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Gendered Strategies in Community
Corrections

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ABSTRACT

Despite sweeping changes to the criminal justice system, scholars have documented that the formation of criminal subjects remains deeply gendered. While women's criminality is explained as emanating out of psychological disorder and a fractured self, men's is understood as a rational choice made by a whole self. Drawing upon observational, interview and case note data collected within the probation/parole system of a Northwestern State, I both concur with and challenge this standard narrative. I present a unified concept of the gendered selves that underlie contemporary notions of men and women as criminal subjects and link the particular rehabilitative strategies officers employ to these gendered beliefs. I suggest that officers are critical of the criminal selves of both men and women, positing the male self as flawed or underdeveloped and the female as permeable and amorphous. Responsive to these beliefs, officers attempt to rehabilitate men via encouraging "non-criminal" thought processes and behaviors and modeling a conventional, officious interactional style. For women, officers attempt to solidify women's boundaries, discourage relationship formation, model a healthy relationship and contain women's emotions. I focus particularly upon interactions within supervision meetings, as I will argue that it is within this space that officers, facing substantial resource constraints, are able to work towards rehabilitative goals.

INTRODUCTION

As the number of incarcerated and criminally supervised Americans has continued to rise, women's share of this population has risen disproportionately.¹ In response, a growing literature has empirically examined how, for women, gender determines the nature of punishment (Bosworth 1999; Haney 2010; Hannah-Moffat 2000; Hannah-Moffat 2004; Hannah-Moffat 1995; Hannah-Moffat 2001; McCorkel 2003; McKim 2008; Pollack 2005; Turnbull and Hannah-Moffat 2009). While foundational work in this tradition focused on the prison (Dobash, Dobash, and Gutteridge 1986; Freedman 1984; Rafter 1985), recent work has focused on correctional institutions operating in the community (Haney 2010; Hannah-Moffat 2004; McKim 2008; Turnbull and Hannah-Moffat 2009).² Although not comparative in design, much of this literature rests upon an implicit comparison with the male criminal subject, and the meaning of punishment for male offenders.

This literature suggests that, despite important changes that have occurred within the criminal justice system, subjectivity remains deeply gendered. The female criminal subject has been characterized as an emotionally disordered, psychologically damaged actor possessing a fractured self (Britton 2003; McCorkel 2003; McKim 2008; Pollack 2005; Turnbull and Hannah-Moffat 2009). These characterizations not only explain her criminal engagements, but serve as the key sites of rehabilitative intervention. Yet lacking from this literature is a unified concept of the female criminal subject that might explain these various characterizations of disorder, damage and fracture. Men as criminal subjects, in contrast, are most frequently constructed as autonomous, rational individuals who need not be understood psychologically (Lynch 2000; Lynch 2008). Particularly within the literature focused on community supervision, the meaning of specifically gendered rehabilitative efforts for men is often left undefined, focusing instead on the institution's declining commitment to rehabilitation (Feeley and Simon 1992; Lynch 2000; Simon 1993).

Community corrections, or probation and parole, serves as a particularly compelling site from which to study these gendered processes for several reasons. First, community corrections

¹ This disproportionate increase is largely attributable to changes in criminal sentencing policies and drug laws (Britton 2011; Chesney-Lind and Pasko 2004).

² Of criminally sanctioned women, 85 percent are supervised in the community (Greenfeld and Snell 1999).

is vast, supervising one of every 45 American adults (Pew Center on the States 2009). In contrast to the prison, women represent a substantial share of the supervised, comprising 23 percent of probation caseloads and 13 percent of those on parole.³ Second, contrary to the reduction in discretion that has occurred in the realms of sentencing and release decisions, community corrections officers maintain substantial discretion to tailor their response to individual clients, and may alternate between a law enforcement and a social work orientation, depending upon their understanding of clients' needs. Third, the interventions available to officers can be both deeply personal and highly significant, ranging from rights limitations to possible reincarceration (National Research Council 2007). And finally, unique among correctional institutions, community corrections officers supervise men and women within the same organizational context, allowing for direct comparison of the treatment of male and female offenders.

Utilizing a comparative approach, I both build upon and challenge existing work detailing how men and women are framed as distinct criminal subjects. Drawing upon observational, interview and case note data collected within the probation/parole system of a Northwestern State, I present a unified conception of the gendered selves that underlie contemporary notions of men and women as criminal subjects, and link the particular rehabilitative strategies officers employ to these gendered beliefs. I suggest that officers are critical of the criminal selves of both men and women, positing the male criminal self as flawed or underdeveloped and the female criminal self as permeable and amorphous. In response to these conceptions, officers' interventions aim to craft a "non-criminal" masculine self via encouraging normative, mature and conventional thought processes and behaviors and modeling an officious interactional style. For women, officers' interventions attempt to solidify women's boundaries: discouraging relationship formation, modeling a healthy relationship and containing women's emotions. I focus particularly upon the interaction between client and offender in meetings, as I will argue that it is within this space that officers, facing substantial resource constraints, are able to work towards rehabilitative goals.

³ Like the criminal justice system more generally, women's representation within this system is also growing: nearly one percent of all adult women were under correctional supervision in 1998, representing a 48 percent per capita increase since 1990. Men's per capital involvement grew 27% across this same period (Greenfeld and Snell 1999).

CORRECTING GENDER

A rich scholarship has detailed the ways in which correctional institutions and actors conceptualize criminal women as gendered subjects (Britton 2003; Carlen 2002; Chesney-Lind and Pasko 2004; Freedman 1984; Haney 2010; Hannah-Moffat 2004; Hannah-Moffat 1995; 2001; McCorkel 2003; McKim 2008; Rafter 1985). This literature suggests that, not only do authorities understand men and women's motivations for criminal offending differently, they likewise conceive of the goals of "treatment" or rehabilitative practice along distinct lines. Yet with a few exceptions, much of this work does not explicitly compare the treatment of male and female offenders, instead drawing conclusions from studies of officers and institutions that work exclusively with women.

Foundational work in this tradition centered on the prison, where efforts to distinguish between men and women in terms of needs and rehabilitative response first emerged in the early nineteenth century (Pitman 1884; Women's Prison Association 2004). Treatment tailored to meet women's needs was understood to respond to women's believed more passive and child-like nature (Rafter 1985). Thus prisons for women tended to infantilize women and rely heavily upon patronizing stereotypes. Rehabilitative efforts consisted of teaching women domestic tasks and encouraging proper personal presentation and decorum (Freedman 1984). These early efforts at justice reform were guided by essentialist notions of differences between men and women, differences that presumably drove men and women's pathways into offending and determined the appropriate form of rehabilitation. For instance, women were believed to be drawn into crime by material need or desperation, while men were believed to offend because of a propensity for criminality or the desire for a criminal lifestyle (Freedman 1984). From this early period through today, defining who criminal women were (in opposition to men) and what caused them to commit crimes (differently than men) would be central to determining the nature of the rehabilitative response. Contemporary treatment of men and women is similarly premised upon understandings of who criminal women and men are, and what they require for reform.

Prison scholars of the contemporary period have likewise documented the existence of gender differences in criminal justice professionals' attitudes towards and treatment of male and female offenders. Britton (2003) utilizes a comparative approach in her study of the prison as a gendered organization. She finds that officers relied upon a set of oppositional traits to distinguish male from female offenders, which ultimately reinforced beliefs about gender

essentialism. These include conceptions of women as emotionally needy, whiny, manipulative and unpredictable, whereas men were viewed as predictable and rational, although also dangerous and criminal in a way that women were not. McCorkel (2003), in her study of a drug treatment program instituted in a women's prison, finds that what were intended as gender neutral interventions took on a gendered cast reflective of officers' beliefs about the perceived differences in offending between men and women. Program staff conceived of women as psychologically damaged and in need of therapy to "habilitate" "befouled" and disordered selves. Staff believed that women's criminality could be explained psychologically, whereas men's offending was understood to be motivated by rational choices responsive to structural considerations. Gendered punitive strategies emerged as officers utilized surveillance in the service of diagnosis for women, rather than to monitor and discourage behaviors considered threatening, as was presumably the case in men's prisons.

Recent studies of gendered punishment have moved beyond the prison walls to investigate the large and complex web of community-based and alternative-to-incarceration facilities that supervise the majority of those criminally sentenced. McKim (2008), in her study of a community-based drug treatment program for women, finds that staff understood women's criminality and addictions as caused by inadequate self-understanding and failures of emotional autonomy within relationships. In response, staff relied heavily upon therapeutic techniques of governance, which emphasized emotional disclosure and client-identification of "pathological" personal patterns. In recent work Haney (2010) describes how correctional workers in one alternative-to-incarceration facility for women relied upon a therapeutic discourse focused on righting women's cognitive distortions and regulating appropriate desire.

Additionally, a growing body of work has investigated how the criminal justice system has responded to an increasingly prominent discourse that advocates for treatment that is intentionally responsive to the distinct needs of male and female offenders, in so-called "gender specific treatment."⁴ Canadian scholars have rigorously studied this movement towards gender-specific or "woman-centered" correctional approaches in prison, parole and treatment facilities. In the Canadian prison system, Hannah-Moffat (2000; 1995; 2001) finds that women-centered prisons promoted program goals of empowerment and therapeutic care for female offenders, an

⁴ This discourse is prominent in the research setting in which the present study was conducted.

approach she terms feminized technologies of penal governance. She finds that correctional actors attributed women's criminality to poor self-esteem, lack of self-empowerment and inability to take responsibility for their own "choices," including those emergent from gender inequalities such as domestic violence. In an investigation of women-centered mental health practices within Canadian prisons, Pollack (2005) reports that female offenders were viewed as psychologically "disorderly and disordered" subjects. Women's struggles that were structurally-rooted became reframed as psychological or cognitive deficits, and thus subject to reform via therapeutic interventions. In the context of parole board decision-making, Hannah-Moffat (2004) finds that parole board members expected sentenced women to voice therapeutic narratives explaining their experiences; those that failed to do so were considered at greater risk for future offending. Finally, in an analysis of parole board members' decision-narratives and conditions of release, Turnbull and Hannah-Moffat (2009) find that board members conceived of female offenders as "fractured subjects" whose crimes evidenced personal (rather than structural) failures reflecting moral and psychological deficits.

The studies summarized present criminal women as: fractured or disordered, marked by moral and psychological failures, emotionally needy, manipulative, whiney, pathological; and lacking emotional autonomy, self-understanding, self-esteem and self-empowerment. While these studies coalesce in their notions of criminal women as psychologically and emotionally flawed, it remains unclear what particular understanding of criminal women's selves and psychologies unites these diverse descriptions.

Significantly less work has addressed how gender is implicated in the making of men as criminal subjects.⁵ Absent a literature detailing the specifically gendered construction and treatment of the male criminal subject, one might conclude that criminal men are conceptualized rather simply as that which women are not: psychologically "whole" autonomous individuals, lacking in cognitive or emotional deficits and rich in self-understanding and esteem.

⁵ A partial exception to this is work by Bramhall and Hudson (2006), which examines how probation officers in England assess the risk posed by white and Asian male offenders. Analyzing probation officers' pre-sentence investigation reports, they identify two forms of "risky masculinities:" the first is the socially enclosed Muslim Asian, closely entwined in family and community; the second is the socially isolated white male. However their investigation does not address how these constructions of masculinity are incorporated into the rehabilitative process, focusing instead on how such constructions relate to sentence length.

What is known about the construction of men as criminal subjects is drawn from the broader literature on historical shifts in crime control institutions and practices, a literature that does not seek to explicitly compare how trends unfold differently for male and female criminal subjects. Foucault (1977) details how across the eighteenth century punishment was transformed from a public spectacle to a private, ideologically-oriented endeavor. Criminal reform sought to rework offenders' criminal bodies and minds through coercive techniques in which subjects learned to police themselves. Building upon this notion of self-policing, Rose (1998) details the increasing importance of professional and "psy" knowledge(s) in the expression of government(al) power. Such an approach is evident in treatment programs, for instance, that locate clients' problematic behaviors in a failure to self-regulate, thus erasing the structural basis of social problems. Garland (1997) suggests that contemporary corrections insists that offenders take responsibility for their criminal actions and employs techniques designed to 'responsibilize' wayward individuals. Uniting these descriptions of disciplinary and rehabilitative practices are notions of the criminal self as an autonomous, responsible choice-maker (Fox 1999).⁶

In line with this work is scholarship on the contemporary parole system, which has documented an abandonment of rehabilitative, individually-focused correctional strategies (Allen 1981) and an assumption of strategies of incapacitation that aim to manage the risks posed by groups deemed dangerous (Feeley and Simon 1992; Lynch 2000; Simon 1993). Simon (1993) for instance suggests that parole moved away from a clinical focus in the late 1970's that was characterized by a deep engagement with rehabilitative goals, towards a managerial model, wherein agent practice strove towards uniformity in the treatment and management of parolees, a movement characterized by Feeley and Simon (1992) as "the new penology." Under the managerial model, the individuality of the criminal subject, his motivation and potential for reform, are no longer explicit concerns of criminal justice professionals. Lynch (2008) submits that a particular conception of the male criminal subject underlies this turn towards managerialism, that of a free-willed rational subject who, having made poor choices, need not be understood contextually or psychologically.⁷

⁶ Characterizing the criminal justice system as a whole, of course, these notions apply to women as well, and recent scholarship has emphasized that women's offending is similarly viewed as emergent from decontextualized "choices" for which women must take responsibility (Gartner and Kruttschnitt 2004; Haney 2004; Hannah-Moffat 2004; McCorkel 2003). In this article, I aim not to challenge this idea, but rather flesh out how gender shapes the construction of criminal selves and rehabilitative strategies agents employ as they strive to facilitate better choice-making among their criminal clients.

⁷ Notably, Lynch (2008) distinguishes the construction of the contemporary female subject, suggesting that in work with women officers continue to rely upon a clinical model, responsive to women's assumed psychological complexity. Lynch suggests that the treatment of women simply lags a generation behind that currently experienced by men.

Yet Lynch's earlier work can be read as suggesting a somewhat different interpretation. Lynch (2000) drawing upon ethnographic fieldwork in a parole office in California reports that, while parole maintained a rhetorical commitment to reformative and normalizing goals, resource constraints meant that officers had little ability to engage these goals in real ways. She suggests that this internal tension led officers to insist that offenders were personally responsible for their own reform. Thus, failure to succeed while on supervision was understood to reflect the parolee's personal dispositional failures in attitude, character and personality. Lynch's officers, while not engaging in the rehabilitative practice dynamics common in the clinical era, nonetheless do seem to make sense of criminal subjects in psychological terms.

In a similar challenge to the concept of the male criminal/penal subject as a rational actor free of psychological complexity is work by Fox (1999). Fox conducted an ethnographic investigation of a prison-based, cognitive "self-change" program for violent, primarily male offenders, and finds that psychological considerations are at the forefront of treatment interventions. Specifically, program staff sought to impose upon inmates an understanding of their own violence and criminality as resultant from "cognitive distortions" that presumably led to criminal choices. The treatment group she studied encouraged inmates to dissect their thought patterns, engage in confessional narratives and ultimately accept a psychological explanation for their actions. Fox notes that program language aligns with contemporary correctional philosophy in emphasizing offenders' personal choice and responsibility for criminal actions. It remains unclear why in this case the self is understood as a rational and autonomous choice-maker, while correctional interventions that aim to address women's cognitive distortions and psychologies are read as indicating beliefs about women's fractured and distorted selves.

While this male-focused literature concurs in the notion that offenders are increasingly held personally responsible for their criminal actions and reform, they likewise hint both that criminal justice professionals continue to understand men's criminality and reform in psychological terms and that correctional professionals may not view the masculine criminal self as the unproblematic whole implicit in much existing literature. As my comparative data will reveal, both the self and personal psychology are similarly challenged in the construction of the male and female criminal subject, albeit in distinct fashions.

GENDER DIFFERENCES IN THE FORMAL RECORD

I first present evidence for the distinct construction of men and women as criminal subjects that I identified through analysis of the case notes officers record. Following each meeting, conversation or other significant interaction with a client, officers record information they believe to be important descriptors of offenders' progress on supervision in case notes, which compose a formal record of this progress. In the analyses that follow, I ask whether, net of officer gender, there is a statistically significant gender difference in the count of comments recorded in case notes regarding offenders': employment, crime/criminality, fee payment, sanctioning, timeliness to meetings and offenders' romantic relationships. The differences that emerge in the frequency of discussion of these topics suggest that officers view these topic areas as more and less relevant markers of progress towards the successful completion of supervision for women and men. Further, I will argue that the specific content areas highlighted reinforce the notion that officers conceive of men and women as distinct criminal subjects requiring distinct rehabilitative goals. I follow this quantitative analysis with analysis of qualitative data, which fleshes out the nature of this gendered subjectivity, and the gendered processes of social control officers employ to meet these rehabilitative goals.

I was able to access the case note data I draw upon for this part of the analysis in partnership with Northwestern State's Department of Corrections (NWDOC), which collects and maintains administrative data for offenders on supervision across the state. I first received basic demographic, criminal history and supervision history information for all offenders on parole or probation within the state on May 8, 2009. From this data set, I then sampled the offenders whose case notes I would analyze. I sampled offenders who had low risk scores, no criminal history, no recorded mental health concerns and a sentence of either Drug I or Theft I.⁸ Sampling only offenders in these categories controls for gender differences in type of crime, criminal history, and mental health. A complete description of the sampling procedure is included in the methodological appendix. Because of the sensitive nature of the case note data, I was able to access these notes only on an NWDOC computer over the course of a single week. While I was able to take hand-written notes, I was not allowed to print any of the case note information or

⁸ Drug I and Theft I are low-level sentences. The majority (94%) of the offenders I selected for the case note analysis were convicted of Drug I. I had initially intended to sample only drug offenders; however I had to extend the conviction to Theft I in order to find a sufficient number of offenders matched on the characteristics of interest, and in some cases, supervised by the same officer.

take any data with me to analyze later. These conditions meant that I was only able to access the case notes of 101 offenders. For each offender, I began the case note review at the beginning of offender's supervision period and continued reviewing the notes for the first full year on supervision. I then tallied the number of notes recorded on key topics over the course of this first year as well as the total number of distinct text entries. The time periods covered by these notes are not identical, as offenders' periods of supervision began on different dates. However, for most offenders, the initial office visit occurred between 2005 and 2010. I use these records to analyze how offender gender net of officer gender is associated with the number of notes recorded over the course of a year in topic areas of substantive interest.

In my regression models, both male officer and male offender are dummy variables equal to one for male and zero for female. As dependent variables, I use the number of times the topic of interest occurs in the offender's case notes over the course of the offender's first year on supervision. Because each dependent variable is a count of the number of times a specific topic is mentioned, I use negative binomial models.⁹

I use clustered standard errors to correct for the fact that multiple offenders have the same community corrections officer, and there may be similarities across the case notes recorded by a single officer. Because the total number of entries officers record over the course of the year varies between offenders, dependent upon the number of meetings or phone calls the officer and offender exchange, I adjust for this variability by specifying individual offender's differential "exposure" to text entries in the model. In each model, independent variables are the gender of the officer and the gender of the agent. For ease of interpretation, I have reported the exponentiated results in each table.¹⁰

⁹ The basic count data regression is the Poisson model. However, the Poisson model forces the mean and variance of the dependent variable (conditional on the regressors) to be the same. I tested for overdispersion and rejected the null hypothesis that the variance and mean are equal to the alternative that the variance exceeds the mean. Over dispersion is not surprising, as the sample contains some records with a high number of counts. Therefore, I utilize a negative binomial regression model, which allows for the mean and the variance to differ.

¹⁰ Because the effect of offender gender might vary dependent upon the gender of the officer with whom the offender is paired, I ran interactional models testing for differences. As the sample size for cross-gender pairings in these models was too small to make a valid comparison, I was able to compare only male officers paired with male offenders to female officers paired with female offenders. These models revealed significant differences across gender pairs for only one outcome, employment. The expected count of mentions of employment was significantly higher for male officers working with male offenders when compared with female officers working with female offenders. Because only one interaction was found to be significant, I have not included these results in the chapter. Tables are available upon request.

RESULTS

Model 1 of Table 3.1 shows results for mentions of crime in the case notes. Although both male and female offenders have no criminal history and I matched offenders across gender on crime-type, I nonetheless find that men’s case notes more frequently discussed crime than did those of female offenders. Male offenders have 1.8 times as many notes that reference crime as female offenders, a difference significant at the .05 level. This finding supports the notion that officers view male offenders as more criminal in orientation and at-risk of criminal offense than female offenders. This was in spite of the fact that male and female offenders I sampled had committed the same low-level offense and had no criminal history.

Table 3.1. Negative Binomial Regressions of Counts of Case Notes: Crime, Drugs and Alcohol, Treatment, Employment

Independent Variables	Dependent Variables			
	Crime (1)	Drugs & Alcohol (2)	Treatment (3)	Employment (4)
Male Offender	1.78 (.39) *	1.48 (.27) *	0.96 (.15)	1.30 (.15) *
Male Officer	0.53 (.20) +	0.81 (.13)	1 (.16)	1.47 (.17) ***
Number of Offenders	101	101	101	101

Notes:

Dependent Variables: Crime-mentions of offender's crime in case notes; Drugs-mentions of drugs & alcohol in offenders' case notes; Treatment-mentions of drug and alcohol treatment in offenders' case notes; Employment-mention of employment in offenders' case notes.

Standard errors clustered by officer. Results reported in exponentiated format. Exposure is total number of text entries recorded during the year.

Offenders matched by gender on risk score, crime, criminal history and mental health; see text for sample selection.

+ : P-value of < .10 , * : p-value of <.05, ** : P-value of <.01, *** : P-value of <.001

Turning to drug and alcohol use/abuse, Model 2 in Table 3.1 shows that being a male offender significantly increases the number of case notes mentioning offenders’ use of drugs and alcohol. Included in this category are comments about the offender’s drug of choice, history of substance use, and current use, including both positive and negative results of urinalysis tests.

Specifically, being male increases the number of comments recorded in the case notes by a factor of 1.48, controlling for the gender of the officer and total text entries. This difference is significant at the .05 level. This finding supports the notion that officers are more focused upon the problematic and criminal behaviors of male than female offenders.

Next I turn to employment. Model 4 of Table 3.1 shows that being a male offender increases the number of comments about employment by a factor of 1.3, controlling for the gender of the officer and total text entries. This difference is significant at the .05 level. Here again we see that officers are more focused upon men's behaviors, in this case, the effort to obtain the normative goal of employment.

Next I turn to fee payment. Model 1 of Table 3.1 shows that being male significantly increases the number of mentions of fee payment in the case notes by a factor of 1.37, controlling for officer gender and total text entries. This difference is significant at the .05 level. Fee payment may similarly be seen as a marking men's success at attaining normative goals, particularly as the ability to pay fees is likely to be linked with employment.

In each of the topic areas discussed thus far, actions and behaviors, whether problematic or normative, are topics of more frequent discussion in the case notes of male than female offenders. This suggests that the male criminal subject is marked as deviant primarily through his unconventional behaviors and failure to adhere to accepted norms of masculine conduct. Rehabilitation thus may be primarily concerned with rectifying problematic behaviors.

The next two models in Table 3.2 show topics equally indicative of criminal behaviors, but that nonetheless show no gender differences. Analyses revealed no gender differences in the number of comments recorded about timeliness of arrival to supervision appointments or comments about sanctions imposed. It is surprising that timeliness is not mentioned more frequently in the case notes of male than female offenders, as it could be seen as a marker of normative behavioral attainment. It could be that because officers view the office visit as a crucial aspect of their work with offenders, timeliness and showing up to meetings is seen as equally important for men and women. The lack of gender difference in comments about sanctions is more understandable when informed by the qualitative data. This data suggests that differences in sanctioning between men and women may not be that of frequency, but rather nature of sanction.

Table 3.2: Negative Binomial Regressions of Counts of Case Notes: Payment, Timeliness, Sanction, Relationships

Independent Variables	Dependent Variables			
	Fee Payment (1)	Timeliness (2)	Sanction (3)	Romantic Relationships (4)
Male Offender	1.37 (.18) *	1.06 (.32)	0.84 (.24)	0.65 (.15) +
Male Officer	1.64 (.60)	1.32 (.41)	0.81 (.4)	1.48 (.26) *
Number of Offenders	101	101	101	101

Notes:

Dependent Variables: Payment-mentions of supervision payment and fees in offenders' case notes; Timeliness-mentions of offenders showing up on time or missing appointments recorded in the case notes; Sanction-mentions of sanction in offenders' case notes; Romantic Relationships-mention of romantic relationship or partner in offenders' case notes.

Standard errors clustered by officer. Results reported in exponentiated format. Exposure is total number of text entries recorded during the year.

Offenders matched by gender on risk score, crime, criminal history and mental health. For sample selection see text.

+: P-value of < .10, * : p-value of <.05, ** : P-value of <.01, *** : P-value of <.001

Only one topic area was found to be more common in the case notes of female offenders, and that was offenders’ romantic relationships. In the model of romantic relationships, Model 4 in Table 3.2, being male decreases the number of mentions of romantic relationships by a factor of .66, controlling for officer gender and total entries. This difference is significant at the .10 level. This finding supports the claim that officers are concerned less with women’s own behaviors, and more with the potentially negative influence of those with whom she becomes involved. Supervision of female offenders thus becomes not a project of correcting or policing a distinctly criminal self, marked by problematic behaviors, but rather policing the boundaries of a self poorly defined.

One limitation of these data is that they cannot reveal the source of these differences. For instance, it is plausible that male offenders mention their own employment status or job seeking more frequently than do female offenders. This would then be reflected in the greater number of

comments about employment in male offenders' records. While this remains a limitation, this concern is mitigated for two reasons. First, as the majority of these topics relate to important components of supervision, we would expect officers to bring them up in meetings and comment on them in the formal record, even if offenders did not bring up the topic on their own. Second, officers are unlikely to record topics in the case notes that they do not feel are importantly linked with offenders' progress on supervision. Thus, case notes do not represent simply a record of what is discussed in meetings, but officers' distillation of important themes.

These descriptive analyses suggest that officers assign priority to different topic areas in their supervision of male and female offenders, namely officers focus more upon men's behaviors and actions and more upon women's relationships. While suggestive, this analysis cannot reveal why officers emphasize some topics more than others, nor how they explain and understand their different considerations in the treatment of men and women on supervision. For this, we turn to the qualitative data.

FIELDWORK METHODOLOGY

The interview and observational data were drawn from two county community corrections systems within a Northwestern State. I refer to the counties as Greendale and Riverside. Riverside includes the state's largest city and is the state's most populous county with over 700,000 residents. Greendale borders Riverside and is the second-highest population county in the state with a population of over 500,000.

Two aspects of offender management are important to mention. First, officers' caseloads are composed of both parolees and probationers with relatively few distinctions made between the two populations. Second, officers' caseloads are divided into categories of offenders sharing a particular identity (women, Spanish-speaking) or category of crime (generic/drug offender, domestic violence, sex offender, mentally ill). These caseload categories are neither exclusive nor firm, and women are represented across teams. Such management allows officers to become familiar with the resources available to, and laws regulating, their particular caseload. However, because nearly all officers cycle through diverse caseloads during their tenure, they are able to speak to differences across populations. It is also important to note that officers often "matched" the identity of their caseload in at least one respect, that is, women were more likely to supervise women, Latinos to supervise Latinos, etc.

I interviewed 26 officers and staff in a single county office in Greendale and 24 officers and staff across five free-standing offices in urban Riverside County.¹¹ Interviews averaged between 45 minutes and one hour. Interviews addressed a variety of topics, from beliefs about the causes of crime, to the personal mission of the job, to what gender-specific treatment meant in practice. Questions aimed to gain an understanding of how officers conceptualized the work, their role and their relationship with offenders.

In Greendale, I also observed over 50 routine meetings between community corrections officers and their clients. These meetings averaged between 15 and 45 minutes. In each case, I approached offenders in the lobby as they waited for their appointment, and sought their consent to observe the meeting. Consent had previously been obtained from the officers. No offender declined my request to observe their meeting.¹² Offenders generally seemed indifferent to my presence, although some offenders inquired about the project or my field of study. These data were collected between April 2009 and January 2010.

My experience varied somewhat between the two counties. In the first, officers were accustomed to the presence of student volunteers and interns, and treated me as just another student learning about the job. In the second county, some officers seemed wary of my presence, at least initially. Through the interviews I learned that substantial tension existed between managers and officers. Because management had sanctioned my research, some officers seemed to believe that I was working either with or for management. For most officers, as the interview began and it became clear that I was not serving at the behest of management, they relaxed considerably and were able to answer thoughtfully and honestly.

In presenting the quotations text, I have included a subscript below the quotation that identifies the gender and race of the officer. The subscripts are defined as the following: F=female, M=male, W=White, B=Black and L=Latino. I also number the interviews, but to protect the identity of the speaker, the numbers are randomly assigned and do not represent the order in which the interviews were conducted. Finally I include the type of caseload officers supervise from the following categories: AA=African-American, DV=Domestic Violence,

¹¹ In Greendale I conducted interviews with nineteen officers, four managers who did not currently carry a caseload, and four correctional staff, who worked with clients. In Riverside, I interviewed twenty-one officers and two correctional staff, who also worked with clients.

¹² Offenders are likely to have little expectation of privacy in this setting.

G=generic, L=Latino, S=Sex Offender, W=Women.¹³ In extracts from fieldnotes, I designate correctional officers as “CO” in the text.

While I report officer race and gender in the quotes, I do not discuss race differences in the nature of gendered treatment for two reasons. First, although the racial profile of the offenders I observed matched the racial demographics of Greendale County, that is, mostly white with some Latinos and Asians, the observational sample was simply too small to draw conclusions about race-gender interactions. From the interviews, I concluded that race and ethnicity did not seem to alter officers’ notions of gendered subjectivity, as Black, white and Latino officers working with racially and ethnically diverse offenders voiced similar beliefs about male and female offenders. Thus, while it is possible that gendered notions of subjectivity and rehabilitative response vary by offenders’ racial and ethnic category, I did not find evidence of this and therefore do not discuss it.

Who are Criminal Men and Women?

Officers’ work with clients is based in large part upon how they conceptualize the men and women they supervise as criminal subjects. These concepts are based upon officers’ beliefs about the root causes of criminality, explanations that evidence important gender differences.

When officers were asked to explain their beliefs about why offenders initially became criminally engaged, their responses, though diverse, clustered around a few key ideas. The most frequently cited explanation was that offenders were exposed to criminality and substance abuse through their family of origin. Linked with learned family patterns was recognition of how offenders’ social positioning contributed to their criminal engagement. Thus, many officers recognized that poverty, oppression, homelessness and feelings of hopelessness, for instance, contributed to the likelihood of criminal offending. These factors were relied upon to explain how offenders came to make criminal choices and engage in criminal lifestyles and behaviors. Thus, while officers often did explain offending as a choice, choice was not understood as isolated from the social context in which offenders were immersed.

While this overarching explanation was the most frequent cited to explain criminality, when officers were asked to identify pathways by which women specifically became criminally

¹³ For those officers who supervise multiple case loads, rather than risking their confidentiality by identifying all of the caseloads they supervise, I designate the caseload that composes the majority of their work.

engaged, or when officers who worked primarily with female offenders were queried, the answer differed. In these cases, the most frequently cited explanation was that of a relationship to a drug abusing and/or criminally engaged man. The next most oft-cited explanation was social context factors such as few job skills, poverty and lack of childcare that left women with few resources or options. Finally, female offenders' histories of abuse and victimization were also frequently cited, whether in terms of explaining their drug abuse (a form of "self-medication"), women's low self-esteem, or current relationships with abusive partners. Thus, while both men and women's criminality is understood, at least in part, as shaped by the social context, men's early life context was more frequently relied upon to explain their criminality, while women's current relationships and context were the focus.

This distinction also underlies officers' concepts of why men and women remain criminally engaged. Because men have learned criminal beliefs and behaviors through parents and peers in their youth, their thought processes and self-concepts remain non-normative, anti-social and criminal in adulthood. Men are thus described as narcissistic, immature and criminal thinkers, all of which can be understood as descriptions of a flawed or underdeveloped self. Men thus continue to make criminal choices understood as emergent from this "criminal" self. In contrast, while it is recognized that women were also raised in difficult or problematic familial circumstances, these experiences are seen as having shaped her differently. A seeker of self-esteem and self-medication, the criminal woman possesses not a flawed but an amorphous, permeable self. Women's criminal choices are understood to reflect the influence of current relationships and an inability to contain her emotions.

In the next sections, I discuss how these concepts shape the nature of officers' efforts to reform criminal subjects through interaction.

Supervision Meetings: A Site for Gendering the Criminal Subject

Meeting Content and Structure

Meetings between community corrections officers and offenders occur at regularly scheduled intervals, largely dependent upon the offender's assessed risk category. These meetings are intended to serve a supervisory function in which officers check in with offenders' compliance on key conditions of supervision: employment and job search, police contact, drug and alcohol use, and attendance at drug treatment and other mandated programs. The meetings

are largely designed as a means of “keeping tabs” on those sentenced to probation or recently released from prison onto parole. Within these meetings officers have substantial freedom to shape the form, content and tone of the encounter.

Some aspects of the meetings were similar for male and female offenders. Officers frequently discussed alcohol and drug treatment, housing and access to transportation, and actively encouraged both male and female offenders’ efforts towards conventional goal attainment, whether in reference to job search, community service hours completed, or a negative urinalysis.

Despite these similarities, gender differences in treatment were substantial, reflecting differences in the primary goals officers held for male and female clients. For instance, while officers working with both men and women were supportive and encouraging of their clients, the content areas officers highlighted for encouragement differed. Officers working with men tended to focus primarily upon men’s progress in meeting the formal rules of supervision including obtaining employment and housing, abstaining from substance use and the commission of new crimes, and paying fees. These foci reflect notions of men as criminal largely due to non-normative or anti-social behaviors, and reflect understandings of criminal men as underdeveloped or flawed. In contrast, although officers working with women also addressed employment, treatment and other conditions of supervision, in addition they talked extensively about women’s social networks (particularly romantic relationships) and emotional lives. These foci reflect notions of criminal women as easily influenced and emotionally unstable: indicators of an unbounded, poorly defined self.

Enforcing Conventional Behaviors: Constructing the Productive Citizen

Within the context of the supervisory meeting, officers worked to encourage male offenders to make conventional choices, assume conventional responsibilities and meet the conditions of supervision; strategies designed to enforce a mature, normative masculine self. In service to these goals, officers worked with offenders to identify conventional long-term goals and encourage men to take initial steps along a non-criminal path. This was frequently accomplished by utilizing motivational interviewing (MI) techniques.

In motivational interviewing, the client’s own desire for change is elicited through supportive counseling and reinforced through the clients own “change talk.” The goal of this

treatment is to lower client resistance and strengthen commitment to personal change (Hetteema, Steele, and Miller 2005; Miller and Rollnick 2002).¹⁴ Once officers have identified areas of behavioral change (that are compatible with the law) that the offender values, the officer can then work with the client to accomplish these change-goals legally. One officer explains how he uses motivational interviewing techniques with his caseload:

I'll use different techniques but one I like to use is try and find out what they like, what they want out of life and from that ask them how they expect to get it, ask them if they know what it takes to get the things that they really want in life, whether it's just having a good job or having a car or having a house or having a family, those are called common threads, things that everybody seems to want. So I work with them to figure out how they can attain those things in a legal way so they don't have to worry about losing it and then set up steps for them to be able to attain those things. If it's one thing at a time, whether it's the shirt on their back we start with the basics, the needs, and work up from there. (WMG, #8)

For this officer, work with men entails reframing both the goals the offender is striving towards as well as the strategies employed to meet these goals. Essentially, the officer encourages male offenders to conceive of an alternative reality, in which the assumption of conventional adult responsibilities becomes the goal. Men thus maintain a capacity for agency as officers work with them to encourage their desire for, and attainment of, non-criminal skills and goals. While these techniques were used with women as well, in interviews they were brought up more frequently by officers working predominantly with men.

Officers also spent substantial time reviewing and enforcing the formal conditions of supervision with men. These conditions are set by statute, as implemented by administrative rules, and, if violated, may lead to sanction or even revocation for the offender. Two conditions frequently stressed were those of employment and fee payment.¹⁵

¹⁴ In motivational interviewing (MI), the client's autonomy is central, that is, the client determines whether change is desired, or not, and sets the pace of change. This approach may be more fitting to the drug and alcohol treatment field where it is often employed: in the correctional field, behaviors like criminality and drug use are no longer legitimate options, thus the client's choice is substantially circumscribed. Motivational interviewing employed in the correctional context may present greater ethical complexity than MI in other settings (See Miller and Rollnick 2002: 161-175 for a discussion of ethical considerations in the use of motivational interviewing).

¹⁵ All offenders on supervision are required to pay monthly supervision fees. Those who do not pay fees may be subject to revocation or sanction, or have their supervision extended. However, officers may petition the court to drop the supervision fee for clients they feel are unable to pay, and may ignore non-payment or accept only a fraction of the payment as indication of a good faith effort to pay.

Discussion of employment (job search, work hours, wages) was often the central focus of meetings with men. This was true regardless of whether the male offender voiced other significant needs or concerns or faced substantial barriers to obtaining and maintaining employment. This was exemplified in one meeting I observed between an offender in his early twenties and his officer (WFG #6).

The offender had recently been released from prison and was currently homeless. As the meeting began he informed the officer that, without family or friends to offer him a place to stay, he had no place to go. Rather than responding to this question, the officer asked the offender what he had done to seek out a job and whether he had a resume, and informed him of a help wanted sign she had seen posted nearby. The client and officer then discussed how he should best present the crime for which he was incarcerated, a serious beating of another teenager, when future employers inquired about it. Only then did she inform him of a counselor he could speak with to get help finding both employment and housing. At the end of the meeting, the officer encouraged the offender, noting that he was smart and presented well (not like her other clients), and that she was sure he would be able to get a job. This client's homelessness and adjustment from prison to the community receded into the background in comparison to the primary focus upon employment.

Another example can be seen in an excerpt from my field notes, recorded following observation of another routine meeting:

Young Mexican-American man. Very quiet and shy, accent. Looks down, says little. Hard to know what he's thinking. Early twenties? He reports that he recently got a job in the ** factory, put[ting] potatoes in barrels. CO is very pleased, tells him so repeatedly. CO asks how he got that job. Are they still hiring? Client explains that he just kept calling again and again and eventually was hired. He currently works five days a week but will soon be working seven days a week at minimum wage. CO asks if he has finished up his community service hours. He explains that he did four days in a row last week, but [is] not quite done. They discuss that he must get those hours done before [he] starts working seven days a week. He agrees to do so. CO asks how things are going at home, and he mentions that it's much better now that he has a job. But that is it. [The CO informs me after the meeting that his crime was meth-related]. (BMG #4)

The offender's employment status dominates this conversation, almost as if employment in a conventional job has rectified the young man's criminal status. Of secondary importance, the officer inquires about the offenders' completion of his community service hours, in recognition that full-time employment may clash with other formal conditions of supervision. Finally, the

offenders' family relationships are inquired after (in a way that implies that something had been problematic in the past), but are clearly not of central importance to the conversation.

Closely linked with the focus on employment was officers' attention to men's fee payment. In meetings, I observed that officers often began the conversation by asking whether men were up-to-date on fee payment stressed the importance of paying fees. Barriers that may have prevented men from paying fees were frequently discounted. For instance, officers often stressed the importance of fee payment whether the client was employed or not. One officer I observed counseled an undocumented worker who was having trouble finding a job in the recessionary economy to pick up cans by the side of the road in order to pay his fees. In another meeting, an officer I observed mentioned that he planned to rescind the warrant he had recently issued for the offenders' failure to pay supervision fees, given his recent payment. Although the offender had not obtained a job, the officer did not inquire as to where he had obtained this money. It was the successful completion of supervision conditions that mattered to many officers; the social relationships or circumstances that made this possible were not of central importance. By focusing on these formal conditions, officers reinforced the notion that employment and the accompanying ability to pay fees defined the rehabilitative project for men.

Finally, officers working with men saw public safety and crime prevention as an important part of their work as well. While focus on safety was more characteristic of officers working with domestic violence and sex offenders, it was also true of officers working with caseloads of largely non-violent men. Recall the results of the case note analysis that found that officers discussed male offenders' crimes and criminality more frequently with low-level, first-time drug offenders than they did with the matched sample of female offenders.

This dual focus on encouraging rule-following and assuring public safety reflected what officers working primarily with men voiced as the mission of their job:

The mission of our job I would think is a) we have a charge to make sure that the client completes the conditions as ordered by the court, b) we should try to get clients to a point to where they are productive members of society and are not committing crimes and returning into the criminal justice system. So those are my primary goals and what I do is to make sure that they do what they're supposed to do because in the end that is my charge is to ensure that they comply with the orders of the court. (WML, #49)

I'm thinking the focus is they're kind of living this unconventional lifestyle where their rules are set up differently than what I think the rules are to be successful, my usual mission is to try to get them to understand that a more pro-social lifestyle is to have a job and to have these kind of parameters and follow rules and be successful in that way. (WFS, #39)

These particular constructions of the mission of supervision were similar to those voiced by officers working with Latinos, sex offenders, and generic case loads, but all officers working primarily with men. The mission for these officers was both public safety and encouraging men to conform to a conventionally “productive” lifestyle, defined as being part of the formal economy and paying fees regularly. Meetings provided officers with a space to engage these rehabilitative strategies, strategies designed to reform the criminal masculine self.

Policing the Boundaries: Building (Emotionally) Independent Women

In meetings with women, officers aimed to harness emotional disorder, build women’s self-esteem and monitor her relationships; all strategies intended to address women’s insufficient or permeable boundaries. Officers addressed these goals by probing, often deeply, into women’s emotional lives and relational attachments. While officers also inquired after women’s progress in meeting the formal goals of supervision, it was these socio-emotional aspects of women’s lives that seemed to be at the heart of the supervisory relationship. Additionally, officers working with women seemed substantially more attuned to women’s local life circumstances and her barriers to meeting supervisory requirements than was the case for officers working with men.

Officers’ focus upon women’s emotionality was revealed in the following meeting I observed with a young woman on the cusp of successfully completing supervision:

Blue tipped nails, hair pulled back in a headband, she’s tapping her nails on the table. CO asks her if she’s excited, how she’s feeling. She says she’s really excited, but really nervous too. What are you nervous about? Everything. What are you going to do about those feelings? Who are you going to talk to about things? She says she has [], going to group, there are girls in the house but, and her eyes feel with tears, what makes her upset is that people she thought were her friends turned out not to be, she didn’t know that could happen even in recovery. CO asks if she has other friends and she says that she does. Asks her what her plan is? How much longer is she in school? (WFW #3)

As in many meetings with women, officers' discussion of women's housing, employment and long-term plan are only a part of the conversation; in contrast the emotions which are understood to drive women's criminality are central.¹⁶

Female offenders' perceived self-esteem deficits were also a key area of concern for officers. Officers working with women mentioned that they saw the meeting as an opportunity to address and begin to work through these emotional needs.

And I have to tell my clients every day, you have to work on your self-esteem. Every day you have to work on your self-worth, and when you start feeling that low self-esteem and low self-worth, go in the backyard, dig it outta the dumpster, put it back on, and keep pushing. (BFW, #36)

One way this officer explained that she helped women build self-esteem was by discouraging her clients from using language like "babymomma" to describe themselves; another was to encourage her clients to wear less revealing clothing.

Though officers working with both women and men believed that low self-esteem partially explained offender's criminal behaviors, officers working with women were more likely to see self-esteem building as an important part of their work. In contrast, officers working with men worried that criminal men's self-esteem was already too high, that their criminality resulted from a narcissistic personality. Because narcissism is one feature of "criminal thinking," these officers believed that building men's self-esteem could then prove counter-productive.

For some officers, women's emotional lives were seen as so central that meetings took on the character of a mini-therapy session, or a chance to address women's trauma:

Well here's a good example, yesterday I had a client come in, um she's lost custody of all of her children. And she's appealed and she goes for her appeal hearing this morning. You know, and somebody who might not want to get into that deep emotion type conversation with her would just be you know, "good luck,..." da, da, da, da, da. (pause) but I kind of delved into it a little bit further and we talked about her needing to learn how to forgive herself and that she's a different person now than the person when she lost her children. (WFW, #3)

¹⁶ This extract also suggests an alternative interpretation, namely that officers' focus upon emotionality is largely a response to women's greater expression of that emotionality. My observations suggest that women do express emotions more freely within the context of meetings than do male offenders, but that this was sometimes in response to officers' inquires. Further, men's visible signs of distress and hints to officers that all was not well were, more frequently than not, passed over in favor of discussion of topics viewed as more central to supervision.

It seems that this officer saw the supervisory meeting as an opportunity for the offender to begin to heal psychologically. In the context of explaining why she enjoys working with female clients, another officer explains that she can take on the role of a psychoanalyst:

Finally, I built a relationship with her enough that it's like come on, I mean I know your pattern. You're dating these men because of your father. You know, her father abandoned her when she was a young child, and so she's always had this wanting to find a man. (LFG, # 16)

Discussion of women's troubled histories and problematic personal patterns becomes an integral part of court-ordered supervision. In addition to revealing a remarkable concern with female offenders' internal emotional lives, this quote also reveals officers' preoccupation with women's relational attachments, both past and current.

Romantic relationships were a big part of the discussion with female offenders, and inquiring about boyfriends and partners, routine. Officers tried to discover whether women were romantically involved with male friends or associates they mentioned in passing, and commonly asked whether men they were in relationships with were also on supervision or had a substance abuse problem. One officer explained that officers generally assumed that the men criminal women were involved with were problematic, "I mean what we call it here is that their picker is broken . . . that part of the brain that picks the man you're attracted to, that picker is broken and you only pick bad men, either abusive or addicted or all of the above" (WFW #2). Officers focused on the men in women's lives because of the widely held belief that criminal men had led women into criminality initially, and were likely to do so again.¹⁷ Thus, involvement in romantic relationships posed a threat to women's rehabilitation. I found this greater attention to women's relationships present in my observations, interviews and case note analysis.

In one meeting I observed, the officer inquired initially about the offenders' job search and plans for housing. Yet, both of these initial questions led to further inquiries about the nature of her relationships, both romantic and familial. Upon hearing that the offender planned to reside with her father, she inquired as to the history and emotional character of the relationship. She was interested not just *that* the offender had secured housing, but in the emotional implications this residence might have. Similarly, when the offender noted that she had obtained a job at a pizza parlor through a friend, the following conversation ensued:

¹⁷ This criminal pathways argument, central to both academic and practice literature addressing women's criminality, leaves little space for women's agency.

CO asks who the friend is from the pizza parlor? An old friend [offender replies]. She worked there [at the parlor] in the past. He saw her go through the whole bad cycle of doing well and then falling apart. He knows all of what she had done. CO asks if he is interested in a relationship with her, "He was!" but the client explains that she straightened him out, she doesn't want a relationship with him ever, and not with anybody right now.

Later in the conversation CO brings up romantic relationships again:

CO asks if she is looking for a boyfriend right now. "No way. I'm not looking for that at all right now, not for at least a year." CO asks why, she says, "I just have really bad taste in boyfriends... I'm not looking for that right now." CO says "good." Highlights that not getting involved in relationships is a good choice right now. CO says she wants her to focus on finding housing, a job and getting into treatment. (WFW #2)

The officer makes clear to the offender that staying out of relationships is an important part of successful rehabilitation and completion of supervision. Notably, this offender had already secured a job and housing and was attending NA twice weekly, achievements that, for men, often meant there was little else to discuss.

In the case notes not only did the frequency with which relationships were discussed differ, but how relationships were discussed differed as well. Writing about male offenders, officers noted how girlfriends encouraged male offenders' in their attainment of conventional goals, "O [offender] moved in with his GF, working at McDonalds, wants to go to college! Overall I am very impressed w/ O's progress, by all appearances doing very well." Officers generally assumed that partnership for men was positive, a sign of progress and conventional development, so long as girlfriends were not on supervision or co-defendants in a case. Cases in which the girlfriend was not on supervision, but nonetheless likely to be involved in or accepting of a criminal lifestyle were not assessed cautiously. For instance, in one set of case notes, an officer reported that he had allowed a male client with a ten year history of methamphetamine use to move back in with the girlfriend with whom he had had lived for six years prior to his sentence. Presumably the girlfriend was aware of and possibly involved in drug use herself, but the officer makes no mention of having concerns with this living arrangement.

In contrast, the notes about women's romantic relationships were largely negative. While the resources boyfriends offered were mentioned, "O moved in with BF and BF's parents after release from jail," "BF will pay supervision fees," they also frequently mentioned the boyfriends' drug use, criminal involvement, supervision history and role in encouraging the

female offender's own criminality, "Told O that she could not live with a male who is also on supervision due her relapses in the past. I reviewed O's past relapses with her, how she gets lost in relationships w/males who have criminal history and then she relapses." "PO told O that any contact with husband [who continues to sell marijuana] would result in loss of custody of child." "Admits she is still with Jake, states he drinks but no law enforcement involvement." In these quotes, it is not imminent danger posed by the male partner that the officer seems to be concerned about, rather involvement in a relationship itself seems to run counter to officers' conceptions of proper female rehabilitation.

What was remarkable about officers' interest in this topic was the extent to which women's involvement with romantic partners was considered a sign of low self-esteem or personal failure. One officer observes, "I think it's harder, harder for women to stay out of relationships. So I really admire the women that I know who are working hard on themselves and aren't getting you know tempted into "I just need a man," and actually are learning how to take care of themselves, that really helps their self-esteem long term" (WMG #28). In this quote women's relationships with men are viewed as suspect, a sign of weakness or personal failure and evidence of female offenders' inability to be independent.¹⁸

Finally, officers working with women also seemed more attuned to the structural constraints women faced in completing the conditions of supervision, such as personal barriers to attaining employment and paying fees. Officers were particularly attuned to barriers posed by single parenthood and caregiving obligations. And yet, assisting women in overcoming these barriers was generally not voiced as the central goal of work with women. Perhaps because officers see employment as such a daunting goal for women, in meetings, officers often focused on women's emotional independence, rather than economic self-sufficiency. In response to my request to give an example of how he might tailor his approach to women, one officer responds:

M: Well you know first of all I think I would work really hard to help a female to learn how to be self-sufficient in that you don't want to be depending on some man to help you make it. And so I would probably emphasize that more, spend more time doing that.

I: In terms of like finding a job or?

¹⁸ It is important to note that there may well be truth in officers' understanding of how relationships affect women. However, it remains important to consider whether regulating these relationships should be a central goal of criminal justice supervision, or whether attention might more usefully be focused elsewhere. It is also important to consider whether the benefits of this type of treatment outweigh the costs.

M: Getting training or you know experiencing being on their own. I think, yeah. Because see guys you just kind of expect them to do that, but women, I think they would like to do that but it just seems like it's almost impossible. Especially if you have kids that you have to take care of. That's a huge, huge stumbling block you know. (WMG, #9)

The differences in the content of interviews I outlined above were reflected in differences in how the mission of the job was framed by officers working primarily with men and those working primarily with women. While officers working with men put the formal conditions of supervision first, officers working with women defined a broader mission, focused more upon women's emotional lives, social connections and local life circumstances. Officers working with women described a diversity of missions, from reuniting women with their children to "dig[ing] deep" into traumatic pasts to linking women up with resources and treatment programs to deal with addictions. One officer explains her mission, "With just the general woman population a lot of the women have trauma issues, abuse, lots of psychological issues, and helping the women learn how to deal with that without having to use the drug to ease the pain" (WFW #3). Another concurs:

I think to help the clients; I think it's to help the clients access the treatment that will address their addictions and the crime that falls from that. And then to encourage them because going through addiction treatment or any kind of treatment is difficult for the people that have supportive families and all of that, and these people don't usually have any of that. (WFW, #7)

The formal rules of supervision are not the priority here, rather, for these officers, treating women meant addressing the social and emotional aspects of their lives.

Underlying officers' interactional strategies is the presumption of criminal women as marked by poorly formed, permeable boundaries and self-concepts. As women's offending is explained by an inability to contain out-of-control emotions and tendency to latch on to and lose themselves in relationships with others, officers' interactions with women aim to contain and control women's emotions, and monitor and discourage these attachments.

Quality and Style of Interaction

Gender differences in the rehabilitative strategies I observed in the content and structure of meetings were also present in the quality and tone of officers' interactions with men and women. Officers working primarily with men modeled conventional adult male behavior in supervisory meetings, forging a respectful, officious rapport. In contrast, officers working

primarily with women aimed to forge an emotional connection, model a healthy and supportive relationship, and even work towards women's emotional healing. Thus, officers' interactional style similarly reflected the belief that men's criminality could be resolved through the assumption of normative behaviors, while, for women, solidifying boundaries (emotional and relational) was key.

Rehabilitating Masculinity: Respect and Rapport

Officers believed that rehabilitating men was primarily concerned with setting men up to make the "right" choices; in service to this goal they worked to establish trust, build rapport and model a business-like interactional style. One officer explains, "To me the most successful element you can work is if you can build a rapport with somebody. And the rapport is based on just a basic level of trust and respect, that I'm gonna treat you as a human being, and I expect to be treated the same. And as long as we don't violate that, then we have somewhere to work from." If the offender trusted the officer, the officer could then "start to hold up the mirror a little bit and maybe create a little cognitive dissonance" as one officer put it, utilizing motivational interviewing techniques to break down offenders' criminal thinking patterns. Officers believed that establishing trust and rapport opened up the possibility for offenders to undergo cognitive shifts away from criminal thought-patterns and identities. This interactional style is intended to show the offender that the officer considers him a mature adult, albeit one whose behavior has gone astray.

While all officers worked to develop rapport, the meaning of that rapport differed. Specifically, the extent to which officers working with men described listening, working through traumatic history or engaging in therapeutic discourse was quite different. Men would generally be allowed to unload feelings of anger and frustration regarding their circumstance for a short time, but quickly encouraged to move on to other things. An officer explains:

I kind of, I let them process that, I let them kind of talk about how frustrated they are or why they shouldn't be here and "I've seen worse things, I mean there's other guys that do worse than I do." You know let them get that all out and I kind of let them be heard because I know if I don't we're never going to go anywhere. So I let them do it for a certain amount of time, but if it continues to be really unuseful and unhelpful over time I can say that "I'm going to have to stop you there, let's move forward. Ok, you're here now, let's focus on what you need to do here. Can't change that." (WFDV, #31)

In other words, listening was intended as a starting point to forge a positive working relationship with men, but generally not used as a mini-therapy session or chance for the male offender to heal. One officer noted that she was careful not to delve too deeply into clients' personal lives:

I want to make sure that we address the problems that are important to them, but I also want to try to manage the situation because you always have to, whatever can of worms you open in a session you have to be able to close, you can't let them walk out this door raw. So if I don't have time to close them back up before they walk out then I can't let them continue with it. I try to keep it a little more superficial because um (pause), our job is not as counselors. I don't have 55 minutes to deal with his situation and put him back together and send him out the door; I don't have that. (WFG, # 6)

I was able to observe several meetings between this officer and her male clients and confirmed that some men seemed to be seeking a connection with her, or attempting to engage her more deeply in their lives, however, this officer largely stuck to the script, focusing on topics centrally relevant to supervision. An excerpt from my field notes reveals her approach:

He comes in looking for love. He's exhausted, working two jobs, a swing shift and regular day shift. He has short blond hair, sort of a frat-boy look, a bit of a pudgy belly... Slumped in his chair [most guys sit bolt upright]. Towards the end of the meeting...he gives her a speech about how different things are this time, how he didn't really see the light before, he was still blaming other people, his family, etc., but now he realizes it is all him. And everything is different. She doesn't really respond to this speech. He spews a lot in this conversation, she is quite reserved, telling him he has to go to aftercare, and giving him the list with all of the options, etc.

Throughout this meeting and in spite of his attempts to illicit sympathy from her and forge a connection, she maintained a business-like interactional style. The quality and tone of officers' work with men was respectful but officious; men's internal lives were largely seen as beyond the scope of the supervisory relationship.

Rehabilitating Femininity: Empathizing and Engaging

In contrast to their approach with men, officers' interactional style with women aimed to support women emotionally and role model a positive, conventional interpersonal relationship. Many officers felt that female offenders required such empathetic, emotionally responsive treatment in order to engage in processes of personal change. One officer explains:

Women are much more into sharing, and they wanna' know they can trust you, and they want to, they love a lotta feedback. They love to talk, so it's a lot of listening and relationship building. They wanna' know that you know their kids' names; they need that connection. Men, not so much. (WFW, #35)

Without such a reception, these psychologically troubled women would continue to “self-medicate” with drugs or unhealthy, “addictive” relationships.

Officers also forged emotional connection by interacting less formally and more like friends than did officers working with men. Officers working with women engaged in a chatty style that minimized the social distance between client and offender, remarking upon clients’ successes at work or school as well as changes to appearance like a new haircut or color, “I’ll compliment them that they look nice. I’ll talk to them about what it is that they like about themselves.” In these ways the supervisory relationship took on aspects of a friendship or mentor relationship. One particularly engaged female officer on a women’s team spent time on the weekends and evenings with her clients, texting, taking them out to dinner, even overseeing a DHS/family visit at the zoo. Another officer on a women’s team led a knitting class for her clients once weekly.

In part, officers felt that this was an important part of working with women because their clients had so few positive role models or relationships in their lives. Officers took on this role recognizing that women had few non-criminal friends that they could turn to for advice and support. The criminal activity that led to community supervision thus availed women of one person (their corrections officer) who could act as a caseworker or friend to them.

A number of them are grateful that, that I’m here and they want to get out of their addiction. They want me to do UAs to hold them accountable. They are desperate for something to get in their life and help them get out of the addiction. I’ve had people use me as a reference on jobs as the emergency contact number on applications and things. So sometimes there’s no one else left, so I’m like this authoritative, responsible person they actually have a relationship with that they can refer other people to. (WFW, #2)

Another officer from a women’s team concurs:

I have a desire to help them. And not that I wouldn’t have a desire to help men also, but I don’t mind them talking. I don’t mind them needing a hug at the end. I don’t mind being the one person they call if I’m the one person they have right now. That doesn’t bother me. And I think some POs, that would be too much or too close or too involved. So I think I enjoy the women for that. (WFW, #7)

This officer explains that she is well-suited to working with women because she is not just comfortable with, but happy to provide the emotionally-engaged, close relationship she has found that women require on supervision.

Officers conceptualized effective supervision for women as being supportive and responsive, and acting as a resource for women who had no one to count on or talk to. The quality and tone of officers' work with women was engaged and personal; women's emotional lives were seen as central to the supervisory relationship.

CONCLUSION

Despite sweeping changes to the criminal justice system, the formation of criminal subjects remains deeply gendered. Scholarship suggests that criminal justice actors understand women's criminality as emanating out of psychological disorder and a fractured or distorted self, while men's criminality emerges as a rational choice made by a whole self. To the extent that rehabilitation remains a goal of the community corrections system, officers' treatment interventions aim to address these deficits of self for criminal women and choice for criminal men.

While concurring with aspects of this standard narrative, I also challenge it, presenting a unified conception of the gendered selves that underlie contemporary notions of men and women as criminal subjects. In so doing I aim to link and explain the diverse descriptions of criminal women that mark current literature and correctional strategies, and likewise challenge the assumption that criminal men are viewed as rational, whole selves, not understood in psychological terms. In line with past literature, I find that women are viewed as emotionally and psychologically damaged, and that such understandings of criminal women are used to explain their offending. I also concur with research documenting the attention correctional actors direct towards women's emotional lives and romantic relationships (Haney 2010; McCorkel 2004; 2003; McKim 2008). My contribution lies in suggesting that these foci are linked via the notion of criminal women's selves as permeable and amorphous and thus threatened by contemporary social contexts and attachments. While there is less work documenting the particularly gendered understanding of men as criminal subjects, I diverge from that which suggests that men's criminality is a choice made by a whole self, and not understood in psychological terms. I suggest that, in fact, officers conceptualize criminal men as possessing a flawed or underdeveloped self, founded in patterns learned in childhood.

The strategies probation and parole officers rely upon can be understood to be emergent from correctional officers' beliefs about the--distinctly gendered--flawed selves criminal men

and women possess. I find that the content of meetings between male and female offenders can be distinguished by officers' attention to women's social networks and emotional lives, and men's achievement of the formal rules of supervision and assumption of conventional responsibilities. In terms of differences in the tone of meetings, I find that, with men, officers modeled conventional adult male behavior, cultivating a respectful, but officious interactional style. In meetings with women, officers strove to connect emotionally with offenders and model a healthy and supportive relationship. These strategies strive to contain women's emotions and solidify boundaries, while for men, these strategies strive to change criminal thinking patterns and behaviors and replace them with conventional behaviors and self-concepts.

This work suggests that community corrections as an institution retains a commitment to rehabilitation, albeit in limited form. Despite increases in case loads, documentation and other institutional changes limiting the face-time officers are able to spend with any individual offender, supervision meetings remain a space within which officers believe they can make a difference in the lives of offenders and continue to work towards rehabilitative goals.

Indeed, the gendered strategies I have documented are likely to have significant implications for the men and women sentenced, often for years at a time, to community supervision. First, officers' focus upon women's emotional and relational independence, rather than encouragement of economic independence through job training and skill building, may prove disadvantageous for women over the long-term. This is because vocational education and job training are two interventions the "what works" literature has shown to be successful in curbing recidivism (MacKenzie 2000; Petersilia 1998; Seiter and Kadela 2003). Second, officers' focus upon monitoring and discouraging women's romantic attachments clearly infringes upon women's privacy, personal freedom, and freedom of association in a way not true of officers' treatment of men. Thus, such treatment of women remains problematic despite the fact that discouraging or monitoring women's relationships may be a sensible response, given what is known about women's pathways into crime (Chesney-Lind and Shelden 1998; Daly 1994; Richie 1996; Steffensmeier and Allan 1996), as well as the reality of men's greater involvement in criminality and the justice system (Sampson and Laub 1993; Sampson, Laub, and Wimer 2006). Though it may be the case that women are indeed lacking in self-esteem and reliant upon problematic romantic partners, if women have no source of income and no place to stay (other than with this partner) self-esteem building or emotional empowerment alone will not

translate into real independence for women. Despite this, it could be that the strategies officers engage with women may yield benefits that are not captured by a narrow focus on recidivism; such an investigation remains an important topic for future research.

In contrast, while the cognitive interventions officers employ in work with men have been found to facilitate criminal desistance, in their narrow focus upon adherence to formal rules, officers tend to neglect the barriers individual men may face to fulfilling supervision conditions. Ignoring the very real structural challenges men face in obtaining employment, housing and paying fees may prove discouraging and even potentially spark a re-initiation of substance abuse and/or criminal offending. Additionally, in focusing upon men as autonomous individuals whose criminality is “set” in childhood, officers may fail to see the ways in which members of men’s social networks, particularly family members and romantic partners, influence the course of men’s supervision. Finally, and for both men and women, officers’ gendered expectations may prove consequential as offenders, responding to the power officers hold over their lives, shape their conduct in response to these expectations.

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Methodological Appendix

I followed two strategies to select the sample. In the first sampling strategy, I sampled within officer. I selected two officers, one male and one female, who supervised both men and women. For each officer, I then drew a sample of ten male and ten female offenders. I also selected one female officer who supervised only women and sampled twenty offenders from her case load. I obtained twenty offenders from each of the three officers, for a total of sixty offenders. In each case I sampled offenders who had low risk scores, no criminal history, no recorded mental health concerns and a sentence of either Drug I or Theft I.¹⁹ I chose those with low risk scores and sentences of Drug I and Theft I because these are frequent offense categories among both men and women. I chose those without a criminal history or recorded mental health issue because I wanted to minimize the extraneous information that officers might draw upon when recording their case notes. Sampling only offenders in these categories controls for gender differences in type of crime, criminal history, and mental health. The purpose of sampling by officer in this way was to assure that I captured variation in the type of caseload offenders were supervised on, whether all women or mixed gender. I also was interested in collecting data for men and women paired with an opposite gender officer. Once I had obtained a sufficient sample that met these criteria, I utilized a second sampling strategy to select additional offenders. The second strategy samples offenders directly. I drew a random sample of 41 offenders with the above crime, criminal history and mental health characteristics stratified by gender such that half of this additional sample was men (20) and half women (21).²⁰ The combined sample includes a total of 101 offenders supervised by 40 officers. This hybrid sampling strategy was necessary because offenders' case notes were to be analyzed both qualitatively and quantitatively. For the qualitative analysis, it was important to have male and female offenders clustered within both male and female officers. For the quantitative analysis, it was important to have a sufficient number of officers and sufficient variation in officer gender to control for this variable.

¹⁹ Drug I and Theft I are low-level sentences. The majority (94%) of the offenders I selected for the case note analysis were convicted of Drug I. I had initially intended to sample only drug offenders; however I had to extend the conviction to Theft I in order to find a sufficient number of offenders matched on the characteristics of interest, and in some cases, supervised by the same officer.

²⁰In order to assess whether the results were sensitive to the 60 case notes selected first, I ran the analyses on just the forty-one records I obtained through the second sampling strategy (with no repeated observations of officers). I found similar coefficient estimates, but these were, in several cases, no longer statistically significant due to the smaller sample size. The results I report in the text and tables are those drawn from the full sample. I control for correlated reporting by officer using clustered standard errors by officer. However, due to the complex nature of my sampling design, standard errors may still be somewhat underestimated. Fortunately in the analyses below, almost all significant results are highly statistically significant, so slightly larger standard errors would be unlikely to change the substantive conclusions.



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