



Women and the Criminal Justice System: Gender Matters

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Throughout most of our nation's history, women offenders have been largely invisible or "forgotten" in a system designed to control and rehabilitate men. According to Maureen Cain, in both criminology and more broadly in the criminal justice system, women and girls "exist as Other: that is to say, they exist only in their difference from the male, the normal" (Cain, 1990:2). This has meant that female victimization was ignored, minimized, and trivialized and that women's crime was overlooked almost completely. For criminal justice professionals, the time-honored defense of this posture was that there were so few women in the system that accounting for gender was not necessary.

In the waning decades of the 20th century, this logic was abruptly undercut as women's involvement in all aspects of the criminal justice system increased dramatically. As an example, in just the last decade (between 1990 and 1998), the number of women on probation increased by 40 percent, the number of women in jail increased by 60 percent, the number of women in prison increased by 88 percent, and the number of women under parole supervision increased by 80 percent. And, in many of these systems, the increases seen in female rates outstrip those seen for males; for example, since 1990, the number of female defendants convicted of felonies in state courts has grown at more than twice the rate of increase for male defendants.

The criminal justice system, long used to forgetting about women, was taken by almost complete surprise when this change started. The starkest examples of this can be found in corrections, where the number of women in prison has increased sixfold since the 1980s. Caught by this unexpected increase, corrections officials in the early '80s were forced to house women prisoners virtually anywhere—including remodeled hospitals, abandoned training schools, and converted motels. Increasingly, though, states have turned to opening new units and facilities to respond to the soaring numbers of women inmates. By 1990, the nation had 71 female-only facilities; 5 years later in 1995, the number of female facilities had jumped to 104—an increase of 46.5 percent. Similar, though less easily quantified, changes have occurred elsewhere in the criminal justice system as officials struggle with the dramatic increase in women offenders.

Changes in Women's Crime?

Is the dramatic increase in women's involvement with the criminal justice system a response to a women's crime problem spiraling out of control? Other indicators give little evidence of this. For example, the total number of arrests of adult women, which might be seen as a measure of women's criminal activity, increased by only