of adjustment to work was pronounced throughout the years of the study.

An increasing number of women had a psychiatric, alcohol, or drug history. Alcohol addiction was highest in 1978 when 11% of the women incarcerated were addicted. This was a sizeable increase when compared to the

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1. For several of the variables information was missing; but there was no pattern by year or by variable; so one cannot draw any conclusions in that regard. For the total N available each year the reader is referred to Table 3.1.

TABLE 4.2

## SOME SPECIFIC CHARACTERISTICS OF MICHIGAN FEMALE PRISONERS

	Commitment Year					
	1968	1970	1972	1974	1976	1978
	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)
<u>Percent Having</u>						
Minority Status	57 (225)	65 (253)	69 (266)	69 (276)	74 (289)	73 (414)
Married Status	19 (225)	16 (242)	21 (235)	18 (277)	16 (265)	15 (372)
Healthy Mother Influence	45 (202)	60 (230)	69 (235)	67 (277)	67 (252)	53 (269)
Healthy Father Influence	38 (202)	37 (229)	49 (235)	44 (277)	40 (253)	31 (282)
Home Intact	55 (225)	46 (242)	47 (235)	47 (276)	39 (259)	36 (326)
School Conformity	56 ( 9)	76 (225)	75 (232)	63 (272)	41 (263)	26 (333)
Dependable, Adequate Work Ad- justment	10 (200)	31 (228)	24 (235)	20 (276)	26 (264)	12 (336)
Psychiatric History	9 (225)	21 (242)	20 (235)	31 (276)	40 (264)	34 (364)
Alcohol Addiction	2 (225)	1 (242)	1 (235)	1 (275)	4 (252)	11 (255)
Drug Addiction	13 (225)	25 (240)	42 (235)	43 (275)	49 (256)	43 (325)

earlier years. Drug addiction increased significantly from 13% in 1968 to 49% in 1976, but a slight drop to 43% is observed in 1978. The percentage of those females with some psychiatric history also rose significantly from 9% in 1968 to 34% in 1978.

#### Age

Table 4.3 contains the age distribution of females committed from 1968 to 1978. Generally, over half of all women sentenced to prison were below the age of 30 with the modal age being twenty-one to twenty-four years. From 1968 to 1970, the percentage of those twenty-one to twenty-four years was two to twelve points higher than the percentage of age twenty-five to twenty-nine. During 1971 and 1972, the gap widened significantly; and in the following years it began to decline again until, by 1978, those in the twenty-five to twenty-nine age group outnumbered the younger women. In 1973, the percentage below the age of twenty peaked at thirteen and has dropped since that time. The proportion of older women (age forty to forty-nine years) sentenced to prison has also experienced decline. Fluctuations in the thirty to thirty-nine-year-old group have occurred. From 1968 to 1973, the percentage in that group fell but has risen since then.

TABLE 4.3

COMMITMENT BY YEAR AND AGE OF OFFENDER  
(IN PERCENTAGES)

Year of Commitment	N	Age at Commitment					
		under 20	21-24	25-29	30-39	40-49	over 50
1968	(115)	9%	28%	17%	28%	17%	1%
1969	(154)	6	30	28	19	10	7
1970	(152)	10	36	24	18	9	3
1971	(192)	11	40	22	16	7	4
1972	(165)	5	44	22	16	9	4
1973	(176)	13	40	27	12	7	1
1974	(216)	6	36	32	17	7	2
1975	(233)	7	40	32	16	4	1
1976	(287)	7	37	30	20	4	2
1977	(366)	7	34	34	20	3	2
1978	(413)	5	27	39	20	5	4
Total	(2852)	7	34	29	20	8	2

#### Status of Family of Origin

Table 4.4 contains information about the social status of offenders' families: The "working poor" category refers to those families with income enough to cover the necessities of life. "Marginal poor" families may have semi-skilled or unskilled jobs or receive public assistance, but their income is inadequate to meet their basic needs.

Not surprisingly the majority of offenders came from working poor families. From 1976 to 1978, a gradual increase was observed in the percentage of females from marginal poor families. In 1978, about equal numbers of individuals came from the lowest status group as from the working poor group. Another point worthy of noting is that, in 1976, about a quarter of the females committed were from stable middle class backgrounds. Although the year before had an increase in this group, 1976 represented the peak and may have been associated with commitments related to political activity as Table 5.1 suggests. Overall, Table 4.4 indicates a shift downward in the family background status of more recently committed women. More females are coming from poorer families. It should be noted that there was substantial missing data in several years.

TABLE 4.4

FAMILY BACKGROUND STATUS BY YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Family Background Status			
		Professional	Stable Middle Class	Working Poor	Marginal Poor
1968	<sup>a</sup>	-%	-%	-%	-%
1969	<sup>a</sup>	-	-	-	-
1970	(125)	-	5	75	20
1971	(178)	-	3	84	13
1972	(132)	-	3	83	14
1973	(137)	1	7	78	14
1974	(169)	1	5	79	15
1975	(183)	1	15	73	11
1976	(255)	6	23	51	20
1977	(260)	2	13	56	29
1978	(298)	2	11	44	43

<sup>a</sup>Number of cases with family status information recorded is too small to permit analysis.

### Education

The educational achievement level of incarcerated offenders--female as well as male-- has been repeatedly shown to be below the national averages for the population. However, this attribute is most often associated with educational disadvantagedness rather than lack of intellectual ability. Glick and Neto in their recent study of female offenders observed that

Factors such as social class, race, and culture are strongly associated with educational performance in offender and non-offender populations, and as has been noted, the correctional population is characterized as lower class, minority, and not oriented culturally to educational goals. It is not known whether there are stable or changing attributes.

The educational attainment of incarcerated females prior to their incarceration is presented in Table 4.5. A major shift occurred during the years under study. Initially, the majority of females had five to seven years of education. As this percentage decreased, more females reported higher levels of education. From 1977 on the highest proportion of females had eight to eleven years of school, and about one-third had finished high school. Thus, the education level of more recently committed women is higher, although these data do not inform the reader on the level of performance, merely the number of years completed.

TABLE 4.5  
YEARS OF EDUCATION BY COMMITMENT YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Years of Education			
		1-4	5-7	8-11	12-17
1968	(115)	14%	85%	1%	-%
1969	(154)	12	84	4	-
1970	(142)	16	80	4	-
1971	(180)	3	88	9	-
1972	(135)	3	90	7	-
1973	(140)	4	86	10	-
1974	(176)	4	86	9	1
1975	(184)	3	82	14	1
1976	(264)	1	53	37	9
1977	(315)	1	15	54	30
1978	(372)	3	13	54	30

Reading Level, Grade Rating and IQ. Although the data on education reflect a significant increase in the total years of education of incarcerated females, this information is not necessarily reflective of changes in the level of ability of these women. For this reason it is necessary to include various test results in order to obtain a total profile of the females.

Table 4.6 contains data on the reading level of the institutionalized women.<sup>2</sup> Reading level was determined by tests administered to the women at the time of their commitment. Although fluctuations are apparent in the table, no significant increases in the population's reading level are observable.

TABLE 4.6  
READING LEVEL BY YEAR

Year of Commitment	N	Reading Level (in Grades)			
		1-4	5-7	8-11	12-17
1968	(9)	11%	33%	44%	11%
1969	(10)	20	50	10	20
1970	(126)	20	37	33	10
1971	(179)	19	41	31	9
1972	(130)	15	39	37	9
1973	(137)	14	41	38	7
1974	(169)	13	47	35	5
1975	(170)	14	36	38	12
1976	(243)	13	37	40	10
1977	(281)	18	33	39	10
1978	(309)	19	32	40	9

During the study years, from one-tenth to one-fifth of the women read below fifth grade level. A modest shift occurred between the 5-7 and the 8-11 categories. Slightly more women now fall in the 8-11 reading level. Although a significant number of women had completed high school by 1976, the reading level of the group did not indicate a comparable increase in educational performance.

Table 4.7 presents the average grade ratings for the incarcerated women. These ratings were also determined by tests administered at the time of commitment. About a quarter of the women fell below fifth grade on these tests over the study years. From 1968 to 1978, more women fell in the 5-7 grade rating than in the other levels. Again, the grade ratings do not reflect the increase found in the education table.

2. See Chapter 6, pg.79 for further discussion on the educational performance of these females.

TABLE 4.7  
AVERAGE GRADE RATING BY YEAR

Year of Commitment	N	Reading Level (in Grades)			
		1-4	5-7	8-11	12-17
1968	(99)	19%	54%	26%	1%
1969	(145)	25	43	29	3
1970	(130)	25	47	26	2
1971	(180)	23	48	28	1
1972	(134)	22	45	32	1
1973	(140)	26	46	27	1
1974	(175)	19	51	29	1
1975	(170)	18	42	35	5
1976	(234)	17	45	33	5
1977	(252)	22	40	34	4
1978	(262)	26	35	35	4

Table 4.8 has the IQ scores for the female prisoners. Over the study years about half of the women had IQ scores below normal (0-89). These scores were also determined by the tests given at the time of commitment. Intelligence test scores appear to be very gradually increasing for this population. The results for 1976 seem to be somewhat unusual when compared with the other years. The women committed in 1976 show a significantly higher IQ level. This could in fact be accurate because, as we have noted and will observe subsequently, a slightly different population of females was admitted during 1976. On the other hand, the results could be attributable to coding error. At this point, it is not possible to tell which explanation is correct. The slight increase in IQ scores is not sufficiently great to offset the unusually high percentage of women with below normal scores.

The three tables reported here strongly indicate that the functioning capabilities of the incarcerated females are severely limited. Educational levels may be higher due to school policies such as "social promotion" or other similar acts. The tests administered at the time of commitment may be a more accurate measure of the women's abilities. These tests reveal a population of extremely disadvantaged women as far as education is concerned.

TABLE 4.8  
IQ BY COMMITMENT YEAR

Year of Commitment	N	IQ Score	
		Below Normal (0-89)	Normal and Above
1968	(115)	64%	36%
1969	(154)	61	39
1970	(141)	60	40
1971	(177)	52	48
1972	(132)	56	44
1973	(134)	57	43
1974	(159)	57	43
1975	(142)	57	43
1976	(209)	29	71
1977	(115)	55	45
1978	(338)	42	58

#### Occupation

Although the educational level rose among females, the occupational level declined slightly. Table 4.9 contains these data. From 1968 to 1973 the modal occupation for committed females was service-related: In 1974, the highest percentage of women (27%) was found in the "no-occupation" category, and this proportion steadily increased to 52% in 1978. The unskilled job category has the second highest number of women between 1975 and 1978. These shifts suggest quite obviously that women offenders were doing less well in the labor market.

Increases in the proportion of female offenders in the "unskilled" and "no occupation" categories began a steady rise in 1974 and showed no sign of levelling off by 1978 when the data collection ended. It is noteworthy that a major recession occurred in Michigan in 1973-75 with substantial unemployment of persons in blue collar and low skill occupations, particularly in those counties that processed large numbers of female offenders. Because of lack of information, this research is unable to establish a relationship between the rate of unemployment induced by that recession and increase in the numbers of women in prison who report "no occupation" at the time of their conviction. Nonetheless, as has been noted by many labor economists, a sizeable proportion of that blue collar and unskilled population was permanently displaced from their pre-1974 employment. The steep decline in the proportion in the service occupations might also be expected in a depressed economy.

TABLE 4.9  
OCCUPATION BY YEAR

Year of Commitment	N	Professional or Skilled	Clerical	Service	Unskilled	None
1968	(101)	5%	13%	48%	17%	17%
1969	(146)	7	19	53	3	18
1970	(130)	2	19	54	7	18
1971	(177)	3	29	48	6	14
1972	(134)	4	24	41	16	16
1973	(136)	4	28	35	14	18
1974	(175)	6	21	23	23	27
1975	(183)	4	19	13	29	35
1976	(257)	15	12	20	26	27
1977	(299)	12	13	8	22	44
1978	(354)	9	9	11	19	52

Females, especially nonwhite females, were the group most handicapped by that recession experience. Thus, the increase in the prison population of females from unskilled or no occupation appears to be more than coincidental. Data from the Manhattan project clearly indicated that unemployed persons are at greater risk for incarceration, all other factors being equal (Botein, 1965).

Most of these displaced females were single and/or heads of households with dependent children and few resources to meet the responsibilities thrust upon them. The movement toward criminal behavior—particularly larceny, fraud, and substance abuse—would be predictable given what other researchers have noted about the relationship between employment and crime.

Females who had been in professional or semi-professional occupations prior to conviction were a very small proportion of the total incarcerated population. The population fluctuated from 5% in the early seventies to 15% in 1976 and then declined to 9% in 1978. As was noted in the case of family background, a number of middle-class persons were involved in law violations, such as "interfering with legal processes" and other political crimes.

These data provide no support for the assertions by some researchers who have written about female crime in recent years (Adler, 1975; Simon, 1975). They assert that because of increasing participation by women in the labor force and because of the women's movement, there should be more occupation-related female crime. This behavior may occur; but if so, these persons apparently are not processed and convicted. There is no support in these

data for asserting that the increase in the prison population by 260% during the decade is related to the women's movement or participation in the labor force. In fact, just the opposite may well be the case. Participation in the labor force declined for this population and they then became involved in criminal behavior.

#### Dependents

Female inmates often differ from their male counterparts in their family responsibilities prior to incarceration. Because of role definitions, females are more likely to have custody and responsibility for their children. Table 4.10 reports the percentage of females known to have dependents at the time of their imprisonment. (Departmental coding protocol stated that children were to be counted as dependents when they were in that status when the mother was convicted because the Department wanted to calculate other costs associated with incarceration.) Although the pattern varies little, the data make it clear that, over the ten years, from one-quarter to one-half of all women committed were responsible for dependents.<sup>3</sup> That proportion increased from about a third to 50% by 1976. Two obvious questions emerge from these data: What happens to these children while their mothers are in prison? Should prison programs take into account the motherhood status of residents? Other research reports on the status of both children and their mothers who are prisoners indicate that the situation is fraught with problems and suffering.

TABLE 4.10  
KNOWN INMATES WITH DEPENDENTS

Year of Commitment	Those Known to Have Dependents	
	%	N
1968	35	(115)
1969	51	(154)
1970	23	(155)
1971	25	(192)
1972	26	(166)
1973	29	(176)
1974	36	(216)
1975	37	(233)
1976	56	(289)
1977	48	(367)
1978	47	(414)

3. Two excellent reports are available about the families of female prisoners. See Zalba (1964) and Hendrix (1972).

## Religion

Information on religious preferences are presented in Table 4.11, and several trends are significant for discussion:

1) The Islamic sect had the largest proportion of members from 1968 to 1970. These years obviously reflected a time when this denomination was peaking in membership. This group, which incorporates Black Muslims, has been held responsible for the "correctional law revolution" beginning in the early sixties. Concern over prison rights can be traced to religious cases brought by Black Muslim prisoners who sought religious recognition and religious activities in prisons (Cripe, 1977:31-35). Although some prisoners were Islamic at the time of their commitment, it is likely that others were converted after their commitment because of the proselytizing that occurred. The dramatic drop in the proportion of offenders who were Islamic probably resulted from a coding change or error since the proportion classified as "other" increased by nearly 40% in one year.

TABLE 4.11  
RELIGIOUS PREFERENCE BY COMMITMENT YEAR  
(IN PERCENTAGES)

Year	N	Religious Preference					No Preference
		Baptist	Catholic	Islamic <sup>a</sup>	Pentecostal	Other	
1968	(115)	13%	2%	63%	20%	2%	-
1969	(154)	6	1	59	27	7	-
1970	(142)	16	3	59	15	6	1%
1971	(180)	27	19	1	3	44	6
1972	(135)	28	19	3	2	45	3
1973	(140)	33	18	4	1	39	5
1974	(177)	32	14	2	2	41	9
1975	(185)	29	15	1	1	45	0
1976	(264)	41	16	1	-	34	9
1977	(311)	41	19	3	-	29	8
1978	(297)	31	30	2	-	28	11

<sup>a</sup>Note: 1968 to 1970 about half of the inmates reported Islamic religious preference. During the following years, the percentage dropped drastically with the "other" category picking up in percentages. Because the above data appear most unusual, changes in coding could have taken place.

2) A decline over the years in preference for the Pentecostal sect was noted.

3) Catholic inmates increased in number substantially during the period of the study.

4) A gradual increase occurred for those inmates who had no religious affiliation at the time of their incarceration.

5) The number of Baptists fluctuated over time as has the number who have "other" religious preferences.

## Substance Abuse and Psychiatric History

It was noted earlier that the proportion of female offenders with a history of psychiatric illness had increased from 9% to 34% during the decade. It was also noted that substance abuse by offenders had increased substantially. It seemed useful to ascertain whether or not there might be an association between these two problems. Table 4.12 presents information about the proportion of female offenders with a history of mental health contact who were also substance abusers.

TABLE 4.12  
PSYCHIATRIC AND DRUG HISTORY BY YEAR

Year	N	Percent of Inmates with Psychiatric History <sup>a</sup> Who Have a Drug History <sup>b</sup>
1968	(10)	20%
1969	(29)	34
1970	(29)	45
1971	(50)	44
1972	(27)	67
1973	(37)	54
1974	(52)	51
1975	(66)	58
1976	(100)	68
1977	(119)	57
1978	(119)	63

<sup>a</sup>Inmates who have had some contact with mental health institutions

<sup>b</sup>Inmates who have sustained drug use, episodic drug use, or drug addiction

Cushman (1974) studied the relationship between narcotic addiction and crime and found that annual rates progressively increased after addiction for the 269 addicts in his study. The sample had 22% females, and prostitution and property crimes contributed to their arrests. This suggests that the maintenance of a drug habit can greatly increase the probability of involvement in criminal activity because of the resources needed to purchase drugs and the inability of drug users to be steadily employed. A competing view, however, holds that drug addiction and criminal activity may both be precipitated by common factors--for example, stress, unemployment, poverty, social disorganization, and the like.

From these data, another issue emerges: To what extent does drug abuse contribute to contact with a mental health agency? Crowley *et al.* (1975) studied this issue and found that one-fifth of a sample drawn from psychiatric admission records had abused narcotics. Guze *et al.* (1969) conducted a follow-up study of a group of convicted male felons and found that one of the principle psychiatric disorders associated with criminality was drug dependency. Here, these researchers approached the problem of drug dependency itself as a psychiatric concern.

Consequently, it becomes important to look at incarceration, drug usage and psychiatric history for the female inmates in this study. The percentage of inmates who had drug problems and a psychiatric history fluctuated over the ten-year period, but a definite increase can be observed. However, it is not possible to establish any type of causality for drug use may increase one's likelihood of being referred to a mental health agency for treatment, and vice versa. An initial psychiatric condition may have predisposed some to drug usage. And, drug use and mental disorders may both be caused by the same factors. Regardless of causal linkages, this relationship between drug use, psychiatric history, and incarceration suggests that the inmate population is becoming composed more and more of individuals with multiple problems. It also is clear that a large percentage of this population urgently needs treatment seldom available in most prisons for females today.

#### RACE AND DEMOGRAPHIC CHARACTERISTICS

There has been a dramatic increase in the proportion of nonwhite female offenders as Table 4.15 documents. From 1968 to 1978, the percentage of whites committed increased by 120%, but for the same period, the increase was 368% for nonwhites. Michigan has had one of the greatest discrepancies in the incarceration rate for white and nonwhite. As of 1979, the overall rate was 853.7 per 100,000 population for whites as compared with 72.2 for nonwhites. The proportion is higher for female offenders as compared with male offenders committed to the Department of Corrections.

Because of the increase in the percentage of nonwhite females being sentenced to prison from 1968 to 1978, racial comparisons are thus necessary. Do minorities differ markedly on the selected personal and social characteristics? If major differences do occur, can these differences help explain the higher incarceration rate for minorities?

TABLE 4.13  
 EDUCATION BY COMMITMENT YEAR AND RACE  
 (IN PERCENTAGES)

Year of Commitment	N		Y e a r s o f E d u c a t i o n							
			1 - 4		5 - 7		8 - 11		12 - 17	
			White	Non- White	White	Non- White	White	Non- White	White	Non- White
1968	(50)	(65)	16%	12%	82%	88%	2%	-	-	-
1969	(56)	(98)	11	12	82	85	7	3%	-	-
1970	(48)	(94)	10	19	83	79	6	2	-	-
1971	(65)	(115)	5	3	89	87	6	10	-	-
1972	(45)	(90)	7	1	86	92	7	7	-	-
1973	(48)	(92)	4	4	79	89	17	7	-	-
1974	(55)	(121)	5	4	84	88	11	7	-	1%
1975	(63)	(121)	3	2	81	83	16	13	-	2
1976	(71)	(193)	1	1	44	56	47	34	8%	9
1977	(83)	(231)	1	1	10	17	57	53	32	29
1978	(102)	(270)	4	3	13	12	46	57	37	28

TABLE 4.14  
OCCUPATION BY YEAR AND RACE  
(IN PERCENTAGES)

Year of Commitment	N		O c c u p a t i o n									
			Professional, Skilled Trade		Clerical		Service		Unskilled		None	
	White	Non- White	White	Non- White	White	Non- White	White	Non- White	White	Non- White	White	Non- White
1968	(42)	(59)	10%	2%	19%	8%	40%	54%	14%	19%	17%	17%
1969	(57)	(95)	4	8	33	12	47	56	4	3	12	21
1970	(44)	(86)	5	1	18	19	52	55	11	5	14	21
1971	(64)	(113)	8	-	28	30	44	51	6	5	14	14
1972	(44)	(90)	2	4	30	21	39	42	20	13	9	19
1973	(48)	(88)	10	1	23	31	42	32	17	12	8	24
1974	(55)	(120)	9	4	13	24	16	27	31	20	31	25
1975	(63)	(120)	13	-	13	22	14	12	35	26	25	40
1976	(70)	(187)	24	12	18	9	13	23	29	24	16	32
1977	(82)	(210)	10	13	15	12	15	6	19	24	41	45
1978	(100)	(254)	8	9	13	7	17	8	21	19	41	57

TABLE 4.15  
 PERCENT INCREASE IN FEMALE COMMITMENTS  
 BY RACE AND YEAR

Year	Percent Increase in Female Inmates Using 1968 as Base (100%), by Race	
	White (50=100%)	Nonwhite (65=100%)
1969	+ 12%	+ 51%
1970	+ 6	+ 54
1971	+ 36	+ 91
1972	+ 4	+ 75
1973	+ 8	+ 88
1974	+ 32	+131
1975	+ 36	+154
1976	+ 50	+229
1977	+ 90	+317
1978	+120	+368

#### Education and Occupation

When one examines the education level of committed women by race, it is clear that whites have always had more education. Between 1968 and 1972, whites and nonwhites generally had from five to seven years of school. Significant differences then began to emerge in 1973 and continued to gain through 1978. Whites shifted to higher levels more quickly than nonwhites. By 1978, both groups had experienced an upgrading in education, but a higher percentage of whites had completed high school as compared with the percentage of nonwhites (Table 4.13).

Information in Table 4.14 reveals occupational differences but does not suggest distinguishable trends. Fluctuations occurred in all the categories, but both races have shifted to the lower occupational categories. Initially, whites and nonwhites alike fell heavily in the service occupations. Overall, nonwhites were more occupationally disadvantaged. In 1978 a substantially higher percentage of nonwhites (57%) had no occupation as compared with the percentage for whites (41%). Nonetheless, both groups fared poorly in the labor market; and unless they received substantial training in prison, it is unlikely that one could expect these offenders to succeed after release. They were even further disadvantaged by the label of being an ex-offender.

### Family Related Factors

Table 4.16 presents information on the marital status of committed women by race. Overall, both groups tend to be unmarried, but during several years (1968 to 1972), a higher percentage of whites were married. After 1972, the number of married whites declined to a level comparable to nonwhites. As of 1978, no differences among racial groups can be found in the percentage of married. The change has, therefore, occurred primarily among the white group. For whites, the percentage of marrieds peaked at 38%, while the peak for nonwhites was 28%.

TABLE 4.16  
MARITAL STATUS AND PARENTS' MARITAL HARMONY  
BY YEAR AND RACE

Year of Commitment	Married				Parental Marriage Harmonious			
	White		Nonwhite		White		Nonwhite	
	%	N	%	N	%	N	%	N
1968	26	(50)	15	(65)	61	(47)	30	(56)
1969	37	(56)	28	(98)	55	(57)	36	(90)
1970	23	(48)	16	(94)	54	(44)	35	(86)
1971	38	(65)	24	(75)	58	(65)	36	(75)
1972	38	(45)	21	(90)	53	(45)	53	(90)
1973	19	(48)	17	(92)	56	(48)	45	(97)
1974	25	(55)	21	(72)	53	(55)	44	(77)
1975	23	(64)	22	(70)	44	(64)	49	(70)
1976	25	(77)	16	(74)	46	(70)	44	(78)
1977	19	(84)	18	(237)	39	(77)	42	(78)
1978	17	(703)	16	(269)	39	(85)	39	(206)

During 1968 to 1974, a significantly higher percentage of whites came from homes in which parents were reported as harmonious. However, during those years, the percentage declined; but it was, nonetheless, ahead of the percentage of nonwhites who reported being from harmonious households. From 1975 to 1978, the percentage for whites fell to a level similar to that of the nonwhites and, by 1978, no differences in parental harmony existed between the two groups--both had 39%.

Additional information on the family background of incarcerated females by race is presented in Table 4.17. A consistently higher percentage of whites came from intact homes as compared with nonwhites. In 1968, 68% of

TABLE 4.17  
INTACT FAMILY HOME AND FAMILY STATUS  
BY YEAR AND RACE

Year of Commitment	Parental Home Intact				Lowest Family Income <sup>a</sup>			
	White		Nonwhite		White		Nonwhite	
	%	N	%	N	%	N	%	N
1968	68	(50)	45	(65)	-	(b)	-	(b)
1969	68	(56)	39	(98)	-	(b)	-	(b)
1970	58	(48)	40	(94)	19	(42)	20	(83)
1971	65	(65)	37	(75)	6	(64)	16	(74)
1972	53	(45)	44	(90)	14	(44)	14	(88)
1973	52	(48)	43	(92)	10	(48)	16	(89)
1974	56	(55)	43	(77)	6	(52)	19	(77)
1975	44	(64)	44	(70)	8	(63)	13	(70)
1976	52	(69)	35	(70)	10	(69)	23	(76)
1977	51	(77)	36	(203)	18	(72)	33	(78)
1978	46	(97)	32	(225)	30	(86)	48	(212)

<sup>a</sup>This category included those with unskilled or semi-skilled jobs whose income was inadequate as well as those who received public assistance.

<sup>b</sup>Ns for which data were collected were too small to note.

the whites had intact family homes; that is, both parents were present in the home while the women were growing up. Only 45% of the nonwhites had intact homes. The percentage declined for both groups; yet, in 1978, whites were still ahead of the nonwhites by fourteen percentage points.

Consistently, a higher percentage of nonwhites came from the poorest families. For both groups, the number of offenders from poor families increased substantially from 19% for whites and 20% for nonwhites in 1970 to 30% and 48%, respectively, in 1978. The increase has been far greater for nonwhites as the data indicate.

Do whites and nonwhites differ in the percentage with dependents? Table 4.18 provides a partial answer to this query. Nonwhites were more likely to have children under their care prior to incarceration than were whites. Fluctuations occurred over the study years, but a gradual increase was noted among both groups in the percentage with dependents. Nonwhites, however, increased at a faster rate than whites. In 1976, both groups peaked in that

TABLE 4.18  
 KNOWN INMATES WITH DEPENDENTS  
 BY YEAR AND RACE

Year of Commitment	Those Known to Have Dependents by Race			
	White		Nonwhite	
	%	<i>N</i>	%	<i>N</i>
1968	34	(50)	35	(65)
1969	41	(56)	56	(98)
1970	21	(53)	24	(100)
1971	20	(68)	28	(124)
1972	17	(52)	31	(114)
1973	18	(54)	34	(122)
1974	29	(66)	39	(150)
1975	29	(68)	40	(165)
1976	51	(75)	58	(214)
1977	36	(95)	51	(271)
1978	38	(110)	51	(304)

51% of whites and 58% of nonwhites had dependents. By 1978, the percentage for whites declined to 38% but declined less for nonwhites (51%).

#### Drug, Alcohol, and Psychiatric Histories

When one investigates the relationship between use of drugs and alcohol, as well as the psychiatric histories of committed females by race, nonwhites are more likely to have had a drug history (sustained use or addiction), but for whites drug use increased more rapidly and will "catch up" with the minorities by the 1980s if the trend continues. In 1968, only 4% of whites had a drug history as compared with 32% of the nonwhites. In 1978, 56% of the whites and 66% of the nonwhites had a drug history. In 1975, the trend was reversed in that the percentage of whites having problems with drugs (65%) was higher than that for minorities (50%). For all other years, the nonwhite figure overshadowed that for whites.

Whites were more likely to have alcohol-related problems as compared with nonwhites, but both groups showed increases in 1977 and 1978. Although alcohol problems increased, this increase remained well below the numbers of females with drug problems. However, it is quite possible that the data

TABLE 4.19

## DRUG, ALCOHOL, AND PSYCHIATRIC HISTORY BY YEAR AND RACE

Year of Commitment	Drug History				Alcohol History				Psychiatric History			
	White		Nonwhite		White		Nonwhite		White		Nonwhite	
	%	N	%	N	%	N	%	N	%	N	%	N
1968	4	(50)	32	(65)	4	(50)	17	(65)	8	(50)	9	(65)
1969	16	(56)	40	(98)	11	(56)	15	(98)	32	(56)	11	(98)
1970	25	(48)	43	(92)	15	(48)	7	(93)	19	(48)	21	(93)
1971	34	(65)	49	(774)	17	(65)	7	(775)	43	(65)	19	(775)
1972	51	(45)	58	(90)	11	(45)	8	(90)	24	(45)	18	(90)
1973	44	(48)	53	(92)	12	(48)	4	(92)	37	(48)	21	(92)
1974	47	(55)	66	(720)	11	(55)	7	(720)	36	(55)	28	(727)
1975	62	(63)	50	(727)	19	(63)	9	(720)	47	(64)	31	(727)
1976	51	(68)	69	(788)	17	(66)	6	(785)	59	(77)	33	(793)
1977	52	(87)	65	(204)	35	(74)	18	(765)	54	(83)	33	(227)
1978	56	(96)	66	(229)	27	(77)	20	(784)	43	(99)	31	(265)

on drug use may be more reliable and valid than that on alcohol because the latter's use is much more socially acceptable in the United States. In addition, use of alcohol has been decriminalized in many jurisdictions, so this could be expected to reduce substantially sensitivity to this problem by law enforcement and correctional personnel. Thus, knowledge about the extent of alcohol abuse in this population may be lacking as it is in the population at large (Gomberg, 1978).

Whites were also more likely to have had some contact with a mental health facility or professional. No trend can be observed in the percentages for whites, but the pattern for nonwhites shows a gradual increase. From 1975 to 1978, the figures would suggest that about half of the whites committed had some type of psychiatric history as compared with about one-third of the nonwhites. It is probable that whites may have had greater access to and knowledge of mental health facilities; this could easily influence utilization patterns and not be an indication of relative need for mental health services.

#### Chronic Disability

Women with orthopedic, cardiac, pulmonary, neurological, venereal, or other disabilities were coded as having a "chronic disability." The Department of Corrections' handling of this variable leaves an unresolvable question. Only those women with a known disability were coded on this variable. Hence, for women not coded, it is difficult to tell whether they were not disabled or whether the data were simply missing from their files. For this reason, the variable is used here only to show the women recorded as having some type of disability.

Table 4.20 contains data on women known to have a chronic disability at the time of their commitment. It seems that initially, most of the women were disabled. Over the study years, this became less true as the percentage decreased. Consequently, by 1978, about a quarter of the women were known to have some type of disability.

These recent figures are suspect. Files with missing data may mask other women who do, in fact, have a disability. It is likely that, as the commitments mushroomed, this type of information was not reported, recorded, or keypunched. If taken at face value, the table does show that a significant portion of the women do have a chronic ailment. It is suggested here that if all such cases were known, the actual figure would be far higher.

TABLE 4.20  
PERCENT WITH CHRONIC DISABILITY  
BY COMMITMENT YEAR

Year of Commitment	N	Percent Known to Have Chronic Disability
1968	(225)	98%
1969	(254)	95
1970	(252)	88
1971	(292)	83
1972	(265)	69
1973	(276)	65
1974	(226)	68
1975	(233)	69
1976	(287)	55
1977	(366)	22
1978	(414)	23

#### BIRTHPLACE

Although not known to be of great importance, the state in which the offender was born was coded, because there have been generalizations in the literature about female crime and mobility (Glueck and Glueck, 1934; Glick and Neto, 1977). They have noted that persons who were highly mobile had higher rates of crime and criminal justice processing. It is also possible that residential mobility is a consequence of poverty as persons seek alternative sources of income. Likewise, educational disadvantage such as early dropping out and lower school performance have been more prevalent in other regions of the United States, particularly for minorities. It is not within the resources of this research to establish the significance of these propositions, but as Table 4.21 indicates, one-third or more of the females were born in a state other than Michigan. That percentage was far higher in 1968-69 when nearly half of the offenders were born outside Michigan. It has steadily declined since then to 31% in 1978.

In analyzing the background characteristics of female offenders, place of birth emerged as a factor which probably added to the disadvantaged plight of these women. An out-of-Michigan birthplace indicates that the

TABLE 4.21  
PERCENT BORN OUT OF MICHIGAN  
BY COMMITMENT YEAR

Year of Commitment	N	Percent Born Out of State
1968	(101)	47%
1969	(146)	49
1970	(130)	48
1971	(180)	44
1972	(135)	39
1973	(139)	37
1974	(177)	44
1975	(185)	34
1976	(264)	31
1977	(293)	32
1978	(340)	31

individual migrated to the state, and in many instances that experience involved problems in adapting to the new environment. The adjustment process associated with migration often produces psychological stress that requires the ability to develop and/or utilize appropriate coping skills. The lack of crucial social supports often makes the transition even more difficult. Relatives, friends, and neighbors of the former home town are of limited use to the individual who has moved out of the range of their emotional and material support.

Adjustment to a new location may be compounded by the educational and employment difficulties that many of these women experienced. Previous analysis has shown that the female offenders have deprived backgrounds. Relocation may be another indication of their disadvantaged condition. These assertions could be tested partially by the analysis of birthplace data for these women. The Department of Corrections collected information on the offenders' state of birth. In the event that the offender was born in another country, this information was also recorded, but only 60 out of 2,800 women were born in another country.

For the analysis here, states were grouped in the divisions designated by the Census Bureau. This grouping facilitates the manageability of the data. To further reduce the number of categories, the divisions were then grouped into five regions. Another separate category was added for Michigan (and it was removed from the East North Central division) since it was

expected that the majority of the offenders were born in Michigan. A final category was added for other countries. Hence, the birthplace variable has seven categories.

Table 4.22 contains the birthplace distribution from 1968 to 1978 for the female offenders. As was expected, the majority of them were born in Michigan. Region 5 and Region 4 have the second and third highest percentages. Region 4 has Michigan's neighboring states. This could account for the percentages found in the table. Region 5, on the other hand, contributes a significant share (approximately one-fifth) to the prison population. This region is made up of the southern states. These data indicate that many of these females migrated to Michigan from the South.

TABLE 4.22  
BIRTHPLACE BY COMMITMENT YEAR  
(IN PERCENTAGES)

Commitment Year	N	R e g i o n <sup>a</sup>							Total
		1	2	3	4	5	6	7	
1968	(101)	53%	4%	7%	16%	17%	3%	-%	100%
1969	(146)	51	3	9	14	20	2	-	100
1970	(130)	52	5	8	12	20	1	2	100
1971	(180)	56	3	4	13	23	1	1	100
1972	(135)	61	-	5	11	20	2	1	100
1973	(139)	62	3	4	6	24	1	-	100
1974	(177)	56	1	6	12	23	1	1	100
1975	(185)	66	3	4	5	21	1	-	100
1976	(264)	69	2	4	4	17	3	1	100
1977	(293)	68	1	4	7	16	4	-	100
1978	(340)	69	2	4	7	14	3	1	100

<sup>a</sup>Region 1 is Michigan.  
Region 2 is North Atlantic states: ME, NH, VT, MA, RI, CT, NY, NJ, PA.  
Region 3 is South Atlantic states: DE, MD, DC, VA, WV, NC, SC, GA, FL.  
Region 4 is North Central states: OH, IN, IL, WI, MN, IA, MO, ND, SD, NE, KS.  
Region 5 is South Central states: KY, TN, AL, MS, AR, LA, OK, TX.  
Region 6 is Western states: MT, ID, WY, CO, NM, AZ, UT, NV, WA, OR, CA, AK, HI.  
Region 7 is Puerto Rico and all other countries.

Additional analysis reveals 85% of the offenders with a southern birth-place were nonwhite. This finding means that a significant percentage of the female prisoners in Michigan were southern nonwhites who migrated to Michigan. Inability to adjust to the new environment and the lack of needed social supports may have contributed to their incarceration.

A careful examination of the data offers additional support to the migration observations. Region 3 contains Virginia, West Virginia, North Carolina, South Carolina, Florida, and Georgia, which are also considered as southern states. This region also includes Delaware, Maryland, and the District of Columbia. For the study period, no offenders were born in Delaware, three were born in Maryland, and two were born in the District of Columbia. Consequently, the percentages found in Region 3 are made up primarily of the southern states.

A more accurate indication of the percentage of women born in the South can be obtained by adding the percentages in Region 3 and Region 5. When this is done, the following results are obtained:

TABLE 4.23  
FEMALE OFFENDERS BORN IN  
SOUTHERN STATES, BY YEAR

Commitment Year	Percent Born in South
1968	82%
1969	29
1970	28
1971	27
1972	25
1973	28
1974	29
1975	25
1976	21
1977	20
1978	28

From these figures, approximately one-fourth of the offenders were born in the South.

These data on place of birth appear to reflect something about the state and its economy as an attractive place for working class women. Thousands of persons migrated to Michigan during and after World War II

because this was a period of great industrial growth in this state. Jobs of all types were readily available most of the time, even for those with educational or occupational handicaps. Migration was particularly heavy from south-central states for the munitions industries. During the 1970s, particularly in 1974-75, Michigan's economy remained stagnant much of the time. Unemployment rates were high, and the population overall grew very slowly. The shift in the place of birth of the offender population may merely be a reflection of changes in the larger environment.

The analysis here suggests that there is some difficulty associated with the migration from the South to Michigan for the women under investigation. Explanations of causality can only be speculative and suggestive. Yet, the fact that one-fourth of the females incarcerated in Michigan are southern-born is too significant to overlook.

#### CONCLUSION

From 1968 to 1978 the number of females committed to prison in Michigan rose by 260%--120% for whites and 368% for nonwhites. Significant changes have occurred among the population of committed females. They are more likely to be minority, unmarried, unskilled, from a poor family, and with a drug or psychiatric history. Their educational level rose; but, by 1978, only three in ten had completed high school. Information from 1968 to 1978 indicates that most female offenders were under age thirty. In more recent years, about half were known to have dependents, but that is probably a serious underestimate of dependents.

Consequently, female offenders represent a multi-problem group. The degree and extent of their significantly disadvantaged status pose a challenge to correctional programming. Secondary school instruction, job training, family-focused support, physical and mental health treatment, assistance with substance abuse and employment represent some of the critical services required by this population. They were a relatively young group of women who were released back to their communities where most had substantial responsibilities as single parents and heads of households. There is little doubt about their great need for education, employment assistance, and treatment for mental and physical disabilities. Moreover, for nonwhite female offenders the problems were confounded by the greater discrimination they experienced in the larger environment.

OFFENSE PATTERNS OF FEMALES COMMITTED TO  
MICHIGAN DEPARTMENT OF CORRECTIONS

*JOSEFINA FIGUEIRA-McDONOUGH*

SUMMARY

1. There has been almost a fivefold increase in the number of female commitments to prison from 1967 to 1978.
2. The proportion of female/male commitments has, however, altered only slightly over this period (female commitments constituting 3% of all commitments in 1967 and 4% in 1976).
3. There has been a 77% increase in total commitments in Michigan between 1967 and 1976, 95% of the increase being males (2,700).
4. Proportionally, the greatest increase in female commitments over the twelve-year period has been for drug offenses (+11%), but the greatest numeric increase is for larceny (+113).
5. Analysis of the sentences of female commitment indicates a definitive pattern of nonseriousness within each crime category of the criminal code under which the offender was sentenced and committed.
6. Two-thirds of the absolute increase in female commitments was for nonviolent crimes, and the seriousness of nonviolent crimes for which females were committed declined over the years.
7. Less than one-third of the women committed to prison had a history of juvenile justice contacts or a history of probation for a felony. More than half never served time prior to present commitment.
8. There has been an increase over time of the proportion of women with contact with authorities at a very early age (fourteen or less) and an increase of the percentage with a felony probation record prior to prison commitment. Changes in juvenile court processing patterns could explain the changes in juvenile history, although there also may have been a change in female behavior.
9. Women committed for property offenses (especially larceny) were much more likely to have had a felony probation record than were violent offenders.

TABLE 5.1  
MOST FREQUENT CRIMES BY YEAR

Year of Commitment	<u>Type of Offense</u>											
	Homicide	Assault	Robbery	Drug-Related	Burglary	Larceny	Forgery	Fraud	Weapons	Interfering With Legal Processes	Other	
	N	(352)	(162)	(245)	(293)	(79)	(754)	(460)	(80)	(79)	(90)	(177)
67	(117)	13%	8%	3%	5%	8%	31%	21%	-%	6%	-%	6%
68	(115)	13	7	7	6	2	25	25	3	3	3	5
69	(153)	15	4	5	8	2	32	22	1	3	1	6
70	(154)	12	4	6	9	5	23	25	6	2	1	4
71	(192)	13	6	6	13	3	24	23	5	3	0	3
72	(166)	13	7	7	7	6	24	21	5	4	4	2
73	(175)	11	5	10	7	2	22	17	5	4	0	6
74	(216)	12	8	7	8	2	27	13	5	2	4	2
75	(233)	14	5	7	8	3	32	13	1	5	11	4
76	(289)	11	5	13	12	2	31	11	4	3	12	5
77	(366)	13	6	13	14	2	29	14	1	2	8	8
78	(413)	7	6	12	15	1	31	12	2	2	1	8
Total	(2765)	13	6	8	10	3	27	17	3	3	3	6

TABLE 5.1  
MOST FREQUENT CRIMES BY YEAR

Year of Commitment	Type of Offense											
	Homicide	Assault	Robbery	Drug-Related	Burglary	Larceny	Forgery	Fraud	Weapons	Interfering With Legal Processes	Other	
	N	(352)	(262)	(245)	(293)	(79)	(754)	(460)	(80)	(79)	(90)	(171)
67	(117)	13%	8%	3%	5%	8%	31%	21%	-%	6%	-%	6%
68	(115)	13	7	7	6	2	25	25	3	3	3	5
69	(133)	15	4	5	8	2	32	22	1	3	1	6
70	(154)	12	4	6	9	5	23	25	6	2	1	4
71	(192)	13	6	6	13	3	24	23	5	3	0	3
72	(166)	13	7	7	7	6	24	21	5	4	4	2
73	(175)	11	5	10	7	2	22	17	5	4	0	6
74	(216)	12	8	7	8	2	27	13	5	2	4	2
75	(233)	14	5	7	8	3	32	13	1	5	11	4
76	(289)	11	5	13	12	2	31	11	4	3	12	5
77	(366)	13	6	13	14	2	29	14	1	2	8	8
78	(413)	7	6	12	15	1	31	12	2	2	1	8
Total	(2765)	13	6	8	10	3	27	17	3	3	3	6

Much has been written about the increase of female crime although there is not much consensus about the rate of such increase, the constancy of the shifts in typical female offenses over time and their inferred causality (Simon, 1975; Steffensmeier, 1978). There is, however, no doubt that in Michigan, imprisonment of female offenders increased dramatically. The purpose of this and the following chapter is to describe the offense characteristics of the committed female population over a period of twelve years, to identify degrees of change and stability, and to investigate possible associations between crime type and offenders' characteristics.

Obviously, whichever patterns might be discovered cannot be generalized for the offender population in Michigan because many offenders are never caught, and if caught, not committed. The study, however, sheds some light on criteria of the control agencies since for all purposes, commitment to prison in this state is the most severe punishment. It follows, then, that regardless of how representative these women are of all women who might have committed an offense in the state of Michigan during the period covered, they typify those among the ones convicted who were considered deserving of severe sanction.

#### OFFENSE INCIDENCE OF WOMEN COMMITTED TO PRISON BETWEEN 1967 AND 1978

It is often asserted that the pattern of female crime has changed substantially in recent years. Table 5.1 shows the distribution of the most frequent offenses for which women were committed to prison between 1967 and 1978. It can be quickly observed that five offenses accounted for three-fourths of all commitments in 1967. Larceny has a strong lead, accounting for over one-fourth of all commitments (27%), followed by forgery (17%), homicide (13%), drugs (10%), and lastly, robbery (8%).

Comparing the years 1967 and 1978, one can observe that this rank ordering is maintained for larceny and forgery but that drugs and robbery increased considerably (respectively, from 5% and 3% to 15% and 12%), while homicide dropped (from 13% to 7%). In several years there were substantial fluctuations for nearly all of the crime categories. Most of them cannot be explained with the data set; but given the relatively small numbers of cases for each offense, these percentage fluctuations are probably not surprising. Thus, the researchers attempted to ascertain consistent patterns over several years rather than draw attention to a single year. There is one exception for which explanation can be provided, that is, for "interfering with legal processes" during the period 1975-1977. This was a period of the highest rate of escapes as shall be noted in Chapter 7. Many offenders were recharged and recategorized following these escapes.

Comparison of the extreme years (1967/1978) would yield an incomplete and distorted picture of the actual variations in the twelve-year period.

In order to examine more fully the magnitude of the changes that occurred over the decade, the annual fluctuations were converted to an averaged linear progression.<sup>1</sup> The results are presented in Table 5.2.

TABLE 5.2  
ADJUSTED PERCENT AND NUMERIC CHANGE OF  
OFFENSE INCIDENCE 1967-1978

	Averaged Yearly Variation		Cumulative Variation for the 12-Year Period	
	%	N	%	N
Homicide	-.48	( 2.4)	- 5.3	( +16)
Robbery	-.72	( 4.7)	- 8.0	( +52)
Assault	+.06	( 2.2)	+ .7	( +23)
Burglary	-.55	( .07)	- 6.1	( -2)
Larceny	+.03	(10.2)	+ .4	(+213)
Forgery	-.80	( 2.4)	- 8.8	( +27)
Fraud	-.01	( .8)	- .1	( +9)
Drugs	+1.0	( 5.2)	+11.4	( +57)
Weapons	-.34	( .2)	- 3.8	( -2)
Interfering	+1.19	( .4)	+ 2.1	( +5)

N=2,569 ("Other" category not included)

Examination of this table shows a proportional decrease in six of the offenses listed: homicide, robbery, weapons, burglary, forgery and fraud. This decrease is interesting because it belies the popularized belief that women offenders are becoming simultaneously more aggressive and daring and more skilled in white collar crimes. It is, however, in drugs—a rather passive and victimless type of offense—that the greatest proportional increases have occurred. The proportional differences over time might be taken to indicate shifts in female criminal activity or changes of emphasis

1. First, the cumulative variation for the twelve-year period was calculated by adding the differences between each consecutive year. The averaged yearly variation was then obtained by dividing the cumulative variation by the number of the year intervals. The following formula represents this operation.

$$\frac{\Sigma[(\text{year}^{68} - \text{year}^{67}) + (\text{year}^{69} - \text{year}^{68}) + \dots + (\text{year}^{78} - \text{year}^{77})]}{N^y - 1}$$

in control agencies or both. For example, either more women are becoming involved in drugs, and consequently the justice system is sending more of them to prison; or their involvement in this offense has remained fairly stable, but the control agencies have come to pay more attention to drug-related activities over the years. Both are plausible explanations.

Percentage increases do not tell the whole story since they are calculated by reference to the initial year base distribution (1967). As can be seen in Table 5.2, the number of commitments for all types of offenses increased (except for weapons and burglary), even in cases where proportional incidence decreased. In sum, more women are being committed for most types of offense although the rate of increase is greater for drugs. In absolute numbers larceny shows the highest increase, followed by drugs, robbery, and forgery.

Population growth in Michigan between 1967 and 1978 could have explained only minimal increases in commitments during this decade.<sup>2</sup> On the other hand, the total increases in commitments (male and female) was almost 77% between 1967 and 1976 (from 3,719 to 6,596). However, by 1976, women constituted only 4% of the total commitment. Even if this means some relative increase from their representation in 1967 (3%), the numeric increase is negligible compared to men. In 1976 as compared to 1967, 2,700 more men, but only 172 additional women, were committed to prison. This means that of the total 77% increase of commitments in the state, 95% were for male offenders. What seems remarkable certainly is not the changes in female commitment, but the overall phenomena of exploding incarceration that characterized this period in Michigan.

#### SERIOUSNESS OF OFFENSES AND EVIDENCE OF CRIMINAL ANTECEDENTS

Female commitments, even if very modest in relation to all commitments, have nevertheless increased; and a prison commitment for all purposes indicates the choice of the most severe type of disposition. It is then crucial to our understanding of this phenomena to assess the relative seriousness of the offenses for which women are sentenced to prison.<sup>3</sup>

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2. Between 1965 and 1977 the population increase for the state of Michigan was 10% (Statistical Abstract of the United States, 1979; Table 12).

3. In analyzing seriousness of offense and using the offense for which the person was sentenced, the researchers recognize that plea bargaining may have occurred early in the criminal trial processing. However, there is no information in this data set that would allow investigation of this issue. There is no reason to believe that females benefit individually or collectively in the plea bargaining process. It is recognized that some studies have observed that females may receive probation in some cases where men charged with the same offense are incarcerated. However, all of these women were committed to prison, so such situations do not apply.

TABLE 5.3  
SPECIFIC OFFENSE STATUTES OF COMMITMENTS BY YEAR

		Total	1967-1968	1969-1970	1971-1972	1973-1974	1975-1976	1977-1978
<u>Homicide</u>	N=	(300)	(28)	(40)	(45)	(47)	(66)	(74)
Manslaughter		55%	61%	65%	64%	60%	41%	46%
Second Degree		34	32	30	27	36	42	32
First Degree		10	7	5	7	4	15	16
Other		2	-	-	2	-	1	5
<u>Assault</u>	N=	(146)	(17)	(13)	(23)	(25)	(26)	(42)
Felonious		37	59	38	35	24	11	43
Intention Bodily Harm		20	12	15	13	12	31	26
Int. Robbery Armed		33	18	38	43	44	54	14
Other		11	12	8	9	20	4	17
<u>Robbery</u>	N=	(232)	(17)	(18)	(23)	(32)	(55)	(93)
Unarmed		23	36	44	3	41	18	9
Armed		72	64	56	61	59	78	81
Other		5	-	-	-	-	4	11
<u>Drugs</u>	N=	(274)	(13)	(27)	(38)	(37)	(53)	(112)
Hallucinogenics Possession		24	77	74	53	-	2	-
Manufacture, Deliver, Possession, Intention Sale		34	-	-	18	10	17	72
Narcotics Possession		10	-	-	-	39	19	7
By Unlicensed person		6	23	18	21	-	-	1
Sale Distribution		14	-	-	-	32	45	7
Other		11	-	7	8	19	17	12
<u>Larceny</u>	N=	(729)	(65)	(85)	(86)	(98)	(164)	(231)
Simple (Misc.)		6	9	2	2	5	7	9
From Bldg.		77	80	85	77	75	77	79
Receiving Stole Prop (-\$100)		4	1	1	3	8	6	3
Larceny +\$100		3	5	-	9	4	1	1
Other		10	5	12	8	7	8	7
<u>Forgery</u>	N=	(423)	(53)	(73)	(79)	(57)	(80)	(101)
Cash Check Without Funds (-\$50)		22	23	29	25	28	32	13
Uttering and Publishing		63	60	63	66	63	45	66
Theft of Credit Cards		2	4	-	1	-	3	Miscoded
Forgery of Records		12	13	8	8	9	20	11
Other		1	-	-	-	-	-	10

To have a more exact picture of the type of crimes committed by women in this period, each crime category was analyzed according to the specific Michigan statutes that applied to the case. Table 5.3 presents this classification for the universe of cases. From the observation of the distribution of specific offenses, it can be verified that women tended to be committed to prison for offenses that fell more to the nonserious than serious end of each crime type.<sup>4</sup>

Among violent crimes (homicide, assault and robbery) it was verified that more than half of the women committed for homicides were for manslaughter, while only 10% were for first degree murder. Under "assault" the most frequent offense was the least serious, that of felonious assault. Although robbery usually subsumes the use of weapons, in 23% of the robbery commitments women were committed for robbery without weapons. Robbery is, nonetheless, an exception to the general trend that shows that women have been committed predominantly for the least serious subcategories within each crime type.

If it is considered that among drug offenses those involving narcotics are more serious than those involving nonnarcotic drugs and that selling is more condemned than use or possession (by definition, victimless), the conclusion is that in 43% of the cases of drug commitment females were sentenced for less serious offenses.

Larceny, the most frequent property crime, is classified as a misdemeanor in 19% of the cases and in 77% of the other cases is classified as larceny from a building (the common legal designation for shoplifting). Forgery, another category of high incidence, involves sums below \$100 in 23% of the cases. It is also important to indicate that one-third of the "other" offenses for which women have been committed to prison refers to attempts to escape. Furthermore, just comparing violent to nonviolent crimes, one can see that only about 26% of all commitments would be classified as "violent."

Prescribed punishments for the infraction of each statute indicate a legal assessment of offense seriousness and crystallize social normative evaluations. Thus, it follows that the midpoint of sentence length might be used as an objective indicator of seriousness of offense. In Table 5.4 the means of the distribution of sentence midpoints by offenses are presented. It is noteworthy that the sentences for drug offenses appear to be rather long, given that almost half were possession and use, not sale (see Table 5.3). Other than that, the means follow closely the rank order of the FBI offense classification.

4. In instances of multiple offenses the most serious was selected for the purposes of this analysis.

To explain the expansion of commitments, it is important to investigate whether offense seriousness has increased over the years. From Table 5.3 it can be observed that over the years an increase in seriousness for violent crimes has occurred. With respect to larceny, forgery, and drugs, no clear trend indicating greater seriousness is discernable. Converting annual fluctuation to linear progression,<sup>5</sup> one will find, in fact, that serious offenses within drugs (e.g., narcotics, sale, unlicensed person), larceny (over \$100), and forgery (uttering and publishing, theft of credit cards, forgery of records) show percentual decreases, respectively, of 1.5%, 1.5%, and 2.5%.

TABLE 5.4  
OFFENSE AND LENGTH OF  
STATUTE-ESTABLISHED SENTENCE

Offense Category	N	FBI Crime Classification	Midpoint of Statute-Established Sentence Mean Years
Homicide	(352)	9	14.7
Robbery	(762)	8	17.1
Assault	(245)	7	11.1
Burglary	( 79)	5	9.4
Larceny	(754)	5	3.0
Forgery	(460)	5	7.0
Drugs	(293)	4	9.3
Weapons	( 79)	1	4.1

An alternative way of examining this same question of whether growth in commitments is a response to increased seriousness of female offenses is to use the sentence midpoint criteria. In Table 5.5 the biannual variation of both sentence midpoint and minimum sentence is presented. Judged by the criteria of the sentence midpoint, there is evidence that there has been a slight increase in seriousness of the offenses for which women have been committed. This increase is equivalent to one year of sentence length between the first and last two years. In terms of minimum sentence, this is, however, translated into an increase of more than one year. This increase is greatest for violent crimes. In fact, sentence length (as measured by the midpoint) decreased both for drug offenses and property crime. In the case of drugs so did the minimum sentence, but in property offenses the minimum sentence went up slightly. Chapter 7 presents more detailed analyses of sentencing patterns over the study period.

5. The process of conversion is explained in footnote 1.

TABLE 5.5  
STATUTE-ESTABLISHED SENTENCE  
MIDPOINT AND MINIMUM SENTENCE BY YEAR  
FOR ALL FEMALE COMMITMENTS

Year	N	Midpoint Sentence	Minimum Sentence
		Mean Years	Mean Years
1967-68	(229)	7.2	3.9
1969-70	(307)	7.1	4.5
1971-72	(354)	7.8	4.3
1973-74	(392)	7.1	4.6
1975-76	(519)	8.0	4.2
1977-78	(769)	8.2	5.3
Total	(2572)	7.7	4.8

In conclusion, the increase in overall seriousness of crime and length of sentence across the twelve-year period (Table 5.5) is largely explained by violent crimes (Table 5.6). However, in the case of drugs and property crimes, more women are being committed for less serious crimes. Violent crimes contribute only 26% of all crimes with minimal variation across the years. Using the linear increases indicated in Table 5.2, one can see that

serious crimes account for 26% of commitment increases for the period of study, while drugs and property crimes account for 65%. Given that the overall seriousness of these latter crimes has decreased and that they account for two-thirds of the increase in number of commitments, it is safe to conclude that the greatest contributors to the steady growth of commitment over the past decade are nonviolent, nonserious offenders.

TABLE 5.6  
MIDPOINT OF STATUTE-ESTABLISHED SENTENCE AND  
MINIMUM SENTENCE BY TYPE OF CRIME AND BY YEAR

	N	Midpoint	Minimum
		Mean Years	Mean Years
Violent Crimes			
1967-1968	( 58)	12.8	7.8
1977-1978	(215)	15.9	11.7
1967-1978	(689)	14.9	10.9
Drugs			
1967-1968	( 13)	10.3	5.6
1977-1978	(113)	9.8	3.3
1967-1978	(275)	9.3	3.3
Property			
1967-1968	(133)	5.1	2.4
1977-1978	(360)	4.3	2.7
1967-1978	(1310)	4.5	2.5

#### INDICATORS OF CRIMINAL CAREERS

The preceding findings suggest that the predominant type of criminal behaviors increasing among this population of women are less serious property rather than person crimes, and that control agencies are prosecuting more nonserious behaviors than in earlier years. Any of these explanations can be countered by arguments that commitments may reflect plea bargaining or that less serious offenders are committed only after recidivism or other indications of attachment to criminal careers. Both of these arguments would suggest that, in fact, women's offenses may be more serious than the analysis of the sentences would lead one to believe. At this point the research staff does not have the type of information that would

**CONTINUED**

**1 OF 2**

permit investigation of the issue of plea bargaining. Its widespread use leads the staff to believe that it will potentially affect any conclusions on seriousness of offenses for any sector of the population, men or women, those committed and those not committed. Consequently, neither the validity of the male-female comparisons on offense seriousness should be affected nor should any other comparisons which focus on the committed population. What can be investigated is the hypothesis that commitments for less serious offenses follow a period of leniency for prior offenses on the part of the judges and other control agents.

Juvenile delinquency history and prior criminal record are used here as indicators of deviant careers. In Table 5.7 the yearly distribution of "age of first contact with authorities," "juvenile court dispositions," "prior time spent in correctional institutions," and "prior probation" for the incarcerated population is shown.

Surveying this information, one finds that more of the women committed recently have had contact with authorities as minors than women committed in the early sixties. Twenty-seven percent of the offenders committed in 1967 had had contacts with authorities before the age of seventeen, while in 1978 the percentage rose to thirty-six. Most such increases occurred after 1971, and they occurred predominantly with respect to contacts at the age of fourteen or younger. This can be interpreted in a variety of ways. On one hand, it might be taken as an indication that more of the women committed have begun their deviant careers at an early age; and hence, severity of sentence reflects a judgment that these women are poor risks and need a stronger negative reinforcement system (prison) to break such a career, even if their presenting offense is of a less-than-serious nature.

On the other hand, this pattern might simply reflect an expansion of official control over the activities of the young. There is evidence of such expansion as more activities formerly under the exclusive domain of the school, family, and neighborhood have been transferred to the official domain of control.<sup>6</sup> Because most children under fourteen become involved with the law exactly in these spheres of activity, this is a plausible explanation. In addition, one can infer that very early contacts with authorities also are probably good indicators of dependence and deprivation. Since the incidence of juvenile court processing was lower than simple contact with authorities, one can assume that most such contacts were due to minor or status offenses.

Comparisons of this information on juvenile delinquency history with that for males committed to the Department in 1974 reveal that, although females had considerably fewer contacts with authorities while minors, the percentage of those committed to juvenile correctional institutions varied

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6. Several evaluative studies suggest that in the seventies, juvenile courts have been processing younger females regardless of offense and also that the juvenile system has been holding them longer (Max, 1973; Evans et al., 1978). On the other hand, findings from other studies indicate that the probability of recidivism varies inversely with age of entry in the juvenile system (Figueira-McDonough, 1979).

TABLE 5.7  
 DEVIANT CAREER INDICATORS BY YEAR  
 (In Percentages)

		67	68	69	70	71	72	73	74	75	76	77	78		
Age First Att. Auth.	N	(99)	(100)	(145)	(130)	(178)	(135)	(138)	(176)	(181)	-	(303)	(363)		
17 or over		73%	79%	75%	72%	76%	70%	79%	(44%)	70%	70%	-	64%	63%	
15-16		9	10	14	17	14	18	12	(22)	14	15	-	16	15	
14 or less		18	11	11	11	11	18	19	(34)	16	15	-	20	22	
Juvenile Court Adj.	N	(120)	(115)	(154)	(141)	(173)	(130)	(135)	(174)	(180)	(258)	(311)	(367)		
None		82	82	78	79	76	74	76	(65)	74	76	(65%)	70%	78	72
Probation		2	1	7	6	6	6	5	( 8)	5	9	(12)	4	4	8
Commitment		17	17	15	15	18	20	19	(27)	21	15	(23)	27	18	20
Time Served	N	(120)	(115)	(153)	(138)	(177)	(135)	(140)	(173)	(180)	(249)	(246)	(294)		
None		51	58	51	59	54	57	48	(35)	49	52	(36)	40	56	56
Less one year		15	24	31	30	33	31	41	(25)	37	34	(27)	39	31	28
1-3		19	12	12	8	9	9	9	(21)	10	12	(20)	16	9	12
3-5		7	4	5	3	2	1	3	( 8)	2	2	( 9)	3	2	1
+5		7	1	1	-	2	1	-	(11)	2	1	( 9)	1	1	2
Probation	N	(120)	(115)	(154)	(142)	(180)	(135)	(140)	(177)	(185)	(260)	(312)	(373)		
No Felony		100	98	98	82	74	74	76	-	75	74	-	67	67	61
Felony		-	2	2	18	26	26	24	-	25	26	-	33	33	39
Felony & more than 2 misd.		3	8	6	21	29	27	26	-	28	30	-	39	40	46
Three misd. or more		3	6	4	4	3	1	1	-	3	4	-	6	7	7

Note: Numbers in parenthesis for the years of 74 and 76 refer to distributions of deviant career indicators for males committed to the Michigan Department of Corrections in those years. Source: Michigan Department of Corrections: Annual Reports, 1974, 1976.

little by sex. This is consistent with findings of other studies which show that for the same type of offenses (especially status offenses), girls tend to be more harshly treated than boys (Chesney-Lind, 1977; Sarri, 1976).

Over half of all women (54%) imprisoned between 1967 and 1978 were serving time for the first time. The largest number of recommitments occurred in 1976 (60%). In fact, only 16% of all women committed in any of those years had previously served one year or more in correctional institutions, including jail and juvenile facilities.

Comparison with male commitments for 1974 and 1976 shows that a higher percentage of males (65% and 64%, respectively) than females (51% and 60%) committed in the same years had a prior history of incarceration. Although this difference decreased in later years, 37% of the men committed in 1976 had previously served time for over one year, while the same was true for only 21% of the women.

Prior probation history is probably one of the better indicators to investigate whether the increase in commitments for less serious offenses has been a response to an increase in recidivism. In other words, commitments of less serious offenders are rationalized as a last-resort decision occurring only after lighter punishments (probation) have failed.

One indicator of prior behavior and the response to it is prior probation. Table 5.7 presents the distribution of incidence of offenders' prior probation sentences for felonies and misdemeanors. From 1967 to 1978 the percentage of offenders with prior probation increased considerably, apparently supporting the rationale for greater commitments for less serious offenders over the years. However, this inference is less justifiable when one looks closely at the numbers. For example, in 1978 there were 214 more commitments for nonviolent crimes, but only 165 more of the committed women had a prior felony probation (or equivalent)<sup>7</sup> record than in 1967. It has also been shown that during this period the seriousness of nonviolent offenses had decreased. During this decade an increasing number of women with prior histories of misdemeanors increased substantially. However, it cannot be determined whether this is a change in behavior of the females or the courts' response to female misdemeanant behavior.

The distribution of past probation record by offense (see Table 5.8), however, shows that more of the nonviolent offenders were on probation for a felony prior to their commitment, while more of the property offenders had contacts with the juvenile courts and had been incarcerated in correctional institutions.

Felony probation records, as well as juvenile records, probably influence court decisions to commit less serious, nonviolent female offenders to prison. The appearance of a criminal career is probably the rationale for such decisions, even though such rationale has shaky foundations.

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7. Three misdemeanor probation sentences are often considered legally equivalent to one felony.

TABLE 5.8

## DEVIANT CAREER INDICATORS BY OFFENSE

		Homicide	Assault	Robbery	Drugs	Burglary	Larceny	Forgery	Fraud
Age First Attention Auth.	N	(373)	(757)	(277)	(250)	(67)	(626)	(472)	(63)
17+		80%	68%	74%	76%	49%	64%	71%	78%
15-16		10	12	9	17	27	18	12	7
-14		10	19	17	11	24	18	17	14
Juvenile Court Dispositions	N	(345)	(760)	(226)	(268)	(75)	(655)	(446)	(64)
None		89	76	78	81	64	73	74	73
Probation Record	N	(343)	(753)	(227)	(273)	(79)	(671)	(453)	(66)
None		74	63	58	45	48	35	43	42
No Felony		91	86	81	73	71	73	76	68
Felony		8	14	19	27	29	27	24	32
Misdemeanors (More than 3)		2	3	3	3	4	8	3	3
Time in Institution	N	(332)	(753)	(278)	(249)	(77)	(597)	(423)	(62)
None		77	63	61	58	52	37	49	52

## CONCLUSION

The period 1967-1979 evidenced a remarkable increase in the rate of incarceration in the state of Michigan. The number of women committed to prison also expanded substantially. The changes in offense patterns of females committed to the Department of Corrections indicate that nonserious offenses account for two-thirds of the total increase in number of female commitments. The most significant contributors are larceny and drugs. These data are supported by recent longitudinal studies of Federal female offenders completed by the Bureau of Prisons (LEAA News, 1980).

PROFILES OF  
FEMALE OFFENDERS

JOSEFINA FIGUEIRA- McDONOUGH

## SUMMARY

1. Women committed to prison in Michigan in the period 1967-1978 came overwhelmingly from the most deprived sector of the population in terms of education, occupation and class status. Indications of deprivation were more severe in recent years.
2. Most of the incarcerated women did not have a male companion at the time of commitment, and nearly half were caring for dependents as single-parent heads of households.
3. Forty-four percent of the committed female offenders scored at normal or above levels in intelligence tests. There were clearly differences in intelligence level by type of offense. Offenders involved in more complex crimes (e.g., fraud, forgery, selling drugs, robbery) ranked higher in intelligence tests than offenders involved in simpler or more expressive crimes (e.g., felonious assault, shoplifting, etc.).
4. Slightly over half of the inmates came from broken families with little variation over the years and by offense on this characteristic.
5. About half of this population had a good school adjustment, and only less than one-fifth were disciplinary problems. Over the years, school adjustment deteriorated, but more in terms of truancy, marginal performance and dropping out of school rather than in terms of discipline. Offenders committed for more aggressive crimes (assault, robbery, burglary and weapons) showed a somewhat higher incidence of school discipline problems than other offenders.
6. The overwhelming majority of women committed to prison (86%) were not recorded as alcohol abusers, but nearly half (48%) had a drug addiction problem. As expected, this drug addiction was predominant among drug offenders (73%). This problem increased substantially over the years, and by 1976 it affected more than two-thirds of all women committed to prison in Michigan. While in 1967 only 7% of all women committed to prison had some psychiatric history, over one-third of the women committed in 1978 had such a history.

The increase of women with drug addiction and psychiatric problems clearly places new demands on the correctional institutions for therapeutic services for this disabled subpopulation.

7. Seventy-three percent of the women committed to prison in 1978 were nonwhite as compared to 53% of the men. Furthermore, one-third of these nonwhite women were committed for larceny, seldom a very serious crime in terms of threat to society.
8. The mean age of female offenders decreased three years between 1967-68 and 1977-78. Even so, in this later period, the mean age for female offenders was higher than for male offenders (twenty-seven vs. twenty-four). Women committed for homicide had the highest mean age (thirty-two years).

In the two previous chapters the personal and offense patterns of female offenders were investigated. In this chapter we will explore how personal and social characteristics of the committed population fit with theoretical explanations of female criminality. As was noted, there had been a very large increase in the total number of commitments to prison in the state of Michigan, but women contributed very modestly to such an increase. Furthermore, the increase in the number of female commitments in more recent years was predominantly for nonviolent crimes. Even if the changes in incidence and seriousness of female crime do not lend support to contentions that female and male criminal behavior are converging, there have been some changes that deserve investigation.

A far higher rate of the total female population was sent to prison in 1978 than in 1967. The distribution of specific offenses for which they were committed changed over the decade. It is appropriate, therefore, to inquire as to whether the characteristics of the offenders changed over time both within and across offense types. This might shed some light on some "popular" and "learned" conceptions about offender types and dynamics of female criminal behavior. Although the research staff is aware of the tremendous gap between actual criminal behavior and official crime statistics, it is of interest to ascertain the extent to which existing stereotypes are confirmed in the population of committed offenders--supposedly the most clearly criminal--since they were judged as deserving the most severe type of disposition. This investigation is important because generalized stereotypes often influence and justify policy and organizational decisions that impinge on the incarcerated women.

For the most part, the theoretical formulation that gave rise to the stereotypes has not been empirically tested, and it is beyond the possibility of this study to attempt to do that. The interest here is more pragmatic than scientific. The following analysis does not pretend to validate or refute the various theoretical explanations. Rather, it investigates the extent to which the stereotypes fit the population studied. The importance of this analysis is not related to causation of criminal behavior (much of it often not detected), but to assumptions about the women that were caught and committed to prison. Clarification of these assumptions should be of particular relevance to judges in their process decisions and to the corrections department in their policy and program decisions.

#### LOSERS AND OPPORTUNISTS

Growth in the processing of females has commonly been assumed to be related to increases in female criminal behavior, but explanations of what triggered the increase are diverse. Some theorists argue that the opening of new occupational opportunities created new "illegitimate" opportunities for women (Simon, 1975; Adler, 1975). Others blame lack of opportunity (as a result of direct or indirect discrimination) as the cause for greater incidence of female crime (Chesney-Lind, 1973; Sarri, 1976). Although increases in female crime are hardly dramatic when compared to the overall crime statistics, and the gap between male and female crime is so enormous that the slight variations can in no way be interpreted as a convergence of behavior, both propositions still deserve investigation.

A summary of opportunity indicators are presented in Table 6.1. Education (school grade completed), educational skills (grade level performance in education tests),<sup>1</sup> occupation, and status of family origin will be used as indicators of opportunity. The rationale for this selection is reasonably direct. It is assumed that the more education a woman has and the greater her educational skills, the higher her legitimate opportunities in society and the greater her access to illegitimate opportunities. The opposite argument would state that women who rate low on all these dimensions will more likely be found among offenders.

Almost 70% of the population included in this study had not finished high school; about half had an unskilled occupation or no regular employment; and nearly 90% came from families classified as "working poor" and "marginal poor."<sup>2</sup> At first observation, this population overwhelmingly belongs to a group at the bottom of the opportunity scale. Moreover, there were no indications of improvement in later years. A review of Table 6.1 reveals that there was a decline in the quality of employment and also stability in the recruitment of offenders from among the poor classes. Although the mean completed school grade increased from below sixth grade to near tenth grade, these gains should be interpreted in light of general educational trends in the state and the nation.

In 1970, 53% of the population over twenty-five years old in the U.S. and in Michigan had a high school diploma, but none of the women committed to prison in Michigan that same year had finished high school. Among the female population committed to prison in 1976, 9% had a high school diploma, while 74% of Americans over twenty-five had a high school diploma. In 1970 only 14% of the national population over twenty-five and 12% in Michigan had not finished junior high, but the overwhelming majority of women committed to prison that year belonged in that category (97%). By 1976, this percentage had decreased to 54%, but for the nation as a whole only 11% of all adults had such a low educational level. So, in fact, the slight gains in formal education of the committed population are almost meaningless

1. These educational tests were administered at the prison.

2. Characterized by frequent periods of unemployment, chronic sub-employment and variable periods on welfare.

TABLE 6.1  
MEANS OF OPPORTUNITY INDICATORS BY YEAR

Year <sup>a</sup>	Education	Educational Skills	Occupation <sup>b</sup>	Family Status <sup>c</sup>
1 (67-68)	5.5	6.3	3.3	4.1
2 (69-70)	5.8	6.3	3.1	4.1
3 (71-72)	6.4	6.3	3.0	4.0 <sup>d</sup>
4 (73-74)	6.5	6.2	3.3	4.0 <sup>d</sup>
5 (75-76)	7.5	6.9	3.5	3.8 <sup>d</sup>
6 (77-78)	9.9	6.6 <sup>e</sup>	3.8	4.1 <sup>d</sup>
Grand Mean	7.5	6.5	3.4	4.0
N	(2297)	(2024)	(2197)	(1758)

<sup>a</sup> A biannual categorization was used

<sup>b</sup> Occupation was rank ordered in the following way: 1) Med Hi (prof. and skilled); 2) Med (clerical); 3) Med Low (service); 4) Low (unskilled); 5) None (none)

<sup>c</sup> Family of origin status was recoded by a class code: 1) High; 2) Middle Class; 3) Low Middle Class; 4) Working Poor; 5) Low (marginal poor, welfare class)

<sup>d</sup> Between 20-30% missing data in these years

<sup>e</sup> About 30% missing data

because they lagged so far behind gains of the whole nation. These data clearly signify that women prisoners increasingly belong to an educationally deprived minority. This picture is even more serious when one examines test data on educational skills. In spite of the formal education increase, the average of educational skills remained practically stationary over the twelve-year period (see Col. 2, Table 6.1). There is no doubt that this profile of female offenders in the Michigan correctional system supports the hypothesis of lack of educational opportunity rather than the reverse. In fact, time trends reinforce this conclusion, for it was during this same period of time that educational test scores of inner city youth in the United States also declined sharply.

Some of the supporters of the argument that expansion of opportunities for women would lead to an increase in female crime expect that increase to be largely in property offenses, especially forgery and fraud (Simon, 1975;

Steffensmeier, 1978; Noblit and Burcart, 1975). Others have asserted that because of deprivation and lack of opportunity, female offenders will predominate in the property area.

Table 6.2 shows the means of the four opportunity indicators by type of offense for two time periods: 1967-68 and 1977-78. In terms of education and family status, property offenders do not differ from violent offenders. Although in the earlier periods violent offenders appear to have come from slightly more affluent families, since 1975 this difference between the two groups diminished markedly. With respect to educational skills and occupations, property offenders ranked slightly higher than violent offenders.

Examination of two major categories of property offenses, larceny and forgery/fraud, allows one to investigate more closely the opportunity proposition. The expectation would be that offenders in the latter category would rank higher on the opportunity dimensions (Simon, 1975). This prediction is supported for all indicators except status of the family of origin where the most recent averaged levels were the same for all offenses. In terms of the present mean scores for education and educational skills, forgery/fraud offenders made greater gains than any of the other groups. It is also true that, although their occupation level had deteriorated over time, it was higher than for other categories of offenders. In both formal education and educational skills the drug offenders ranked the second highest.

Because most opportunity theories which attempt to explain changes in female criminality equate opportunity with job access, the distribution of types of occupation by offense were examined more closely in Table 6.3. More offenders committed for forgery and fraud offenses had professional, skilled and clerical occupations than any other group of offenders; moreover, they were also less likely to have been out of the labor market. Equally interesting is the fact that other property offenders (larceny and robbery) were the least represented in professional, skilled and clerical occupational categories.

There is, then, some evidence that offenders committed for forgery and fraud rated higher on opportunity dimensions than other types of offenders. This finding has to be qualified in several ways. First, given the low or negative opportunity level for all offenders, the greater opportunity level of fraud/forgery offenders is still very low and does not match the opportunity levels implied by opportunity theorists. For example, Allen and Simonsen (1975) and Simon (1975) argue that women are gaining access to positions of trust (mostly managerial white collar) and that because of the lack of close supervision, the possibility of engaging in embezzlement, forgery, and fraud is greater. These data (Table 6.3), however, show that 70% of the forgery offenders and 61% of the fraud offenders worked in service or unskilled occupations or were out of the labor force. The majority of these women did not come from managerial, professional or even clerical positions. Secondly, the theory clearly rests on a temporal progression of opening of opportunities to women. This is clearly not true for committed women, including forgery and fraud offenders who by the indicators of this study, have been losing occupational status in recent years. Thirdly, the theory attempts to explain the increase of official female

TABLE 6.2  
MEANS OF OPPORTUNITY INDICATORS  
BY TYPE OF OFFENSE FOR TWO TIME PERIODS

Violent	Education		Educational Skills		Occupation		Family Status	
	Mean	St.D. <sup>a</sup>	Mean	St.D.	Mean	St.D.	Mean	St.D.
1967-1968	5.6	1.8	6.2	2.3	3.2	1.0	3.7	.5
1977-1978	9.6	2.3	6.4	2.5	4.0	1.3	4.1	.7
1967-1978	7.4	2.5	6.3	2.4	3.5	1.2	4.0	.6
N	(637)		(558)		(604)		(506)	
<u>Drugs</u>								
1967-1968	5.6	1.5	5.9	1.9	3.5	1.3	5.0	.0
1977-1978	10.0	2.1	7.0	2.6	3.8	1.3	4.1	.7
1967-1978	7.9	2.6	6.7	2.3	3.4	1.3	4.0	.6
N	(247)		(270)		(237)		(204)	
<u>Property</u>								
1967-1968	5.5	2.0	6.2	2.0	3.2	1.1	4.2	.5
1977-1978	9.9	2.4	6.6	2.5	3.6	1.4	4.2	.7
1967-1978	7.4	2.5	6.5	2.3	3.3	1.3	4.0	.6
N	(7747)		(7008)		(7907)		(847)	
<u>Larceny</u>								
1967-1968	5.3	1.9	5.6	2.0	3.3	1.1	4.2	.6
1977-1978	9.6	2.3	6.1	2.4	3.8	1.4	4.1	.3
1967-1978	7.4	2.5	6.1	2.3	3.5	1.3	4.1	.5
N	(625)		(545)		(593)		(530)	
<u>Forgery and Fraud</u>								
1967-1968	5.8	2.0	6.9	1.7	3.1	1.5	3.9	.7
1977-1978	10.4	2.5	7.8	2.4	3.4	1.3	4.1	1.0
1967-1978	7.5	2.6	7.1	2.4	3.1	1.2	4.0	.9
N	(459)		(406)		(438)		(367)	

<sup>a</sup>Standard Deviation

TABLE 6.3  
FEMALE OFFENDERS' OCCUPATION BY OFFENSE  
(1967-1978)

	N	Professional and Skilled	Clerical	Service	Unskilled	No Occupation
Homicide	(376)	8%	11%	33%	19%	29%
Assault	(734)	6	14	30	20	30
Robbery	(273)	5	13	24	22	35
Drugs	(257)	9	16	25	16	34
Burglary	( 67)	3	13	39	19	25
Larceny	(622)	8	17	27	15	34
Forgery	(472)	7	23	31	17	21
Fraud	( 64)	11	28	27	19	16
Weapons	( 65)	5	12	28	21	34
Interfering	( 66)	6	15	33	14	32
Other	(756)	11	15	28	18	28
Total	(2366)	8	16	29	17	30

crime. At the level of highest penetration in the official system (prison commitments) this is clearly an insufficient explanation since forgery and fraud together contributed only 12% of the total increase in commitments between 1967 and 1978. Conversely, larceny offenders alone, a group ranking very low in the opportunity dimensions, contributed 31% of the total increase.

In sum, at least in Michigan, the women committed to prison have always, and continue to, come from groups at the bottom of the opportunity structure. The relative higher levels of opportunity for forgery and fraud offenders suggest that such crimes require greater skill and access. From the analysis of this study it is clear, however, that modest levels of skill and access (an average of tenth grade education and predominantly service and clerical jobs) are being spoken about. These hardly reflect the aspirations of the women's movement. Moreover, these offenders constitute only about one-third of all property offenders and one-sixth of all offenders in the latter part of the study period.

Thus, one cannot conclude that there is no relation between job opportunity and incidence of criminal behavior of women; but one can certainly conclude that, in Michigan, the ones who were caught and sent to prison were from among this society's economic and social losers.

## PRESSING CIRCUMSTANCES AND EXPEDIENT RESPONSES

Deprivation per se has seldom been taken as an adequate explanation for crime since it is obvious that not all the poor, the unemployed, and the uneducated commit crimes; while many who have the reverse characteristics commit them. It is, however, painfully evident that the underprivileged groups of the population are overrepresented in prisons.<sup>3</sup> This has often been taken to indicate that lack of opportunities is conducive to crime, especially under circumstances of heightened strain (Merton, 1957). To investigate the extent to which this strain hypothesis might be useful in describing the committed population, the researchers looked at two indicators of strain.

For this female population mostly uneducated, in predominantly low-paying jobs or coming from poor families, the presence of dependents can constitute a serious strain. The absence of a male companion can also be construed as a source of psychological, if not necessarily material, strain for any adult female at the bottom of the opportunity structure and surviving in a society that is still essentially male-dominated. In this sense one would have expected women on their own and with dependents to be overrepresented in the prison population.

According to the data (Table 6.4) the great majority of women ever committed lived alone<sup>4</sup> at the time of commitment. That is, they were not married nor had a common-law association. The variation in these circumstances by year is minimal. Over 40% of all women committed had at least one dependent at the time they entered prison. The average number of dependents for those women was rather high (2.4). There is, however, no linear trend over the years on this characteristic. Both in earlier years and in more recent years higher percentages of women with dependents have been committed to prison than in middle years. The highest single year in terms of commitment of women with dependents (56%) is 1976.

The distribution of these strain indicators by offense indicates that the great majority of all female offenders lived without a stable male companion at the time of commitment. Homicide and larceny offenders had dependents proportionally more often than any other offenders. Although most of the homicide offenders (two-thirds) had had a stable male companion in the past, half of the larceny offenders had always been single. These findings would be anticipated since it is known that women who commit homicide largely assault family members, most commonly their mail companions.

Given that most committed women were on their own and that in most of offense categories over one-third had dependents, it can be concluded that

3. It is beyond this study to debate the correspondence between crime commitment and crime prosecution and possible bias in the control system against the poor (Quinney, 1970).

4. Meaning that the presence of a stable male companion was not reported.

TABLE 6.4  
WOMEN ALONE AND WITH DEPENDENTS  
AT TIME OF COMMITMENT

	Alone		With Dependents	
	N	%	N	%
1967	(119)	71%	(120)	48%
1968	(115)	80	(115)	35
1969	(154)	69	(154)	51
1970	(142)	82	(155)	22
1971	(180)	70	(192)	25
1972	(135)	78	(166)	26
1973	(140)	82	(176)	29
1974	(177)	77	(216)	36
1975	(184)	78	(233)	37
1976	(265)	81	(289)	56
1977	(316)	82	(367)	48
1978	(372)	84	(414)	47

most of these offenders were deprived and also subject to strain.<sup>5</sup> Conditions of deprivation and strain might precipitate deviant behavior; but by themselves do not explain the variety of responses to strain, that is, the different types of offenses.

Cloward and Ohlin (1960) contend that some crimes are expressive, while others are more rationally planned and utilitarian. One would then expect that in similar frustrating circumstances and under high strain the probability of choosing more complex responses (and with greater chance of rewards) will vary directly with the mental ability of the individuals. To explore this hypothesis I.Q. test scores were used as an indicator of capability of engaging in more complex illegal responses to strain.

In Table 6.5 the distribution of I.Q. by offense type shows that a higher proportion of women committed for illegal activities requiring planning (robbery and burglary) and a certain degree of skill (forgery and fraud) had average or above-average I.Q. scores when compared with other offenders.

5. Women committed for "interfering with legal processes" were the only exception.

TABLE 6.5  
STRAIN AND ABILITY INDICATORS BY OFFENSE

	Women Living Alone at Time of Commitment	Women With No Past Known Stable Association	Women With Dependents	I.Q. <sup>a</sup> Normal or Above	I.Q. Deficient (69 or Less)
Homicide	81%	30%	46%	37%	23%
Assault	84	56	33	39	18
Robbery	80	53	40	53	10
Drugs	81	50	39	54	13
Burglary	83	54	35	45	17
Larceny	78	50	43	34	14
Forgery	77	44	37	50	15
Fraud	74	38	40	61	7
Weapons	87	56	35	38	8
Int. Leg. Prac.	75	41	22	38	10
Other	77	45	37	53	16
Total	79	46	43	44	15
Total N	(1913)	(1110)	(1076)	(804)	(271)

<sup>a</sup>Missing data for 1977 and 1978 is extremely high (about 70%).

A greater proportion of women committed for strictly violent crimes (homicide and assault) or simple crimes (larceny) scored low. In fact, it is among homicide and assault offenders that a higher relative incidence of women with scores below seventy was found.

One should keep in mind that over one-half of the homicide commitments were for manslaughter; over one-third of the assaults were felonious, and two-thirds of the larceny cases referred to shoplifting. The distribution of I.Q. by subcategories of crime types further reinforces the belief that I.Q. varies directly with complexity of illegal responses (see Table 6.6).

More than half of the drug offenders scored at the average or above average level on the I.Q. tests. A closer look at the types of drug offenses again lends credibility to the above argument. Sixty-five percent of the women involved in sale of drugs scored at the average and above average level as compared with 40% of those committed for possession alone.

These indicators of strain and ability are far from ideal. It is possible, for example, that a woman with a stable liaison of three years or more might have been coded as single rather than as having a common-law association. Those definitions are loose, and often the legal and social

TABLE 6.6  
DISTRIBUTION OF HIGH I.Q. BY SPECIAL SUBCATEGORIES  
OF HOMICIDE, ASSAULT AND LARCENY

	Total N	I.Q. (Normal or Above)
Homicide	37% (267)	
Manslaughter		34%
Second Degree		38
First Degree		48
Assault	39% (118)	
Felonious		24
Intentional Bodily Harm		25
Intentional Robbery		57
Larceny	34% (500)	
Shoplifting		33
Other		53

meanings do not coincide. The researchers also suspect underreporting of dependents because of very restrictive instructions in coding.<sup>6</sup> Finally, it is well known that I.Q. tests have serious class and cultural biases which could affect the overall scores of this overwhelmingly depressed population. Still, this is more likely to affect the absolute level rather than the relative level of performance of the respondents because there is very little class variation within this population. Keeping in mind these limitations, one can cautiously describe the committed population as having been subject to strainful circumstances which, given their low legitimate opportunity alternatives, were likely to precipitate a search for illegitimate alternatives. For this population, type of illegitimate response (e.g., type of crime) seems to vary with individual ability as measured by I.Q. tests. Women committed for simple and nonplanned violent crimes scored lower on the average than women involved in more complex, utilitarian crimes.

From these findings and statistics on unsolved crimes it is reasonable to assume that the more intelligent offenders were involved in complex and

6. Only the number of persons whom the offender was actually supporting at the time of being taken into custody for the instant offense was recorded.

utilitarian crimes and had greater capacity to avoid detection and incriminating evidence (e.g., white collar criminals). If this is so, then one would expect our prisons to be filled, not necessarily with the most socially damaging criminals, but the least skillful ones.

#### SHAKY ROOTS AND UNHEALTHY PRECIPITANTS

The whole movement of the juvenile courts in the United States can be traced to the belief that childhood negative experiences are the major contributors to adult criminal careers. The *parens patriae* principle expresses more directly the concern with family functioning and its ability to prevent or reinforce such careers. Probably the most popular explanation of juvenile delinquency is that it is due to family instability. This association has been credited as being especially important in relation to female delinquency (Morris, 1964; Claringer and Guze, 1970; Reige, 1972). More recently, attention has focused equally on the relation between school adjustment and delinquency, since school is obviously the major institution outside the family to which children are exposed (Elliott and Voss, 1974).

The most pervasive indicators of childhood experiences as related to delinquency have accordingly been family stability and school adjustment. School adjustment has been coded in the correctional data in such a way that can be trichotomized as good, fair, and bad. Good adjustment means both conforming behavior and academic adequacy. Fair adjustment implies a history of truancy and marginal academic performance; and bad adjustment indicates not only marginal performance, but discipline problems as well. The measure available for family instability refers, in fact, to family breakup. There are obvious problems in equating family stability with the permanence of the family unit; but in fact, a large majority of studies investigating the relation between family instability and official crime use equally limited indicators.

The family of origin of half of this population (46%) was still intact at the time of commitment, and for another 6% family breakup occurred after the age of 16. In 48% of the cases these women came predominantly from families that broke either in infancy (21% between ages zero and three) or during childhood (26% between ages three and sixteen).

Information on school adjustment is only systematically available after 1970. For the period 1971-78 nearly half of the women were reported as having had a good school adjustment, while one-third (34%) were classified as indifferent; and 18% had a history of school discipline problems (Table 6.7).

Assuming family stability only in the cases when the family was still intact at time of commitment, it is clear that an increasing proportion of the women committed to prison in the later years (64%) came from broken or single-parent families. Precise information is lacking to conclude if

TABLE 6.7

PERCENTAGE OF WOMEN COMING FROM INTACT FAMILIES  
AND TYPE OF SCHOOL ADJUSTMENT IN SCHOOL BY YEAR

Year	Intact Families		School Adjustment			
	N	%	N	Good	Fair	Bad
1967	(120)	50%	-	-	-	-
1968	(115)	55	-	-	-	-
1969	(154)	49	-	-	-	-
1970	(142)	46	(125)	76%	13%	11%
1971	(180)	47	(178)	75	13	12
1972	(135)	47	(132)	75	13	12
1973	(140)	46	(137)	62	17	21
1974	(176)	47	(172)	63	19	17
1975	(184)	44	(183)	62	21	17
1976	(259)	39	(263)	41	34	25
1977	(280)	40 <sup>a</sup>	(286)	27	51	21
1978	(316)	36 <sup>a</sup>	(333)	26	58	16

<sup>a</sup>Around 30% missing data for these years

this is or is not typical of the general population. Against recent statistics on divorce rate and single parenthood, the proportion of women offenders coming from broken homes does not appear exceptionally high.

On the other hand, school adjustment appears to have deteriorated over the years. Females committed in the earlier years had predominantly a history of good school adjustment, while the ones committed in more recent years showed predominantly a profile of indifference. Hard data are lacking to conclude whether this is or is not typical of the larger low socioeconomic population to which these women belonged.

Table 6.8 presents the distribution of family stability and school adjustment by offense. Committed burglars came mostly from intact families but had frequent school discipline problems, while fraud offenders came predominantly from broken families but had good school adjustment. Otherwise,

TABLE 6.8  
FAMILY STABILITY AND SCHOOL ADJUSTMENT  
BY OFFENSE

Offense	Family Stability		School Adjustment <sup>a</sup>			
	N	Intact	Good	Fair	Bad	
Homicide	(335)	47%	(233)	56%	28%	16%
Assault	(758)	46	(740)	49	50	24
Robbery	(225)	44	(192)	34	40	25
Drugs	(259)	47	(216)	48	36	16
Burglary	( 79)	54	( 48)	54	21	25
Larceny	(638)	44	(495)	46	37	17
Forgery	(437)	50	(292)	59	28	13
Fraud	( 63)	40	( 59)	75	10	15
Weapons	( 68)	41	( 50)	56	22	22
Interf.	( 67)	51	( 58)	43	33	24
Other	(763)	46	(712)	46	33	21
Total	(2337)	46	(1747)	50	32	18

<sup>a</sup>Data available only since 1970

variation by offense on family integration is very small. The incidence of school discipline problems was higher for violent and serious offenders (assault, weapons and robbery). Larceny and drug offenders have been predominantly indifferent in school, and forgery and fraud offenders were mostly well adjusted.

Attached to the concept of criminal subcultures is the assumption that both violent and utilitarian offenses stem from a life style in which drugs and alcohol play an important role and which is accompanied by mental deterioration. Also, explanations of criminality based on personality malfunction have regained popularity in recent years (Gordon, 1976). Three indicators, drug abuse, alcohol abuse and mental illness history, are used in the subsequent analysis to investigate the usefulness of the above assumptions for the population under study.

Occasional drinking and experimentation with drugs can be considered normative in our culture (Johnston et al., 1978); and, consequently, this study's interest focuses on abuse of alcohol and habitual use of drugs. The distributions on Table 6.9 show that alcohol was a problem for only a very small minority in any year considered. It is more than likely that this information is a very conservative estimate of alcohol abuse. This drug is so widely accepted in American society that its abuse is seldom viewed as deviant unless that abuse is extreme. On the other hand, there is a linear increase over the years on the percentage of women who habi-

TABLE 6.9  
PERCENTAGE OF WOMEN WITH NO HISTORY OF DRUG USE  
AND OF ALCOHOL ABUSE AND OF CONTACT  
WITH MENTAL HEALTH INSTITUTION BY YEAR

Year	D r u g s			Alcohol	Contacts With Mental Institution
	No Use	Experi- mentation	Non Habitual	No Abuse	None
1967	72%	-%	72%	85%	92%
1968	78	2	80	87	91
1969	69	-	69	86	81
1970	45	18	63	90	79
1971	45	12	56	89	72
1972	36	9	44	91	80
1973	37	13	50	93	74
1974	35	5	50	91	69
1975	35	11	46	87	64
1976	32	3	36	91	60
1977	32	6	39	77 <sup>a</sup>	61
1978	33	4	37	78 <sup>a</sup>	66

<sup>a</sup>Around 30% missing data for these years

usually used drugs and who had a mental illness history. The change is more dramatic for drugs. This rate of progression is not much altered by inclusion or exclusion of women who had experimented with drugs but had not formed a habit. The habitual use of drugs among female offenders committed in 1978 is proportionally double that of women who entered prison in 1967.

Numerically this means a sixfold increase. While only 8% of the women committed in 1967 had been previously in contact with mental health institutions, by 1978 more than one-third of the women committed had had such contacts.

Since the present social policy trends favor decriminalization of drug and alcohol addiction and consequently a more clinical rather than punitive approach to these problems, the increasing incidence of habitual drug users in the prison, as well as of people with a psychiatric history, appears to be problematic. The most important question centers on the availability of resources in the institution to develop adequate treatment services to respond to the special needs of these inmates.

Table 6.10 shows the distribution of these "disease" indicators by offense. Women committed for drug offenses were overwhelmingly habitual users of drugs. Over half of the women committed for robbery, larceny, weapons

TABLE 6.10  
SOCIAL DEBILITATING CHARACTERISTICS BY OFFENSE  
(in percentages)

	Drug Addiction	Alcohol Abuse	Mental Illness History
Homicide	18%	28%	27%
Assault	50	19	-
Robbery	57	14	32
Drugs	73	10	27
Burglary	46	16	32
Larceny	58	11	27
Forgery	44	9	26
Fraud	40	6	38
Weapons	58	16	14
Interfering	57	13	36
Other	28	16	27
TOTAL	48	14	27

and interfering with the law also fell in the same category. There was little difference among other offenders on drug abuse with the exception of homicide offenders. Among this latter group the percentage of drug abusers was the lowest, while the percentage of alcoholics was the highest of all offense types. More of the fraud offenders and offenders interfering with the law and less of the weapons offenders had psychiatric history as compared to other offenders.

Looking at Table 6.11, one can see that although drug abuse increased for all offense categories, it expanded faster for property offenders. There was also an increase in alcohol abuse; the highest levels were for homicide offenders in 1977-78. The increase in commitments of women with mental illness history was the same among the various types of offenders.

TABLE 6.11  
MEAN SCORES OF ALCOHOL AND DRUG ABUSE AND  
PSYCHIATRIC HISTORY BY OFFENSE TYPE AND YEAR

	Drugs <sup>a</sup>	Alcohol <sup>b</sup>	Psychiatric <sup>c</sup> History
<u>Violent</u>			
1967-68	1.2	1.4	1.0
1975-76	-	1.8	-
1977-78	1.9	-	1.3
<u>Drugs</u>			
1967-68	2.0	1.2	1.0
1975-76	-	1.6	-
1977-78	2.6	-	1.3
<u>Property</u>			
1967-68	1.5	1.1	1.0
1975-76	-	1.3	-
1977-78	2.5	-	-

<sup>a</sup>The drug variable was coded as 1 = No Use; 2 = Some Use; 3 = Habitual Use.

<sup>b</sup>The alcohol variable was coded the same way as the drug variable. For temporal comparisons the years 1975 and 1976 were referred to because information on alcohol use for 1977 and 1978 is very incomplete.

<sup>c</sup>Psychiatric history was coded as 1 = No History; 2 = Any Type of Psychiatric History.

## GENDER AND LIABILITIES OF BEING YOUNG AND NONWHITE

Based on official statistics, a stereotype has emerged representing criminals in this country as being predominantly young and nonwhite. Although it is true that nonwhites are disproportionately represented in the nation's prisons, in Michigan the racial proportions between male and female commitments are quite different. The race distribution for male and female commitments for selected years is given in Table 6.12. In the

TABLE 6.12  
MALE<sup>a</sup> AND FEMALE COMMITMENT BY RACE  
FOR SELECTED YEARS  
(in percentages)

	1972		1974		1976	
	Male	Female	Male	Female	Male	Female
White	42%	31%	46%	30%	46%	26%
Nonwhite	58	69	54	69	54	74

<sup>a</sup>Data obtained from the 1972, 1974 and 1976 Annual Reports of the Michigan Department of Corrections.

five-year period between 1972 and 1976 there was a small decline in the percentage of nonwhite male commitments, but in contrast, the percentage of nonwhite female commitments showed a steady increase. By 1976 there were 6% more nonwhite than white males being committed, but three-fourths of all female commitments were nonwhite.

With the accumulated evidence in this study that women committed to prison in the state of Michigan are predominantly losers, it would appear that being nonwhite and female represents some form of double jeopardy reinforcing their loser status. Unemployment statistics for the state of Michigan (Michigan Employment Security Commission, 1978, 1979) reinforce this assumption. Between 1960-1975 the female participation in the labor force had increased from 40% to 45% (Table 6.13). It is important to note that

TABLE 6.13  
FEMALE PARTICIPATION IN LABOR FORCE - MICHIGAN

	1960	1970	1975
Percent of All Females	34	40	45
Percent of All White Females	33	40	46
Percent of All Nonwhite Females	34	46	45

while nonwhite women had a higher participation rate than white women both in 1960 and in 1970, the reverse was true in 1975. That is, nonwhite women decreased their participation in the labor force during the recession period. This seems to indicate that many nonwhite women dropped out of the labor market possibly in response to their inability to secure a job. Recent unemployment statistics lend credibility to this interpretation. Not only were unemployment rates much higher for women than men in 1976, but more detailed statistics show that nonwhite women have the highest unemployment rates of all groups even when the overall female unemployment rate ameliorates (Table 6.14). That is, the chance of keeping a job, even for the nonwhite women who will not drop from the labor market, is the lowest of all groups. In fact, in 1978, a period of decrease in unemployment rate, the major gains were made by white males and the least by nonwhite females. As unemployment rates increased in the following year, this rank order was still maintained. Furthermore, according to a Michigan Employment Security Commission study issued in April, 1978, the major reason for female unemployment is job loss, not reentry in the labor force, as was true in the past. This means that unemployment rates, as well as decrease of participation in the labor force, constitute net losses for this group of women.

TABLE 6.14  
UNEMPLOYMENT RATES BY GENDER AND RACE

	1976	1978	1979 <sup>a</sup>
Total Males	8.6	5.7	7.1
White Males	-	4.9	6.0
Nonwhite Males	-	12.4	15.0
Total Females	11.1	8.6	9.0
White Females	-	7.3	7.3
Nonwhite Females	-	16.8	19.8

<sup>a</sup>Refers to the month of November.

Comparisons of offense and race revealed patterns similar to those which have been observed in other studies of female offenders (Iglehart, 1977). The data in Table 6.15 indicate that for nonwhites only in the case of larceny and use of weapons were they overrepresented relative to their

proportion of the population. White offenders were overrepresented in burglary, forgery, fraud, and interfering with legal processes. In general, except for the serious assaults, which mostly involved domestic violence, whites were overrepresented in more of the serious crimes than were nonwhites. Among the latter 23% were committed to prison for larceny, whereas 13% of white women were committed for larceny. The correlation with serious economic deprivation seems unmistakable.

TABLE 6.15  
RACE OF FEMALE OFFENDERS, BY OFFENSES  
(in percentages)

	<u>N</u>	<u>Nonwhite</u>	<u>White</u>
Homicide	(367)	71%	29%
Assault	(768)	70	30
Robbery	(248)	67	33
Drugs	(299)	66	34
Burglary	( 87)	45	55
Larceny	(778)	84	16
Forgery	(484)	51	49
Fraud	( 82)	60	40
Weapons	( 87)	83	17
Interfering with Legal Processes	( 92)	63	37
Other	(786)	50	50
TOTAL	(2888)	68	32

The age distribution of the male and female population was also quite different as can be observed in Table 6.16. On the whole, the female population was older than the male population. Although in both cases the modal age group was between twenty and twenty-four years old, the percentage of commitments of women younger than twenty years is negligible, while the percentage of those twenty-five or older was higher than for male commitments. These age/gender differences have become even more pronounced in recent years.

TABLE 6.16  
AGE OF MALE AND FEMALE OFFENDERS  
COMMITTED TO PRISON IN 1972, 1974 AND 1976  
(in percentages)

Age	1972		1974		1976	
	Male <sup>a</sup>	Female	Male	Female	Male	Female
19 or less	17%	5%	18%	6%	18%	6%
20-24	39	44	40	36	38	37
25-29	22	22	21	32	24	30
+ 30	22	28	21	25	20	26

<sup>a</sup> Data from the Annual Reports of the Michigan Department of Corrections

The mean age of female offenders had decreased by less than three years from 1967-68 to 1977-78, but in the later years the average age was still over twenty-seven years (Table 6.17). Variation of mean age by offense was minimal with the exception of homicide offenders who tended to be older and robbery offenders who were younger than the grand mean (Table 6.18). For all types of crime the mean age of the women declined over the years, but the greatest drop was for drug offenders.

TABLE 6.17  
MEAN AGES OF WOMEN BY YEAR OF COMMITMENT

Year	N	All Offenses	Mean Age		
			Violent	Drug	Property
1967-68	(234)	30.2	29.4	33.1	29.9
1969-70	(306)	28.8	31.4	31.5	27.3
1971-72	(357)	27.2	30.2	27.0	25.9
1973-74	(392)	26.6	28.0	26.0	25.6
1975-76	(520)	26.7	26.7	28.6	26.5
1977-78	(779)	27.5	27.8	27.8	27.5
TOTAL		27.6 (2588)	28.4 (667)	28.2 (274)	27.0 (1305)

TABLE 6.18  
MEAN AGE OF FEMALE OFFENDERS  
BY TYPE OF OFFENSE

Offense	N	Mean Age
Homicide	(363)	32.4
Assault	(167)	27.2
Robbery	(248)	24.5
Drugs	(295)	28.5
Burglary	( 85)	26.9
Larceny	(772)	27.0
Forgery	(475)	27.1
Fraud	( 82)	27.8
Weapons	( 80)	27.5
Interfering with Law	( 92)	25.5
Other	(183)	28.6
TOTAL	(2843)	27.8

#### CONCLUSION

The overview of the personal and social background of the females committed to the Michigan Department of Corrections between 1967 and 1978 characterizes clearly this population as underprivileged. Female offenders were more disadvantaged in 1978 than they were a decade earlier. This pattern was particularly pronounced for nonwhite offenders. Problems of these offenders were further confounded by family responsibilities, drug addiction and mental illness.

In recent years many have asserted that women have been favored in their handling by the criminal justice system relative to the handling of males. That assumption cannot be tested here, but these data provide little support for any conclusion other than that female offenders are disadvantaged losers in our complex and competitive society.

#### SENTENCING, TIME IN CORRECTIONS, AND PAROLE

TERRY WILLIAMS

#### SUMMARY

1. As we have already noted, the population of committed female offenders grew rapidly in this decade, largely because an increasing number of females were committed each year--from 80 in 1967 to more than 500 in 1978.
2. Both the minimum sentences and the length of special good time increased for these female offenders. Nonetheless, in both 1977 and 1978, 62% of the minimum sentences and 70% of the special good time lengths were less than two years.
3. The average length of stay in correctional facilities increased. In 1967 58% of the women spent more than one year. By 1978 74% spent more than one year, despite the fact that the 1978 profile of offenses did not include more serious offense histories than the 1967 profile.
4. The number of escapes grew dramatically. There were virtually none in 1967, but by 1978 there were more than 60 each year. The physical plant was more secure in 1978 than it had been earlier, so there were few escapes from it. Most were "walkaways" from community facilities.
5. At any one point in time the prison predominantly had women with relatively short sentences of one to two years and who had been convicted of less serious nonviolent crimes. Only 25% of the prison population were committed for the most serious crimes. Less than 1% were committed for offenses that had life sentences. In terms of special good time, more than 80% could expect to serve less than five years. Overall, during the decade there was some increase in the seriousness of the offenses for the women prisoners, but the special good time remained very stable. In short, the prison was not filled with a majority of very serious offenders with very long sentences, even in the later years of the 1970s.
6. Parole terms were generally from two to three years with little variation over the ten years.

## INTRODUCTION

The basic issue that is considered in this chapter is the question of sentencing and how many people are in prison for how long. Sentencing provides us an estimate of the potential time in prison. Actual time in correctional facilities shows us what the recent trends have been. Escapes, discharges, transfers and parole are various routes out of prison. Changes in any of these areas affect the number of people in prison. We will examine the trends in each of them to see how they have added to or subtracted from the tremendous growth in the female prison population in Michigan during 1968-1978.

Before analyzing actual trends it is important to note that when the characteristics of these women are examined--their sentences, their offenses, or their patterns of escape--we are including here only a very small sample of all women offenders in Michigan. There are many women who are arrested but not tried, or who are tried but not given a prison term. This means that trends in sentences and time in prison are easy to misinterpret. They can increase because judges are being more severe in their decisions; they can also increase when they are being much less severe with the shortest sentences. For example, if previously 30% of the women received sentences of less than one year but now only 15% received such sentences, the average sentence would increase and the distribution of sentences would be shifted to longer sentences. However, it is also possible that judges took those who would have received the shortest sentences and placed them on probation or in some other non-prison sentence. Then the judge would be more lenient rather than severe. This means the results of trends in sentencing and prison terms must be interpreted carefully. Average sentences can be particularly misleading, but even trends in distributions of sentences can be misinterpreted (Nagel and Neff, 1977).

## COMMITMENTS

The most dramatic and significant change for the prison system in Michigan was the growth in number of commitments as was noted in Chapter 3. Overall, there was a 500% increase in commitments in this decade. The other changes which occurred in sentencing, actual time, and parole were minor by comparison. In fact, considering the enormous increases, sentences and time in prison remained remarkably stable. It appears as if the crime rate simply increased relatively uniformly for all types of crime for all groups in Michigan, but that, in fact, was not the case.

As one would expect the total prison population has also increased largely in response to this increase in commitments. The increased use of resident homes and other community programs relieved some of the pressure on the prison. There has also been a tremendous increase in the number of escapes each year and that decreased the prison population over what it might have been. At the end of the chapter a projection is presented of what the prison population would have been if certain of these factors had been different. For

example, a large increase in very short commitments would have created a temporary surge in prison population, while a large increase in longer sentences would have had a compounding effect of even larger growth in prison population over the years. The potential for growth is still there, but also there is still potential for greatly decreasing that growth.

## SENTENCING

After the determination of guilt, offenders are sentenced by the court to the Department. They may receive probation or fines or commitment to jail or prison. For the women who received a prison sentence there were three elements to examine: the minimum time, the maximum time, and the special good time (SGT) each offender was assigned. Of these, the minimum sentence and the SGT were the most interesting. The maximum sentence is established by statute, and as shall be seen, is not really relevant to predicting actual time in prison. It did show the potential in cases of extremely bad behavior, but this potential was seldom exercised. The minimum sentence is set by the judge after a defendant is found guilty. The SGT presented here is calculated by the corrections personnel and is based on the minimum sentence. There are four "good time" sentences: a regular good time and a special good time for both the minimum and maximum sentences. They are calculated according to strict formulas. For the regular good time (RGT) five days are taken off for each month of the first two years of the sentence; six days for each month of sentences between three and four years; seven days for each month between five and six years; nine days for each month between seven and nine years; ten days for each month between ten and fourteen years; twelve days for each month between fifteen and nineteen years; and fifteen days for each month between twenty and more years: and the special good time (SGT) is simply 1.5 times the number of days taken off for the RGT. The SGT used in this report is the one based on the minimum sentence. This information provides the person in prison with the best estimate of the actual time she is likely to be there, if her behavior remains positive. For the most part, we will examine the SGT since it was the most significant predictor of the actual time spent in prison. First, however, a few brief observations about the minimum and maximum sentences will be made.

Minimum Sentences

Table 7.1 contains the distribution and average minimum sentence for all the women in prison. Clearly, short sentences predominated. Nearly 25% were sentenced to one year or less, and 65% were sentenced to two years or less. Only 18% received long sentences of over three years. The average sentence was 51.0 months, or a little over four years. A few very long sentences pushed the average higher than a truly typical sentence. The vast majority of women, in fact, received between one and two years. These patterns illustrate the danger in using averages to describe sentences.

When one examines the pattern over the twelve years from 1967 to 1978 in Table 7.1, the most striking fact is the stability of the sentences. Although commitments increased fivefold, the distribution of sentences for

TABLE 7.1  
MINIMUM SENTENCES ASSIGNED FOR FEMALE OFFENDERS BY YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Minimum Sentence Assigned in Years				Average Sentence in Months
		Less than 1	1 - 2	2 - 3	3+	
67-68	(204)	22%	43%	19%	17%	43.8
69-70	(309)	26	46	14	14	44.8
71-72	(358)	21	50	15	14	42.6
73-74	(392)	34	39	14	14	46.1
75-76	(522)	20	40	18	22	53.6
77-78	(781)	19	43	16	22	54.0
TOTAL	(2566)	23	43	16	18	51.0

67-68 and 77-78 were very similar, showing only a moderate shift to sentences of five years or more. In accord with the general pattern, more than 60% were sentenced to less than two years. The average sentence, however, showed a steady increase over this same period--beginning with a low of about 44 months and lengthening by 1977-78 to 54 months, an increase of 10 months. This reflects in part the moderate shift to longer sentences and also indicates that the longest sentences were generally longer than those in the earliest years of this decade. In 1967-68 the average sentence for those who received a minimum sentence over five years was 204 months or 17 years. In 1977-78 this had increased to 234 months or almost 20 years.

One shift of some interest in this twelve-year period is the 73-74 shift to shorter sentences. This shift was temporary and may have been in response to the sizeable overcrowding before the new Huron Valley facility was opened. Notice in Table 7.1 that the average for that year goes up even though the distribution indicates a real downward shift in sentences. This demonstrates clearly the problem of relying on average sentences to establish trends in sentences.

One question about minimum sentences is did the judge simply follow some guideline established by the laws, or did he use more discretion? Table 7.2 compares the minimum sentences that were given with the statute minimums. These statute minimums are the minimums specified in the actual

TABLE 7.2  
MINIMUM SENTENCE ASSIGNED COMPARED WITH  
STATUTORY MINIMUM SENTENCES  
(IN PERCENTAGES)

Statute Minimum	N	Minimum Sentence Assigned					
		Less than 6 months	6 months -1 year	1 year- 2 years	2 years- 3 years	3 years- 5 years	5+ years
0-6 mths.	(349)	<u>5%</u>	28%	53%	7%	3%	4%
6 mths.- 1 year	(22)	9	<u>46</u>	46	0	0	0
1 year- 2 years	(789)	4	24	<u>54</u>	14	2	2
2 years- 3 years	(275)	26	26	39	<u>9</u>	1	0
3 years- 5 years	(0)	0	0	0	0	<u>0</u>	0
5 years	(2255)	1	10	33	21	9	<u>26</u>

laws. Sometimes the minimums are only a fine, and sometimes they are ten years or more. The numbers underlined are percentages that indicate a rough match of minimum sentence with the statute minimum. The percentages below those underlined numbers are cases where the minimum sentences were less than the the statute minimum. Those above the underlined numbers received longer minimum sentences. The table indicates that most people received less than the statute minimum for the offense they committed. Twelve hundred and fifty-five of the women committed offenses where the statute minimum is over five years, but only 432 actually received such sentences. There was a tendency for the sentences to gravitate towards one to two years regardless of the statute minimum. Fifty-three percent of those with very short statute minimums of less than six months actually received sentences around one to two years. Thirty-nine percent of those with statute minimums of two to three years received sentences of one to two years. In every category of statute minimum sentences but one, one to two years is the most common sentence. In short, judges' discretion was not limited by the statutes, and the pattern of sentencing most to one to two years is again apparent.

TABLE 7.3  
MAXIMUM SENTENCE ASSIGNED FOR FEMALE OFFENDERS BY YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Maximum Sentence Assigned				
		Less than 1 year <sup>a</sup>	1 year- 2 years	2 years- 3 years	3 years- 5 years	5+ years
67-68	(204)	0%	21%	3%	17%	59%
69-79	(309)	0	25	2	17	56
71-72	(358)	1	20	3	15	61
73-74	(392)	8	21	4	13	54
75-76	(522)	2	17	5	18	57
77-78	(787)	0	16	4	24	56
TOTAL	(2568)	2	19	4	18	57

<sup>a</sup>Normally no one with a maximum of less than one year is sent to prison. These individuals are all women who had short additional sentences imposed.

#### Maximum Sentence

The maximum sentence was not as relevant to the actual prison term as the minimum sentence. It did, however, indicate the potential term that might be served under very extreme cases of misbehavior in prison. In effect, it was a threat of further punishment. Table 7.3 shows that for the total prison population, almost 60% had maximum sentences over five years. It further indicates that the trend from 1967-78 was not to the longest category, but rather to the three- to five-year category. Again this reflects some change in sentencing over the years but also reflects remarkable stability. There was also an increase that parallels the increase in the minimum sentence in the 1973-74 commitment year. Maximum sentences of less than one year were virtually nonexistent except in this period where it shot up to 8%. Again, this probably reflected the pressure the courts were under to restrain the growth in prison population in this period because of the limits of the prison facilities.

TABLE 7.4  
SPECIAL GOOD TIME (SGT) ASSIGNED FOR FEMALE  
OFFENDERS BY YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Length of SGT				Average in Months
		Less than 1 year <sup>a</sup>	1 year- 2 years	2 years- 3 years	3+ years	
67-68	(204)	26%	45%	19%	11%	22.1
69-70	(305)	32	46	15	8	19.3
71-72	(354)	27	47	16	11	20.8
73-74	(380)	36	36	12	16	22.5
75-76	(500)	37	34	13	16	22.8
77-78	(625) <sup>a</sup>	32	37	15	15	23.1
Total	(2368)	32	40	15	14	20.8

<sup>a</sup>1.9% missing data excluded on these two years.

#### SPECIAL GOOD TIME (SGT)

The "Special Good Time" (SGT) sentence was the best expectation a prisoner could have of the actual time to be spent in prison assuming good behavior. Although there were some exceptions to the strict calculation of the SGT, generally it was simply mechanically computed as seven days off each month of the minimum sentence. Later, during the actual stay in prison, "good time" could be subtracted, in effect lengthening the prison term.

Table 7.4 presents the distributions of SGT for the entire group of women. Not surprisingly, the distribution was quite similar to the distribution for minimum sentences, except that it tended to skew to the lower categories. Here 32% were for less than one year, and 39% were from one to two years. Only 6% were longer than five years. The average was also considerably lower than for minimum sentences, only 20.8 months or roughly one and three-quarters years. In this case the average expresses the total sentences more accurately than was the case of minimum sentences.

Trends over the years can be noted in Table 7.4 which contains the distributions and averages for the years 1967-78. In this instance there were some interesting differences from the minimum sentence distributions in

TABLE 7.5  
DISTRIBUTION OF SPECIAL GOOD TIME AND  
STATUTORY AVERAGE SENTENCE IN SELECTED YEARS

Year <sup>a</sup>	N	Length of SGT (percentages by year)						N	Statutory Av. Sentence	
		Less than 6 months	.5-1	1-2	2-3	3-5	5+		20 Yrs.	Life
1975	(261)	2%	13%	30%	22%	17%	16%	(260)	19%	.4%
1979	(510)	2	15	30	19	18	17	(501)	27	.6

<sup>a</sup>Distribution as of January 1 of the indicated years

Table 7.1. There was an increase in both the longer and the shorter sentences. The big loser was the middle category of one to two years, which went from 45% to 37%. The precise meaning of this kind of shift is hard to determine. It does, however, fit what would be expected if judges were tending to hand down generally lower SGTs. In that case the people in the lowest category would simply not be going to prison, but their category of less than six months would be filled by many women from the six-month to one-year category. The middle category, the one- to two-year group, would decrease simply because it was the largest. It loses many to the next lower category and gains few from the next higher category. The longer category would increase because the base was changed and its numbers were remaining roughly the same.

The overall effect of the trends in sentencing have not resulted in a prison filled with long term, more serious offenders. The annual growth in number of commitments accompanied by short sentences made this impossible. In fact, as Table 7.5 shows, the distributions of SGTs remained very stable. Less than 18% had sentences over five years in any particular year. Although the statute average sentences in Table 7.6 show some growth in more serious offenses, far less than a majority of the women in prison fell in this category. The typical women in prison were sentenced to less than two years. The typical characteristic of the prison was enormous turnover as large numbers were committed and large numbers released.

TABLE 7.6  
DISTRIBUTION OF SPECIAL GOOD TIME (SGT)  
FOR SELECTED OFFENSES  
(IN PERCENTAGES)

Offense	N	Length of SGT					
		Less than 6 months	6 mos.- 1 year	1 year- 2 years	2 years- 3 years	3 years- 5 years	5 years
Homicide	(288)	1%	12%	20%	21%	22%	25%
Assault	(146)	3	14	43	21	10	8
Robbery	(215)	8	10	34	25	14	10
Drugs	(252)	9	29	35	12	10	6
Larceny	(678)	10	33	44	10	2	1
Forgery	(409)	5	26	47	14	5	2
Fraud	(79)	4	25	53	9	9	0
Weapons	(74)	7	42	39	10	3	0
Interfer- ing with Legal Process	(85)	21	21	21	14	11	12

Looking at the total distribution of sentencing is useful in explaining or predicting changes in prison population, but leaves one wondering about causes. One cause for the sentence assigned is the offense committed. Table 7.6 presents the distribution of SGTs for major offense categories; and, as one would expect, homicide is the category with the greatest percentage of long sentences; over 25% had SGTs over five years. The next closest categories had roughly 10% in that long sentence category. The categories with the shortest SGTs are larceny, weapons, and interfering with legal processes, all of which have over 40% with sentences of less than one year. Larceny, forgery, weapons, and fraud all have more than 80% with sentences of less than two years. One implication of the strong relationship of offense to sentence is that by excluding homicide one finds an even stronger tendency for short SGTs of from six months to two years.

TABLE 7.7  
SPECIAL GOOD TIME (SGT) FOR  
SELECTED OFFENSES BY YEAR  
(in percentages)

Offenses	N	L e n g t h o f S G T			
		Less than 1 year	1 year- 2 years	2 years- 3 years	3 years
<u>Homicide</u>					
1967-70	(64)	20%	14%	30%	36%
1971-74	(65)	14	19	21	45
1975-78	(215)	11	25	17	46
<u>Drugs</u>					
1967-70	(40)	25	53	13	10
1971-74	(69)	43	42	4	10
1975-78	(243)	38	28	16	19
<u>Larceny</u>					
1967-70	(237)	34	50	15	1
1971-74	(283)	44	41	10	5
1975-78	(344)	48	43	8	1
<u>Forgery</u>					
1967-70	(229)	38	48	11	3
1971-74	(237)	28	54	12	5
1975-78	(243)	30	41	18	10

The trends over time in certain of these offense categories indicate that some interesting shifts have occurred. In Table 7.7 one notes that homicides received longer sentences in more recent years. Previously 20% of the SGTs for homicide were less than one year, but later that percentage dropped to 11. In the later period almost half received SGTs of over three years. For drugs, sentences became both longer and shorter. During 1967-70 over half received SGTs of from one to two years, but by 1975-78 this proportion had declined to only 28%. In the later years nearly one-fifth received long sentences of over three years, and almost two-fifths received sentences of less than one year. This fits what would be expected if judges had become more lenient with lesser drug offenses. Fewer women would then be sent to prison and these would be the more serious cases. At the same time, shorter sentences would place more people into

the less-than-a-year category. However, the size of the increase in longer sentences suggests that a real shift to much longer sentences also took place.

Larceny, which grew greatly in absolute numbers of commitments, showed a general shift towards shorter sentences. Nearly 50% received SGTs of less than one year during 1975-78. Longer sentences of from two to three years declined from 15% of the commitments to only 8%. Larcenies were about one-fourth of all commitments, so this shift to short sentences is particularly important for understanding trends in the prison population. The causes of this trend are hard to interpret. Judges may have been more lenient with larcenies and thereby shifted the pattern of SGTs downward. On the other hand, judges may now be committing lesser offenders who previously would have received non-prison sentences such as probation.

The last group is forgery commitments, shown in Table 7.7. Here is seen a clear cut shift to longer sentences. Before 1970 nearly 90% of the commitments were for SGTs of less than two years. The later period from 1975-78 had only 71% commitments that short. Nonetheless, the SGTs were still short compared with violent crimes such as homicide. It is probable that public concern about use of credit and about welfare abuses may have influenced sentencing.

The overall trend for SGTs was a combination of the different trends for the various offenses. Homicide and forgery shifted toward longer SGTs; larceny shifted toward shorter SGTs, and drugs shifted toward both longer and shorter SGTs.

Interfering with legal processes is a curious category. Most offenses have SGTs that were shifted down from the minimum sentences; however, 54% received minimum sentences of less than six months, while only 21% of the SGTs were that low. "Interfering with legal processes" was the only category in which SGTs were highly variable, for 12% were for five years or more, while 40% had less than one year. This category included many with a history of escapes and defying legal authority. Their SGTs took this previous bad behavior into account and resulted in longer periods in prison.

#### Race

One final concern is the possible differences in sentencing for whites and nonwhites. It has already been noted that the vast majority of commitments were nonwhite, and this percentage increased over the period of study. Over all commitments, one sees in Table 7.8 that the whites and nonwhites were roughly comparable with respect to the longest sentences, but the nonwhites generally had a significant advantage in the shorter sentences. In trends over the twelve-year period, both groups showed a sizeable decline in the middle category of SGTs of one to three years. Whites were still generally higher in this category, however, at each time period. The trends resulted in 40% of the nonwhites receiving extremely short sentences of less than one year. These differences in whites and nonwhites, while significant, were overshadowed by their similarities. Both concentrated SGTs in the one- to three-year category, and both showed a spreading out of sentences. Of course, it must be noted

TABLE 7.8  
RACIAL DIFFERENCES IN SPECIAL GOOD TIME  
(SGT) BY YEAR  
(IN PERCENTAGES)

Commitment Year	Nonwhites			Whites				
	N	Less than 1 year	1-3 years	3+ years	N	Less than 1 year	1-3 years	3+ years
1967-68	(120)	30%	60%	11%	(84)	19%	70%	11%
1969-70	(195)	30	60	10	(108)	35	60	5
1971-72	(237)	27	62	11	(117)	26	63	11
1973-74	(263)	37	46	16	(117)	32	52	16
1975-76	(365)	40	44	16	(135)	30	53	17
1977-78	(462) <sup>a</sup>	34	50	16	(165) <sup>a</sup>	27	61	12

<sup>a</sup>Missing data excluded 25% for both whites and nonwhites.

that nonwhites were vastly overrepresented in the prison population throughout the decade compared to their proportion in the state population. Thus, as was noted by Burghardt and Sarri in a study of Federal probation in 1971, it is possible that nonwhites were sent to prison for short sentences, while parallel whites were placed on probation. That proposition cannot be tested, however, since comparable probation data were not available. This is another example of the impossibility of determining severity or leniency of sentencing solely from a study of a sample of prison commitments.

#### ACTUAL TIME IN CORRECTIONS

Unfortunately, the actual time served as simple distributions or averages cannot be examined as was done for sentencing. Many of the offenders in this sample have not yet had time to complete their prison

terms; and therefore, they do not fit into any clear category. To overcome this, reference will be made to actual time in corrections by the percent who have already spent less than some period of time, such as less than one year. When studying trends between 1967-78, one is still somewhat hampered because nothing can be said about those serving longer than three years if they were committed in 1976 since they have only been in prison a maximum of two years. However, since most women are sentenced and actually serve less than two years, one can examine the patterns for most of the women.

Tables 7.9 and 7.10 present the actual time served. First, one can see that 74% of the women served less than two years and 31% less than one year. These percentages were very similar to the SGTs in Table 7.4. One can also see a clear increase in actual time served. Women serving less than one year declined from 43% in 1967-68 to 27% in 1977-78, but it should be noted that there was a great deal of missing data after 1973. These missing cases had a proportionately large number of longer SGTs which

TABLE 7.9  
LENGTH OF STAY IN CORRECTIONAL PROGRAM  
BY COMMITMENT YEAR  
(IN PERCENTAGES)

Year of Commitment	N	Length of Stay in Years				
		≤ 6 mos.	≤ 1 year	≤ 2 years	≤ 3 years	≤ 5 years
1967-68	(222)	7%	43%	80%	89%	97%
1969-70	(264)	3	36	76	88	94
1971-72	(317)	4	33	78	93	97
1973-74	(269)	5	32	69	84	93
1975-76	(388)	2	23	70	89	--
1977-78	(419)	8	27	--	--	--
Total	(1893)	5	31	74	89	95

TABLE 7.10  
 LENGTH OF STAY IN CORRECTIONS  
 BY SPECIAL GOOD TIME (SGT)  
 (IN PERCENTAGES)

SGT	N	Length of Stay in Years				
		≤ 6 mos.	≤ 1 year	≤ 2 years	≤ 3 years	≤ 5 years
Less than 6 mos.	(754)	23%	57%	89%	94%	96%
6 mos.-1 yr.	(479)	4	63	90	92	95
1-2 yrs.	(759)	2	19	87	96	98
2-3 yrs.	(280)	2	7	37	90	95
3-5 yrs.	(239)	5	4	16	42	97
5 yrs.	(75)	4	8	12	23	55

would bias the results in the directions of too many short actual terms in corrections. The trends discussed in this section were, therefore, somewhat stronger than indicated. The percentage of women serving less than two years also declined. However, there was not a shift to very long terms in prison. Less than 7% served more than five years. The shift in prison terms was from one year to two years and from two years to three years. Since these short sentences are the most common, these shifts were very important. This may reflect a more severe handling of women in prison. However, it may also reflect a tendency to send only the harder cases to prison, leaving prison for a group who normally could be expected to serve longer sentences.

The growth in the use of community-based resident homes made longer sentences somewhat less severe. The women in such homes have fewer restrictions placed on them and are not in a prison. The increased use of these homes for women is discussed below.

As mentioned, the percentages of offenders who served less than one year or less than two years were similar to the SGT distributions. Thirty-one percent of the women had SGTs and actual terms of less than one year. Seventy percent of the SGTs were less than two years, and 74% of the actual terms were less than two years. However, when comparisons are made of SGTs and time in prison directly, there is a tendency for people to serve one to two years in prison terms regardless of their SGT. Table 7.10 compares the actual term with the SGT for each woman and shows the tendency for actual terms to gravitate towards one to two years. Only 23% of those with SGTs of less than six months actually served less than

six months. Forty-three percent of those people with short SGTs actually served more than one year. For longer sentences the tendency for the actual term to be skewed towards one to two years is also seen. Thirty-seven percent of those with SGTs of two to three years actually served less than two years. Forty-two percent of those with SGTs of three to five years actually served less than three years. Fifty-four percent of those who have SGTs longer than five years actually served less than five years. The SGT was still a fairly good estimate of a woman's actual time in corrections. Women with extremely short SGTs could expect to stay a little longer than their SGT. Those with long SGTs could expect to stay somewhat less than their SGT. There were only a few who served much more or much less than the SGT would predict. However, some of those who received SGTs of over five years served less than six months, while some women who had SGTs under six months served more than five years. These may simply be errors in the data, or they may be cases where sentences were drastically changed after the original commitment--perhaps because of misbehavior in prison or an escape.

One factor that often influences the length of stay in prison is the offender's prior record. However, as Table 7.11 shows, there were virtually no differences for women with records and women without records. If anything, there seemed to be a slight tendency for women with records to serve shorter sentences. Even when offense was taken into account, there were few differences. If previous record had an effect, it apparently influenced practice at an earlier stage, perhaps during a plea bargaining or when the judge decided whether to send the woman to prison or probation. Once in prison, the women had a kind of equality with respect to their prior record.

Not surprisingly, the actual time in corrections varied for different offense categories. Table 7.12 contains the distributions for selected offense categories. Women committed for homicide were clearly more likely to spend longer terms in prison. Even for homicide, however, 66% served less than three years, and 4% served less than six months. Women found guilty of fraud spent the shortest time in prison; 50% were out in less than one year. Larceny, forgery, and fraud all had over 80% serving less than two years but had the lowest percentage released in less than six months. Even with differences between the offense categories, it is clear that the predominance of prison terms of one to two years still stands for all categories. It is also important to note that each category had some individuals at the extremes with very short and very long prison terms.

Actual time served for nonwhites and whites was similar. The percentages for the "total" groups shown in Table 7.13 are almost identical. Data for the trends from 1967-78 in Table 7.13, however, show differences for short terms of less than one year. Whites after 1975 served longer terms than nonwhites. Both groups showed a strong decrease in sentences of less than one year, but whites went somewhat further. In 1967-68 both had about 40% serving less than one year, but by 1977-78 this had declined to 19% for whites and 30% for nonwhites. The decline for nonwhites was earlier--beginning in 1969, while for whites the major changes occurred in 1973.

TABLE 7.11  
LENGTH OF STAY IN CORRECTIONS  
BY PRIOR RECORD  
(IN PERCENTAGES)

	N	Length of Stay in Years				
		≤ 6 mos.	≤ 1 year	≤ 2 years	≤ 3 years	≤ 5 years
No Record	(705)	4%	31%	70%	84%	93%
Prior Record	(1289)	5	32	76	90	95

TABLE 7.12  
LENGTH OF STAY IN CORRECTIONS  
BY OFFENSE  
(IN PERCENTAGES)

Offenses	N	Length of Stay in Years				
		≤ 6 mos.	≤ 1 year	≤ 2 years	≤ 3 years	≤ 5 years
Homicide	(262)	4%	13%	42%	66%	86%
Assault	(133)	2	22	69	88	95
Drugs	(215)	8	35	76	90	96
Larceny	(571)	4	36	83	92	96
Forgery	(393)	4	36	80	91	95
Fraud	(65)	11	50	82	94	98

TABLE 7.13  
ACTUAL RACIAL DIFFERENCES  
IN LENGTH OF STAY IN CORRECTIONS  
(IN PERCENTAGES)

Commitment Year	N	Length of Stay in Years					
		Nonwhite		White			
		1 year	2 years	N	1 year	2 years	
1967-68	(135)	44%	81%	(87)	41%	79%	
1969-70	(185)	31	75	(98)	47	80	
1971-72	(205)	30	76	(106)	39	82	
1973-74	(178)	30	68	(91)	34	71	
1975-76	(280)	25	72	(108)	17	65	
1977-78	(308)	30	--	(111)	19	--	
TOTAL	(1291)	31	73	(601)	35	75	

#### COMMUNITY-BASED RESIDENTIAL FACILITIES

The use of community-based residential homes for women grew explosively during the ten-year period. These were halfway houses for women leaving the prison. Table 7.14 contains the actual numbers sent to resident homes by year. There was considerable variety, but the trend was towards much heavier use by 1978. In part, this increased use was because community-based programs became generally popular in this decade. However, the use of these facilities also reflects national policies and, in turn, the pressures that influence those policies. Resident homes were used more extensively, apparently, when the number committed grew beyond the capacity of the prison. The pressures on the system are even more clearly shown in Table 7.14. This table shows that over 14% of the women committed in 1971-72 eventually went to community homes. The figure for 1977-78 was almost identical. This is quite surprising since the later

TABLE 7.14  
FEMALE OFFENDERS IN COMMUNITY  
CORRECTIONS FACILITIES, BY YEAR  
(IN PERCENTAGES)

Commitment Year	N	% in Community Corrections <sup>a</sup>	N	Time in Corrections <sup>b</sup>
1967-68	(216)	3%	(216)	56 months
1969-70	(273)	4	(273)	62
1971-72	(262)	14	(262)	62
1973-74	(234)	9	(234)	67
1975-76	(327)	12	(327)	74
1977-78	(210)	14	(210)	71

<sup>a</sup>Percent of all women committed to corrections department

<sup>b</sup>Time in corrections for offenders who were not assigned to community corrections

group had only two years or less in which to be sent to community facilities. There was an increased use of the community homes; and also, they were utilized much earlier in the period of time for which the woman was sentenced.

With the growing use of community homes, the question arises whether the trend to longer actual time in corrections really reflects longer time in prison. Table 7.14 is Table 7.9 corrected for the effect of community homes by presenting only women who never went to such facilities. The actual time in prison increased for these women over the ten years. Here again it should be noted that this increase did not mean many more ten-year-to-life sentences, but only a shift from one year to two years.

#### ESCAPES

One major source of relief on the population growth in the prison was the enormous increase in escapes, although undoubtedly that was unplanned and not desired. Table 7.15 compares the escapes from 1967-78 with the prison population. From virtually zero in 1967, there were roughly sixty to seventy escapes annually after 1973. Comparing the number of escapes with the total prison population, it is easily seen that they

TABLE 7.15  
ESCAPES FROM CORRECTIONAL  
FACILITIES BY YEAR

Year	N	Escape From Institution	Escape - Walkaways	Total Escapes	Prison Population <sup>a</sup>
1967-68	(216)	1	0	1	131
1969-70	(273)	9	3	12	218
1971-72	(262)	29	6	37	244
1973-74	(234)	39	27	119	163
1975-76	(327)	78	57	138	248
1977-78	(210)	4	124	129	433

<sup>a</sup>Prison population as of January 1--middle of two-year period; 77-78 population on January 1, 1978; excludes community program population.

were a very significant factor in containing prison growth. The decline in number of escapes for 1977-78 was especially significant when the great increase in commitments for the same period is taken into account. In terms of total "prison" population there was actually a substantial decline in escapes. This decline coincided exactly with the opening of the more secure facility at Huron Valley. Subsequent to that opening, the majority of escapes were "walkaways" from community-based facilities.

Another way to look at escapes is in terms of individuals--22% of the women committed in 1973-74 attempted escape. Overall, 331 women, or 12% of the total sample during the ten years, attempted escape at least once. Roughly one-third of those attempting escape have done so twice. Since the sample does not follow all the women to the end of their sentences and some of these women will probably escape in the future, these percentages actually understate the number of women who escape.

One important factor in the motivation to escape is the length of sentence. Table 7.16 compares the escape patterns for different SGTs for women committed in 1973-74. Women from later years show a similar pattern though not as strong, largely because they have not had as many years in prison to have the chance to escape. Clearly, this table shows the longer

TABLE 7.16  
ESCAPE PATTERNS IN 1973-1974  
BY SPECIAL GOOD TIME (SGT)

SGT	N	Offenders Who Ever Escaped (In Percentages)
Less than 6 months	(26)	19%
6 mos.-1 year	(109)	17
1-2 years	(137)	14
2-3 years	(46)	22
3-5 years	(34)	34
5+ years	(28)	28

in SGT, the more likely there would be an escape attempt, although the percentage attempting escape for short SGTs was also significant. Women with longer SGTs had both the longer time of opportunity to escape and the motivation.

TABLE 7.17  
ESCAPE PATTERNS FOR SELECTED OFFENSES

Offenses	N	Offenders Who Escaped One or More Times (In Percentages)
Interfering with legal processes	(92)	36%
Robbery	(248)	15
Larceny	(778)	14
Assault	(168)	13
Fraud	(82)	13
Forgery	(485)	10
Drugs	(297)	8
Homicide	(367)	7
Burglary	(87)	7
Weapons	(80)	6

Table 7.17 divides the escape percentages into offense categories. "Interfering with legal processes," with more than one-third attempting escape, stands out of all other offense categories. This group included women with a history of escape and indicates their willingness to defy authority. The second most likely categories for escape were assault, fraud, larceny, robbery, and forgery. It was noted earlier that longer SGTs were related to the tendency to escape; and yet two groups, larceny and fraud, have some of the shortest sentences. Escapes depended both on motivation to escape and opportunity. People committed for larceny and fraud were more likely to have minimum security restraining them and were, therefore, better able to escape. The group with the least likelihood of escaping was comprised of drugs, homicide, burglary, and weapons.

Race is also a factor in the escape patterns. Both nonwhites and whites showed great increases in their tendency to escape, although 13% of the nonwhites attempted escapes compared to only 9% of the whites.

TABLE 7.18  
PAROLE PRACTICES BY OFFENDER CHARACTERISTIC  
(IN PERCENTAGES)

Length of Stay in Years in Corrections	N	Parole Terms				
		Less than 6 mos.	6 mos.-1 year	1-2 years	2-3 years	3-4 years
≤ 6 months	(69)	4%	15%	57%	25%	0%
≤ 1 year	(602)	2	28	37	33	0
≤ 2 years	(1237)	6	18	39	36	0
≤ 3 years	(1285)	6	17	40	37	1
≤ 5 years	(1107)	5	15	36	42	2

Race	N	Parole Terms			
		Less than 1 year	1-2 years	2-3 years	3-4 years
Nonwhite	(1117)	25%	37%	37%	1%
White	(637)	18	37	45	1

Race	N	Length of Stay in Years in Corrections plus Parole Terms			
		≤ 1 year	≤ 2 years	≤ 3 years	≤ 4 years
Nonwhite	(1100)	1%	23%	53%	83%
White	(621)	0	18	49	83

## PAROLE

By far most women who are committed to prison serve some parole time. Out of a total 2,800 women in this study, 1,754 had already completed parole by the end of 1978. As Table 7.18 indicates, the distribution of these paroles indicates that even more than SGTs and minimum sentences, most women spent similar periods of time on parole. Nearly 80% served from one to three years, and almost none served longer than three years' parole time. There were no clear time trends for these parole terms because so many women had not completed their parole terms in 1978.

Table 7.18 compares the actual time in prison with the parole time served. There was some tendency for longer terms in prison to be followed by longer paroles, but most offenders served paroles of one to three years in any event. This suggests that there may have been a relatively mechanical application of parole terms. Table 7.18 combines the actual time in prison with the parole term to see what was the total amount of time in prison and parole. Almost no one had less than one year, and more than 80% spent from one to four years total time, and more than 60% had from two to four years. These patterns are largely the same for whites and nonwhites although whites served slightly longer parole terms in the two- to three-year category. The difference was balanced out, however, when one examines the total time in prison and parole time. There the two groups were virtually identical. This means that whites were spending relatively less time in prison but a bit more on parole. Overall, the similarities are more striking than the differences.

## A MODEL FOR PREDICTION OF PRISON POPULATION

One tool that can be used to see what might have occurred if sentencing, actual time, or escapes had been different is to use the computer to create projections of prison populations. Comparing the actual prison population at the beginning of the year from 1970 to 1978 to a projection that eliminates escapes and has each person serving her full special good time, the SGT projected population matches the actual population until 1973. This was the same year that escapes started their enormous gain. For the remaining years to 1976 the prison population was roughly fifty to seventy people short of the projected number. Without escapes and with women serving a full SGT term, the prisons would have had to cope with 20 to 30% more inmates during this period than they actually received.

For the last two years the tremendous growth in commitments led to a surge in population for both the actual and projected populations (see Table 7.19). The longer actual time spent in corrections combined with the relative decline in escapes resulted in the actual population being greater than that which was projected. Since the longer actual terms were in the categories of one to two years, this surge should be temporary. In addition, more than 100 of the actual population were in community programs, keeping the number in prison down and easing the effect of the surge. The basic conclusion is that the growth was fast, but it could have been even worse.

TABLE 7.19  
MODEL OF EXPECTED CORRECTIONS POPULATION  
VS. ACTUAL POPULATION

Years	1	2	3	4	5
	Actual Popu- lation	SGT Pro- jected	Long Sent- ences Minus 6 Months	Short Sent- ences Minus 6 Months	Nonviolent Minus 6 Months
1976	305	356	344	274	272
1977	398	412	393	324	329
1978	538	511	475	409	401

	Distribution of Special Good Time (SGT)						
	N	Less than 6 mos.	6 mos.- 1 year	1-2 years	2-3 years	3-5 years	5+ years
Actual SGT	(2454)	7%	24%	39%	15%	8%	6%
Projected SGT for Nonviolent Minus 6 months	(2297)	24%	30%	22%	11%	8%	6%

Using this same model, the researchers also adjusted the time served to see the effect of systematic changes in sentencing. One simple set of changes was to lower long sentences and short sentences by six months. Columns 3 and 4 of Table 7.19 present the results. Lowering short sentences is much more effective in alleviating crowded prisons. The differences in prison population using the two changes involved about seventy women for each of the three years projected. This difference had three causes. One, there were simply many more women with short sentences, and, therefore more people who were affected by the change. Two, since the sentences were short to begin with, the result of the change was much faster turnover of women in prison. And three, with the shorter sentences a few women were never sent to prison, thereby lowering the overall commitment rate. An additional highly significant advantage of changing short sentences was an almost immediate effect on the prison population rather than the three years' or longer wait with changing the longer sentences.

One obvious way to achieve shorter sentences effectively would be to shorten sentences for nonviolent crimes. Roughly two-thirds of all commitments were for such crimes. As is shown in column 5 of Table 7.19, the effects of shortening time for nonviolent crimes by six months is virtually identical with abbreviating short sentences. The 1978 projected population

was more than 130 smaller than the actual population, a decline of more than 25%. Comparing the distribution of SGTs for the actual population and this projected population, one can see how the result is achieved. One hundred and fifty-seven women are simply not serving any time since their SGTs were originally less than six months. The remaining categories were heavily shifted to shorter SGTs, mostly drawn from the middle category of SGTs of one to two years. The percentages of longer SGTs were unchanged. The changes in these SGT distributions suggest that this shortening has already been happening in some respects. It was noted in Table 7.4 that the distributions of SGTs over time were skewed toward both longer and shorter sentences. In response to the known overcrowding in the facilities, this means a certain number of sentences may have been shortened. Our projection, however, indicates that there is still room for more cutting to be highly effective in decreasing or slowing down the growth in prison population. Even if not carried out as formal policy, the advantages in terms of curbing prison population growth are so great that such practices are likely to appear informally. Since much of the growth in commitments has been for larcenies with short SGTs, this situation makes the practice all the more probable.

#### CONCLUSION

Prison terms are the products of decision-making. An oversimplified view allocates to judges the primary responsibility for the decision. However, a more accurate view would include legislatures that set limits on the determinancy of sentences; prosecutors who determine charges and negotiate pleas; and the corrections system that determines the actual length and condition of the sentences. Of these, the corrections system receives relatively less notice for its role. The sample in this study, however, focused attention on the effect of the corrections system's discretion and decision-making. The women in this sample have already passed through the other stages of processing and are in prison. The major decisions left were those by the corrections system.

Two facts about the corrections system practices stand out. First, women tend to serve one to two years, regardless of the sentence or offense. The decision to send them to prison is more important than any other factor in determining how long they will be in prison. The use of discretion by parole boards has been noted in other studies of cases outside of Michigan by Albert W. Alschuler (1978). The sentences in different classes of offenses tended to "regress towards the mean" or, in other words, tended to be of an average length in spite of differences in original sentences. One of the effects of this exercise of discretion is to counteract disparities in sentences. For women in prison in Michigan, the implication is that one to two years is felt to be a fair term for almost any woman. That this is true at the sentencing stage can be verified by the predominance of SGTs of one to two years. It is further reinforced by the decisions in the corrections system where short sentences tend to be lengthened and long sentences shortened. This pattern suggests a kind of bureaucratic "non-decision-making." Once the decision has been made to send someone to prison, then a sentence of one to two years follows. The key decision for women is whether or not they are sent to prison.

The second fact that stands out is that the corrections system adjusts its policies on release according to population pressures on the prison. Foote (1978) argues this is a general pattern found throughout corrections in America. For example, in California, Foote found reversals on release policies in response to changes in the total prison population gave the corrections system strong incentives to find some ways to relieve overcrowding. Part of the solution was found in a new option, the community-based residential facilities. The model developed earlier showing the effects of different release policies on prison population indicated the best policy in terms of a smaller population was to lower short sentences by a small amount. The use of community homes fits this optimal policy. Whether used consciously or not for population control, their use results in the most effective and quickest relief of overcrowding.

The corrections system's policies were an important factor in determining actual prison terms. Discussion of sentencing that ignores the goals and discretion of the corrections system will fail to explain the realities of sentencing.

## COUNTY CHARACTERISTICS AND COMMITMENT PATTERNS

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## SUMMARY

1. Urbanized counties contributed most of the prison commitments of females, as would be expected; but the fluctuations were substantial within years varying by twenty percentage points within an interval of a few years. This fluctuation was repeated several times in the decade.
2. Migration, both in and out of the county, was correlated with increased numbers of commitments. Counties with stable populations contributed far fewer commitments than was expected statistically.
3. Although counties with large nonwhite populations committed more female offenders, there was no measurable increase over the decade. Counties where minorities were socially isolated had high rates of commitment, regardless of the overall population composition.
4. Very few offenders were foreign born, but the second largest cohort of offenders was born in southern states (26%) and had migrated to Michigan. However, overall county composition characteristics were too general to enable one to ascertain any distinct relationships.
5. Knowledge about the county crime rate provided some information to explain the increase in commitments, but the fluctuations over time and between counties were such that no clear-cut pattern emerged. Moreover, there were few changes in county crime rates and commitment patterns during this decade.
6. Information on percentage of the population below the poverty level, unemployed, on Social Security, or receiving other welfare benefits provided little information to explain commitment patterns. This occurred because the large urban counties had more heterogeneous populations; thus, bimodal distributions are observed for many of these variables. Nonetheless, it is clear that many rural counties with large numbers of poor persons committed fewer female offenders proportionately than did the urban and more affluent counties.

7. When commitment rates were analyzed for the eighteen courts which provide 93% of all commitments, it was observed that percent non-white in the population was more strongly related to commitment rate than was the crime rate. Per capita income was negatively correlated with commitment rate.

Characteristics of the counties from which females were committed to the Michigan Department of Corrections were examined to ascertain whether there were any patterned associations between characteristics of offenders and county commitments. Michigan is a state of great diversity, so it could be expected that substantial variation would exist. It has eighty-three counties which range from the small rural county of Keewenaw in the Upper Peninsula with 2,300 persons to Wayne County (nearly 600 miles south) with over two million persons. Other researchers have long observed that crime, arrests, and convictions were positively correlated with socio-demographic characteristics, such as average income, education, race, employment levels, percent of population on welfare, and so forth. Thus, we determined that it was important in this study to ascertain whether selected county demographic characteristics were associated with commitment patterns.

It could also be anticipated that characteristics of the local law enforcement and judicial system could influence commitment patterns. Such data were not available to the research staff for all Michigan counties. However, a small number of counties were selected for more careful qualitative study.

URBANICITY, RACE, AND PLACE OF BIRTH<sup>1</sup>Urbanicity

The findings for urbanization, race, and place of birth are presented in Table 8.1 for each of the commitment years. Percent urban was defined in terms of the number of persons residing in incorporated cities and towns of 2,500 or more persons. Throughout the twelve-year period those counties with the higher percentages of urban population provided more than 60% of the commitments. The sharpest increase occurred between 1967 and 1969; in the former year the percentage was 62%, and it increased to 78% two years later. Although one cannot pinpoint the cause of this shift, there was a marked increase in urban unrest in the urban areas surrounding Detroit in this period of time. The percentage continued to grow to 82% in 1970, and thereafter it fluctuated for a few years and then declined to 72% by the beginning of 1979.

1. Data on county characteristics are from the computer tape of the 1977 U.S. City-County Data Report, U.S. Bureau of Census.

TABLE 8.1  
 CHARACTERISTICS OF SENTENCING COUNTIES, BY COMMITMENT YEAR  
 (IN PERCENTAGES)

Year <sup>a</sup>	Urbanization			% Nonwhite			% Foreign Born		
	Rural	Moderate	High	Low	Median	High	Low	Median	High
1967	12%	25%	62%	24%	19%	57%	4%	48%	48%
1968	8	13	78	16	14	70	2	38	60
1969	13	11	76	30	12	58	5	39	56
1970	7	10	82	18	14	68	3	37	60
1971	4	20	75	25	16	59	3	39	57
1972	6	30	64	25	24	51	7	50	43
1973	11	23	65	32	19	49	7	38	56
1974	8	22	70	27	18	56	3	37	60
1975	11	19	70	24	18	58	0	34	57
1976	12	19	70	32	15	54	9	32	59
1977	7	26	68	32	22	46	7	41	52
1978	10	24	66	31	19	49	6	41	52
1979	6	22	72	30	21	49	4	35	61
TOTAL	8	21	71	27	18	55	6	38	56

<sup>a</sup>These data represent the commitments for prior year. Thus for 1967 the data are based on all commitments until 1/1/67.

Rural counties committed the fewest females throughout the period, but they evidenced considerable variations from 4% in 1971 to 13% of all commitments in 1969. Moderately urban counties contributed fewer females than would be predicted, but they also evidenced considerable variation from 10% in 1970 to 30% in 1972. Obviously, if urbanization alone were a critical variable in predicting commitments, one would anticipate somewhat less variation than was observed.

Migration patterns by county were also analyzed, but no definitive trends were observable. Counties with high rates of migration had about the same percentage of commitments as those with low migration. When net migration was examined by county, counties with low net migration increased in the proportion of commitments from 7% in 1967 to 29% in 1975. This change reflects the decline in population in Detroit and some areas of Wayne County during the 1970s. This was also a period of greater public concern about serious crime in those communities, so the observed pattern is not surprising. Overall, the data suggest that counties with substantial immigration produce as many commitments as those where the population is declining. Stable counties fluctuated the least and contributed fewer commitments than would be expected statistically.

#### Race and Ethnicity

Since the percentages of nonwhite offenders was so high throughout this twelve-year period, it was important to ascertain if there was an association between commitment and percent nonwhite in the population. The researchers were unable to analyze data about Hispanics separately for this twelve-year period. Those classified as nonwhite were native-born Americans of African descent, West Indian, Haitian and selected others from Central and Latin America. Where ethnicity was uncertain for the respondent, the father's ethnicity had been coded to classify the offender.

Patterns of commitment were correlated with race, but not as clearly as might be expected. Those counties in which the percent nonwhite was high (10% or more) contributed half or more of all commitments of nonwhites to the Department.<sup>2</sup> However, that was followed by counties with the lowest percentage of nonwhites in the total population (5% or less). Between 20% and 30% of the commitments were from counties in which the percentage nonwhite is very low. Those in between (5-10% black) had far fewer commitments than would be expected as the findings in Table 8.1 suggest. Although there were fluctuations between years, there were no stabilized changes over the decade of observation in this study.

The sharpest discrepancies from the expected commitment patterns relative to race were observed in counties with relatively smaller total percentages of nonwhites, but nonwhites there were isolated economically and culturally from the bulk of the majority populations. This was particularly apparent when one examined commitments from Detroit Recorder's Court with

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2. The percent nonwhites in Michigan as of 1970 was 11.1% (U.S. Bureau of Census, 1977).

commitments from the remainder of Wayne County and the other counties in the Detroit metropolitan area, but this will be analyzed further subsequently.

#### Place of Birth

The national census of offenders has indicated that not only do the southern states incarcerate the largest number of offenders, but the South is also the birthplace of many offenders incarcerated in other parts of the United States. These findings were corroborated in this study and provide some clues regarding nonwhite commitments. Although 55% of all the females committed in this period were born in Michigan, 26% were born in a southern state, as the findings in Chapter 4 revealed. These results could be anticipated since Michigan experienced a large migration of nonwhites from the South during and after World War II. Many of these persons experienced considerable economic and social difficulty during the severe recessions in Michigan, and it could be anticipated that many could drift to crime as a solution to their problems.

Prior studies of female offenders (Glueck, 1950) had hypothesized that the percent foreign-born in a population would be correlated positively with commitments. As the data in Table 8.1 indicate, about half of the commitments each year came from counties in which 20% or more of the county's population were first or second generation immigrants to the United States. These findings corroborate other observations, but one would need to be cautious about drawing conclusions about this variable as critical in itself since immigrant populations are higher in urban areas which also produced the highest rates of commitment. Obviously, more detailed study of individual offenders is necessary to establish causal linkages. Only .7% (16) females out of the 2,886 cases in this study were born outside the United States; so, obviously, it was the parents of these offenders who were probably of immigrant status.

#### CRIME RATE

Many observers have argued that commitments reflect the actual crime rate in a given area, so in this case one would expect to observe positive correlations between crime rate and commitment. This pattern would be expected to show weaker correlations for females than males since females constitute only one out of six arrests, and the crime rate reflects arrests, not actual observations of crimes or victim reports.

The findings in Table 8.2 present the 1975 crime rate of Michigan counties with those classified as "low" where the rate was 8,000 or below. These data confirm that high rate counties tend to have more commitments; that for most years the differences between "medium" and "high" were quite small, and that in 1977 the "medium" rate counties had more commitments.

When one examines specific crimes, some additional information emerges. If only serious crimes are considered, the relationship between crime rate and numbers of commitments increases and is clearly distinct. In fact,

TABLE 8.2  
CHARACTERISTICS OF SENTENCING COUNTIES.  
BY COMMITMENT YEAR  
(IN PERCENTAGES)

Year of Commitment	1975 Crime Rate per 100,000		
	Low	Medium	High
1967	4%	45%	51%
1968	1	27	72
1969	3	40	57
1970	3	34	63
1971	1	40	59
1972	4	47	49
1973	5	46	49
1974	4	38	58
1975	7	37	56
1976	8	41	51
1977	5	49	46
1978	5	44	51
TOTAL	4	42	54

*N* = 2858

the percentage increases to 75% of the commitment from high-rate counties. Relationships were also stronger for property crimes. Because property crimes were the largest crime category for this population, these findings assume greater importance. Apparently, factors other than crime rate are more critical for female than male commitments. At least these data would suggest that such might be the case.

As was noted in the previous data presented in this chapter, there were fluctuations over the decade but no clearly discernible shifts from the beginning to the end of the decade. There are also no clear identifiable patterns associated with societal efforts to prosecute more stringently in the early and mid-1970s that produced shifts in inter-county commitment patterns.

## POVERTY, WELFARE AND COMMITMENTS

Several variables were used to ascertain whether the county's commitment pattern could be related to the poverty level of the population, median family income, number of Social Security or other welfare beneficiaries. Table 8.3 presents some of these findings and indicates that there is no clear pattern of relationship. Briefly, these data suggest the following:

1. Counties with high median family income had disproportionately higher rates of commitment.
2. Counties with larger numbers of social security recipients had more commitments than those with moderate or low numbers of recipients. A similar pattern was evidenced for the number of public assistance recipients by county.
3. Most commitments were from counties with low or moderate, rather than high, percentages of the population below the poverty level.
4. With respect to public assistance payments, although the relationship contrasts with that which would be expected, there was a difference when one examined counties where larger numbers of children are on A.D.C. In that instance "low" and "moderate" level counties had higher rates of commitment, suggesting a higher child population. Again, this is not surprising because the remaining counties are likely to be urban communities with substantially greater numbers of aged persons rather than children.
5. The rate of unemployment also produced no discernible impact upon commitment patterns when comparisons were made for counties with low, medium or high rates of unemployment. In fact, counties with moderate levels of unemployment had more than 80% of the commitments each year (Table 8.4). There was no discernible change over the decade except for year-to-year fluctuations. It is noteworthy however, that counties with low levels of unemployment contributed only 2% of the commitments.

## BIRTH RATE

Some might assert that with the increasing numbers of females who are single-parent heads of households, they might be more vulnerable to crime. Moreover, these women might also have higher levels of fertility as measured by birth rate. It could be argued that the cost of rearing children might be such that even with welfare benefits, women under stress would commit more crime. The data in Table 8.5 indicate that there was no change in the relationship between county birth rate and commitment. Counties with moderate levels of fertility had about two-thirds of the commitments each year followed by those with high birth rates. Counties with low birth rates were very few and had only 2% of the commitments overall.

TABLE 8.3  
 CHARACTERISTICS OF COMMITTING COUNTIES BY YEAR:  
 POVERTY, PUBLIC ASSISTANCE AND SOCIAL SECURITY  
 (IN PERCENTAGES)

Year	% of Families Below Poverty Level <sup>a</sup>			Total Number of Public Assistance Recipients <sup>b</sup>			Total Number of Social Security Recipients <sup>c</sup>		
	Low	Medium	High	Low	Medium	High	Low	Medium	High
1968	64%	30%	6%	11%	6%	83%	4%	6%	90%
1969	67	22	11	15	5	80	7	8	85
1970	64	34	2	9	3	88	5	3	92
1971	70	26	4	4	5	91	2	3	96
1972	62	36	2	7	3	90	1	6	94
1973	67	27	6	13	6	81	2	11	87
1974	56	39	5	8	8	84	2	5	93
1975	48	47	5	13	7	80	2	10	88
1976	57	41	2	12	6	82	1	11	88
1977	71	28	2	8	4	88	1	6	93
1978	66	30	4	9	9	82	3	6	91
1979	65	33	2	7	4	89	1	5	94

<sup>a</sup>As of 1975 Census Reports

<sup>b</sup>As of 1975 Census Reports

<sup>c</sup>As of 1975 Census Reports

TABLE 8.4  
CHARACTERISTICS OF SENTENCING COUNTIES  
BY COMMITMENT RATE  
(IN PERCENTAGES)

	Rate of Unemployment		
	Low	Moderate	High
1967	0%	83%	17%
1968	0	83	17
1969	0	83	17
1970	1	89	10
1971	0	92	8
1972	1	85	14
1973	3	85	12
1974	2	89	9
1975	3	86	11
1976	4	83	13
1977	3	89	8
1978	2	83	15
TOTAL	2	86	12

*N* = 1994

COMMITMENT RATES IN SELECTED COUNTIES

When commitments were analyzed by county from which the offenders were committed to the state, it was observed that eighteen courts in seventeen counties provided 93% of all commitments--2649 out of 2856 during the 10-year interval. With the exception of Wayne County where there are two separate and distinct courts, the Detroit Recorder's Court and the Wayne County District Court serving the county, each of the counties was analyzed as a unit. Wayne County was analyzed separately because Recorder's Court serves only the city of Detroit, and the district court serves the remainder of the county, primarily the suburban communities surrounding Detroit.

TABLE 8.5  
CHARACTERISTICS OF SENTENCING COUNTIES  
BY COMMITMENT YEAR  
(IN PERCENTAGES)

	Birth Rate		
	Low	Moderate	High
1967	5%	63%	32%
1968	2	63	35
1969	4	62	34
1970	3	61	36
1971	0	66	34
1972	2	66	32
1973	1	73	26
1974	2	70	29
1975	2	75	23
1976	1	77	22
1977	0	69	31
1978	2	63	36
TOTAL	2	68	36

*N* = 1994

For this analysis all counties were selected where there were 25 or more commitments during the ten years. In the remaining 66 counties there were fewer than one commitment per year on the average.

The eighteen jurisdictions are presented in Table 8.6 ranked according to the commitment rate per 100,000 population in 1975. These rates vary from 15 in Macomb County, a suburban county northeast of Detroit, to the Detroit Recorder's Court where the commitment rate was 58 for 100,000. The population of these counties varies from Van Buren with 56,173--a rural county with no large cities--to Wayne with 2,670,368 people.

Considering the findings already examined in this chapter and those from the studies of incarceration patterns in the 50 states by Nagel (1977) and Downs (1977), the commitment rates were correlated with several variables

TABLE 8.6  
 COMMITMENT RATES AND DEMOGRAPHIC  
 CHARACTERISTICS OF SELECTED COUNTIES

County	Commitment Rate 1968-1978 <sup>a</sup>	% Nonwhite <sup>b</sup>	Crime Rate <sup>c</sup>	Per Capita Income <sup>d</sup>
Macomb	15	1.2	5931	4089
Bay	22	.6	5949	4418
Wayne	23	10.3	5870	4755
Calhoun	25	8.4	9432	4966
Kalamazoo	30	4.8	8225	4764
St. Clair	31	2.2	6265	4191
Ingham	33	5.5	6810	4752
Oakland	35	3.1	6526	6350
Kent	37	5.6	5592	4641
Berrien	37	11.2	6905	4313
Lenawee	37	.7	4120	4118
Muskegon	38	10.6	6892	4089
Saginaw	39	12.2	7767	4506
Genesee	41	13.6	8245	4593
Washtenaw	51	15.3	8034	5248
Van Buren	52	7.9	5762	3829
Jackson	53	5.9	5697	4534
R.C. Detroit	65	43.6	10,311	4463
		$r = .43$	$r = .13$	$r = -.18$

<sup>a</sup> Commitment rate per 100,000 population, 1975

<sup>b</sup> % Nonwhite, 1970

<sup>c</sup> Crime rate per 100,000 population, 1975

<sup>d</sup> Per capita income, 1975

for which comparable data were available. The following rank order correlations were obtained in comparisons with commitment rates:

Commitment and % nonwhite in the county:  $r = .43$

Commitment and crime rate in the county:  $r = .13$

Commitment and per capita income:  $r = -.18$

These data indicate that percent nonwhite in the population was far more strongly related to commitment than was crime rate. It is also noteworthy that the per capita income was negatively correlated with commitment rate. Particularly significant is the pattern of Wayne County where the suburban areas were 10% nonwhite and had a low commitment rate of 26 compared to Detroit which was 44% nonwhite and had a commitment rate of 58 per 100,000. It would be surprising if this difference were based on individual behavior since the crime rate for the suburban area was high and second to the rate in Detroit.

When one examines the demographic data for these counties, it is quite apparent that there is substantial variation among the counties. The crime rate varied between 4,120 per 100,000 population in Lenawee to 10,311 in Detroit. Per capita income also varied from 3,829 in Van Buren to 6,350 in Oakland. It would be expected that higher crime rates would be strongly correlated with commitment rates but this is not the case. This finding is in accord with those noted by both Nagel (1977) and Downs (1977). With respect to per capita income, two factors may explain the moderately strong negative correlation. Counties with higher per capita income have more local resources to treat offenders in their home communities. Also, counties with higher income tend to have lower rates of crime, especially property crime. Oakland County would be illustrative of this phenomenon since it tends to have many local community programs for offenders and has a crime rate below the median.

These summary data clearly indicate that any plan for systemic solutions to the problems of the female offender must give particular attention to these eighteen jurisdictions, to the particular plight of the nonwhite community, to employment, and to poverty. It also suggests that further study be given to conditions in counties such as Macomb, Bay, and Calhoun where commitment rates were relatively low, as well as to Jackson, Van Buren, Washtenaw, and Detroit where they were so high. Obviously, there are important processing differences within those several counties. Nonetheless, it is noteworthy that some urban counties had three times as many commitments as other counties at the same crime level, and there is no available information suggesting that the communities are at greater risk in the latter instance. Additional information is needed to develop more definitive conclusions, but these findings are in accord with the study of sentencing in Michigan by Zalmon and his colleagues (1979). They reported substantial disparity in felony sentencing among the various counties in Michigan and attributed this disparity largely to the various ways in which offenders were processed through the system in the different counties.

WOMEN IN PRISON:  
REEXAMINATION AND RECOMMENDATIONS

ROSEMARY C. SARRI

This research had as its goal the examination of several key questions of interest to correctional administrators, policy-makers, social scientists, and persons generally interested in correctional programs for women. First, by examining the characteristics of offenders committed to the Department of Corrections in Michigan over a ten-year span of time, it sought to determine whether females were becoming more criminally active and if so, in what ways. Second, the study attempted to ascertain whether courts were sentencing women for longer periods of time for some or all types of crime. A third question of concern was whether the actions of departmental and/or parole staff were crucial determinants of the length of time offenders actually spent in prison, relative to the sentences which were set by the court, and whether these too were changing. Fourth, the study sought to ascertain patterns of stability and change in the socio-demographic characteristics of female offenders. Fifth, it attempted to examine critical characteristics of committing counties, especially of those sentencing the bulk of offenders, to determine whether there were substantial discrepancies in sentencing among the counties. Lastly, the research attempted to ascertain whether the availability of a new facility increased the probability of more commitments even when there was little or no change in crime rates.

Female offenders and their criminality were largely ignored by criminologists and policy makers and also by human service professionals until the 1970s. Until then female crime was viewed as a relatively minor aberration when compared with male crime. Coinciding with the spread of the feminist movement, it appears that these same professionals suddenly became interested and appeared to have discovered a "social problem in the making." Almost overnight there were dramatic increases in the incarceration of women, and broad statements were made about female crime -- its frequency and seriousness. Thus, attempting to provide some answers to the above questions was of interest to administrators and practitioners, but also to social scientists primarily interested in explaining and predicting criminal behavior.

What then was learned in this research with respect to the above questions? Although this study included only convicted women who were incarcerated in state facilities in Michigan, this number was estimated to be only about 15% of all females arrested. Commitments increased by 500% during the decade, so obviously, there must have had to be substantial increases in the numbers of women processed through the criminal justice system. The increase in commitments far exceeded the increases in female crime rates in the Uniform Crime Reports. The profile of the incarcerated offender did not change markedly during the decade except for a dramatic increase in commitments for drug-related crimes. Larceny predominated as the primary basis for commitments in 1968 and 1978, followed by fraud/forgery, drug-related crimes, and homicide. The latter declined in relative frequency over the decade although study of the prison population at any given point in time would show sizeable numbers there for homicide because they were given far longer sentences than were property offenders.

Less than one-third of the women had a history of juvenile justice involvement or of previous probation. More than half had never served time prior to the present commitment, but of those who did, they were most often property offenders charged with larceny or fraud rather than a violent crime.

Findings from this study appear to have demonstrated conclusively that the main changes which occurred were changes in sentencing decisions. Although two-thirds of all the commitments received minimum sentences of two years or less, the average sentence increased from 44 to 54 months during the decade. Those who received long or life sentences experienced even larger increases. "Suggested Good Time" dates were also extended, but to a lesser degree than minimum sentences. Average minimum sentences of one to two years tended to occur regardless of statutory provision or other prescriptions.

Although at any point in time the prison predominantly held women with relatively short sentences of less than two years, in 1967, 58% spent more than one year in prison as compared with 78% in 1978 -- a very substantial increase. This change occurred despite the fact that the 1978 profile of commitment offenses did not include more serious offense histories than the 1968 profile. Thus, it appears that the parole board and other correctional officials with control over length of stay decisions changed their behavior during the decade, as did the judges in the sentencing decisions. Only 25% were committed for serious crimes, and only 1% of all the commitments had life sentences.

This study also examined the socio-demographic characteristics of the females committed to the Department of Corrections to ascertain patterns of stability and change. The single most pronounced change was observed in the race of offenders where the percentage of nonwhite commitments grew from 57% to 74%. This level of change contrasted with that observed in the male prison population where the nonwhite male population dropped from 58% to 54% in the same time period. Otherwise, these offenders typically had less than a high school education, few or no job skills, and had a work history that was sporadic or nonexistent. Many appear to have been the sole provider for their children. These factors, coupled with increased rates of drug addiction and psychiatric treatment, meant that these persons were severely disadvantaged in competing successfully in an urban, industrialized society. In sum,

the female prison population in Michigan became predominantly nonwhite and younger, but as in previous years, the majority of offenders were committed for nonserious crimes and for a period of less than two years.

Income insecurity and family responsibility were problems which increasingly plagued these female offenders. Unemployment became a more significant problem following the 1974-75 recession. That this was the case was evident in the decrease in women offenders in the service and low skill employment categories and the doubling of the percentage of women with no occupation or labor force participation at the time of their commitment (53%). Although the level of formal education appeared to have improved slightly during the decade, educational skills declined, as measured by performance on standardized tests. Despite the lack of dramatic changes in the socio-demographic profile of these female offenders, there are clear indications that the population incarcerated in 1978 was socially, economically, and culturally more disadvantaged than their counterparts in 1968.

When Michigan was compared with other states with respect to its rate of incarceration of women, we learned that it stood seventh in the country in 1968 but that it gradually shifted, and by 1978 its population of over 600 incarcerated females placed it fourth among the fifty states. Michigan was exceeded only by California, Texas, and Florida, states which also had high rates of overall incarceration. When Michigan was compared with other similar midwestern states, it had the highest rate per 100,000 population. Its rate of 140 per 100,000 in 1978 was nearly triple that of Illinois and double that of Ohio. It also exceeded Indiana, Pennsylvania, Iowa, Minnesota, and Wisconsin by large percentages.

#### Findings from Other Studies of Incarcerated Females

Before formulating the policy and program recommendations from this study, we reviewed the findings from the most comprehensive study completed to date of prisons for women in the United States. That was the study completed by Ruth Glick and Virginia Neto in 1977 based on data collected between 1973-1975 in fourteen states. Thus, the findings cover the mid-period of the decade included in this study. Moreover, Michigan was one of the states sampled in this study, so it is useful to ascertain whether their general findings corroborated those found in this research. Some differences would necessarily be expected because the Glick-Neto study was a cross-sectional survey of the population in state and local programs at a given point in time, while our research was a longitudinal study of commitments to prison over a ten-year interval. For example, a cross-sectional survey would yield a population of more serious offenders because they remain in prison for longer periods of time than do minor offenders. A longitudinal study of commitments would be expected to show higher percentages of less serious offenders who are committed for short periods of time. Despite these differences, our comparisons revealed remarkable similarities in the principal findings from the two studies.

Glick and Neto found that the majority of offenders were:

- Young — two-thirds were under thirty years of age.
- The majority of the population represented minority groups, with over half of the total population black, and with Hispanics and Native Americans also overrepresented.
- Most women were undereducated with very few who had completed secondary school or had attended any type of post-secondary school.
- Most offenders were single heads of households who had been on various types of welfare programs. Only a minority had experienced stable family situations during most of their adult years. One-third had been on welfare during their childhood. Three-fourths of the women had had children; in fact, the median number of children borne by each female inmate was 2.48 compared to 2.18 for all families with children in the United States in 1973. Only half had responsibility for their children at the time of their incarceration. Inmates had difficulty in maintaining contacts with their family by mail, telephone, or in person.
- Over half of the women were employed but primarily in low skill positions and on a temporary or part-time basis in many instances. No relationship was found between employment and crime, contradicting opportunity theorists who postulate a link between increased participation in the labor force and a rise in crime.
- Half of the offenders were first arrested after they reached age eighteen. Property offenders were most often recidivists, but the women with the most extensive involvement in the criminal justice system were petty habitual offenders, prostitutes, drug users, and shoplifters. The least serious offenders were incarcerated in jails with the poorest program and the highest security and custody.
- Forty-three percent of the offenders were sentenced to prison for violent crimes, while 29% were there because of property crimes, and 22% were there for drug use.
- Most offenders were in closed residential programs with only one female offender in ten in a community-based program of any type.

Glick and Neto observed that institutional programs were generally inadequate, overcrowded, and largely inappropriate for the needs of the female population. The average length of stay in this sample of fourteen states was between thirteen and eighteen months, but many facilities lacked complete information about sentencing or length of stay. Living conditions varied widely, but generally were worse in local programs which were almost exclusively jails in which males were also held. Educational programs were limited primarily to traditional programs such as food services and cosmetology. Even work assignments were available for only a minority of the women, so prolonged periods of idleness was the lot of most offenders. Recreation and physical fitness programs were very limited and often nonexistent. Health services largely consisted of preliminary screening

examinations and minimal emergency services for accidents. Tranquilizers, however, were widely available and were frequently utilized to maintain control over inmates.

In describing the treatment programs, Glick and Neto said the following:

Treatment in correctional institutions was conspicuous by its absence. Treatment staff, such as psychiatrists and psychologists, were most often involved in intake testing, court ordered examinations, and in the case of psychiatrists, prescribing medication. Counseling was often a duty of correctional officers, who were not necessarily trained and whose primary role was custodial. Group sessions were more often unit management meetings than group therapy. On-going individual therapy was rare (59-60).

The well known study of Lipton, Martinson and Wilks (1975) was published at the same time as the Glick-Neto study was underway. The former concluded that treatment programs were largely ineffective in rehabilitating offenders. Those findings have had profound effects on correctional policy in many states and even nationally through the influence of persons such as James Q. Wilson. As a result, many speak about the death of the rehabilitation ideal and advocate that prisons should be for punishment and custody only. The observations of Glick and Neto indicate clearly that treatment programs were largely non-existent in 1975. Thus, one can hardly argue that treatment could not be effective, at least in the instance of correctional programs for females because it wasn't being tried. The other large survey of female facilities by Arditi *et al* (1973) drew the same conclusion.

#### WHAT IS TO BE DONE

In considering the policy and program recommendations which are suggested or implied by the research findings, it was recognized that neither the law enforcement nor the correctional systems can be held responsible for all that has occurred in this decade in Michigan with respect to female offenders in prison. Many of these women came to the criminal justice system with attributes that grew out of social problems in their family, neighborhood, and larger society. The criminal justice system seldom has the resources to overcome problems of long-standing, but they do have a minimal obligation not to further aggravate the problems of these offenders. The recommendations which follow are divided into two general categories: *first*, there are a series of proposals for the judicial and correctional officials, and *second*, a series of broader recommendations to various organizations and groups in the larger society.

#### A. Policy and Program Recommendations for Criminal Justice Officials

*1. Sentencing guidelines need to be developed to reduce disparity within and between counties and to effect a more rational use of existing capacity.*

The findings from this study are complementary to those of Zalmon *et al* (1979) in their larger study of sentencing throughout Michigan in 1977. Disparities associated with race, gender, place of residence, and attributes of the decision-maker are not defensible. This is not to suggest that all judicial discretion be eliminated, but rather that discretion must be exercised with respect to variables which are known to be related to the crime under consideration. In the instance of gender, particular problems arise because female crime differs substantially from male crime; moreover, the total volume of female crime is far less than that of male crime. Our classification systems for prosecution and sentencing are built around male crime, but it is no longer defensible to use identical classificatory schemes in face of evidence of substantial gender differences in types of behavior and frequency of commission. The development of more comprehensive classifications can be integrated into comprehensive sentencing guidelines.

Several states have developed and implemented sentencing guidelines, so findings are available for study and analysis as to their applicability in Michigan.

*2. Effective systems for monitoring court and correctional systems behavior should be implemented to insure accountability and the assessment of the relative effectiveness of various policies and procedures.*

Inter-county variations in sentencing were larger than is necessary or desirable, but decision-makers charged with these decisions lack up-to-date systematic information that would enable them to review their own decisional patterns and modify them given this information. Likewise, the society is demanding more thorough-going accountability from all public service organizations, and there is no reason why the court should be excused from such a requirement. Lack of systematic information may be one of the most serious problems facing courts at most levels in the United States today.

*3. More frequent systematic review of sentencing patterns and length of stay by the Supreme Court Administrator's Office or some other branch of state government appropriate for this task must be implemented.*

The findings from this study suggest that expectations regarding the availability of additional prison beds in the new prison led to increased commitments of less serious property offenders in many counties. This finding is not surprising as the research of Nagel (1979) has shown, but since Michigan is continuing to consider the building of additional prison facilities, there needs to be a mechanism created to review judicial decision-making so that the cycle will not continue to accelerate and expand as it has done in other states. Likewise, if criminal code revision would lead to

the establishment of relatively fixed sentencing guidelines, the need for systematic on-going review would be imperative.

*4. Development of differentiated probation supervision, locally controlled community-based correctional programs and transition programs are urgently needed for female offenders in Michigan.*

The most common policy response to a rise in prison population has been to build more prisons, and that has now been demonstrably shown to be ineffective, self-defeating, and far too costly. Prison populations are a product of criminal justice policy emanating from law enforcement and corrections more than from public opinion or demographic characteristics of the population. The findings from this study indicate that the vast majority of female offenders were committed for property and victimless crimes rather than person or violent crimes. Many years ago the noted psychiatrist and criminologist, Dr. Karl Menninger (1968) stated that property offenders do not belong in prison and that they will be harmed by that experience far more than society will ever be benefitted. Most states no longer have the resources for continued expansion of their prison capacity, regardless of any other factors that might be considered. Instead, incentives are needed for counties and communities to develop their own community-based programs, including a more differentiated approach to probation supervision as well as community residential programs. Local opposition to state intervention has developed to such an extent that community-based corrections is likely to be in jeopardy unless greater responsibility and control rest with the local community wherein the offenders reside.

For those offenders who will continue to be sent to prison transition programs must be provided. At present, the majority are released back to the community without assistance in transition. Reintegration is usually difficult and stressful. Locating employment is likely to be one of the most problematical activities facing the newly released woman, but re-establishing a home and family life are also problematical. There are a number of unresolved issues about what types of transition programs should be provided, under whose auspice and for how long they should continue. Nonetheless, pre- and post-release transition programs can be useful in alleviating problems in the return to the community. Research has shown that attention at this time can help protect against the reestablishment of criminal behavior patterns and contacts.

*5. Programs to alleviate educational handicaps, drug dependence, and mental illness are urgently needed by a large proportion of female offenders.*

It was noted that drug-related crime was the crime which showed the greatest increase in the period of this study. Drug addiction or dependence is a serious problem for many female offenders and treatment programs must be provided, or the offender will not be able to change the pattern of behavior in most instances.

More and more female offenders have had some type of psychiatric treatment for mental illness. The administration of tranquilizing drugs and the maintenance of isolated psychiatric units within prisons raise

questions about the placement of mentally ill persons in a prison. Since trained psychiatrists or social workers are seldom available, the correctional officer is called upon to handle the mentally ill offender. He or she is seldom trained for such responsibility.

It has been repeatedly noted that female offenders have been severely handicapped in their education. As a result, they have few or none of the skills necessary for employment today. Prisons do little, if anything, to alleviate this handicap. Formal education and vocational educational programs should receive far greater attention, and women should be realistically prepared for the labor market. The traditional prison programs seldom accomplish this objective.

Educational programs should prepare offenders for probable jobs that are of interest to them because most women spend less than two years in correctional facilities. Thus, programs have to take into account the length of time actually required for training and facilitate continuance of that training after the offender leaves the prison. All too often it is argued that few educational programs can be provided because of the variations in or short lengths of stay.

Many female offenders had negative educational experiences in elementary or secondary school. Because of this, they are likely to be wary of any type of education that is offered to them. Programs with a "hands on" component with immediate feedback are likely to motivate skeptical women. They will see that they can accomplish something. Training can serve to buffer some women from future criminal activity by providing a track to a self-supporting existence if it is carefully planned and implemented with continuing external input about labor market requirements and conditions.

B. Recommendations regarding societal changes with respect to female offenders

The criminal justice system cannot be held responsible for the discrimination and disadvantage experienced by so many of the poor minority women who end up in prison. There can be no real justification for societal actions and conditions which result in a female prison population in which 71% of the offenders are incarcerated for one to two years for victimless or property crimes, or where the population is 74% nonwhite in a state where the minority population is only 11% of the total state population. Family poverty, the lack of adequate education, unemployment, poor health, responsibility for dependents, and discrimination have all interacted with individual attributes to produce the population found in most prisons for women in the United States today. What then can be done?

*1. Social policies and programs are urgently needed to resolve the inequalities and problems faced by poor women and their children.*

Preliminary 1980 U.S. Census Reports reveal startling growth in the numbers of female-headed households with minor children. The feminization of poverty is a significant and growing problem, particularly for minority females. It has been shown that gender, race, and age appear to interact

to put large numbers of persons at severe risk in our highly complex and competitive society. Women employed full time receive only 57% of the salary or wages received by men in similar positions. That proportion has declined from 60% received in 1939 (Ross and Sawhill, 1975), while at the same time women have had increased primary responsibility as parents and heads of households. The economic status of women continues to decline -- approximately 50% of all poor families today are headed by females. Ross and Sawhill (1975) noted that the family as it has been known or envisioned in social policy is in a period of substantial revision, but programs and policies continue to be designed only for the traditional middle class nuclear family. The price for these policies will be felt for generations because of its impact on children growing up in poverty and at risk. The probability thus will increase for them to encounter great difficulty in achieving successful adult status.

*2. Domestic violence is a serious and growing problem, particularly in families experiencing unemployment and poverty.*

It has long been observed that women who commit homicide do so almost exclusively within their families, and often as a defensive reaction to battering. However, domestic violence programs are unavailable in most communities, and they are presently being sharply cut back by the lack of federal government support. Clearly, prevention is a more cost effective, as well as humane, policy than is long-term incarceration after families have been irrevocably harmed.

*3. Special support services should be provided to the family of the female offender.*

The Glick-Neto (1977) national study of female correctional programs showed that these women had more dependent children than was the case for the society at large. But, little is known about what happened to these children as a consequence of their mothers' incarceration. Few would doubt that it is a period of great stress for all concerned. Mothers are distressed by separation from their children, and similarly, children are removed from nearly all contact with their mothers and are often advised to forget them.

Typically, the correctional system treats the offender as an individual rather than as a member of a family unit. This approach may or may not be problematic for male offenders, but it is unquestionably inappropriate for female offenders. Societal norms continue to place primary child-caring responsibility with the mother. For this reason, a higher percentage of women have children in their care at the time of their incarceration. Thus, the female offender should be viewed in the context of her role as mother, and community child welfare agencies need to work collaboratively with correctional staff to facilitate positive family development.

*4. Human service organizations unwittingly operate to perpetuate the problems which they are established to resolve.*

Welfare programs such as Aid to Dependent Children have been established to provide income support and services to dependent children and their parent, most often their mother. But, these programs are administered

in ways which perpetuate social inequities because of their inadequate support and because recipients are not helped effectively to move into viable independent social roles. There is a tendency to explain failure on the basis of attributes and motivation of the individual recipient rather than to examine how the human service organization has failed to achieve its mandate or why it places priority on alternate goals. In addition to the social welfare agencies, one can also include here the educational agencies, employment agencies, and those providing more specialized treatment for mental illness, substance abuse, and physical illness.

This research has examined only one element in the entire criminal justice system for females, that of incarceration in prison. Incarceration is really the last step of the process that begins with arrest, moves through the court and judicial system, and ultimately ends with the locking of the prison door. Thus, it captures only the final stage without offering necessary information about the earlier stages. Clearly, far more research about the processing of females into and through these stages is required. But, it has been possible to identify a number of areas urgently needing the attention of policy makers, administrators, and practitioners in corrections and other human service organizations. The needs of female offenders are great, and they clearly represent an under-served group. Crime is a male phenomenon in this society. Prisons are primarily male institutions. As a result, female offenders have been overlooked. The small size of the female offenders population probably contributed to its being virtually ignored until recently. Although resources for human services have declined sharply and are likely to continue to decline, this population deserves attention, or it is probable that its problems will just be extended to the next generation.

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