
Crime in the Breaking: Gender Differences in Desistance

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Despite increasing interest in understanding patterns of criminal behavior over the life course and, especially, desistance from crime, evidence about the predictors of these experiences has been derived only from samples of male offenders. We evaluate whether there are gender differences in the predictors of both self-reported illegal earnings and arrest among samples of recently released male and female offenders. Our analysis of gender differences illustrates how both the behavior of the offender and the behavior of law shape our understanding of the transition out of crime. We analyze event history data from a large-scale social experiment that provided employment to male and female offenders. The results indicate that (1) gender differences in the predictors of desistance largely depend on the domain of behavior under consideration; (2) indicators of normative status, as opposed to the perceived risks of crime or age-graded informal controls, are particularly important determinants of women's risks of rearrest.

Scholars have long known that to understand crime we must study both the behaviors of individuals and the behavior of law. Yet, perhaps because of controversies surrounding career and life-course perspectives of crime, offender behavior, or more specifically male offender behavior, has taken center stage. The failure to address how legal responses to offenders shape our understanding of crime is particularly evident in the emerging desistance research. There are at least two definitions of desistance: (1) behavioral desistance, or the transition from criminal to noncriminal conduct; and (2) official desistance, or desistance in the eyes of the law. To study behavioral desistance one need only examine the internal and external controls (e.g., commitment to work, risk of criminal sanction) relevant to offenders' lives to understand reoffense patterns (see, e.g., Piliavin, Gartner, & Thornton 1986; Sampson & Laub 1992, 1993; Shover &

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Thompson 1992). The influence of offender attributes on official desistance, however, has been virtually ignored despite abundant data indicating that such characteristics as sex, age, and social class affect arrest decisions (Bittner 1967; Black 1980; Visher 1983; Smith 1987; Gartner & Piliavin 1988). Scholars have yet to examine, then, how both individual and legal behaviors shape our understanding of men's and women's desistance from crime. We seek to address here these omissions and add to our understanding of desistance from crime and, especially, gender differences in the desistance process.

Early work on desistance emerged from attempts to explain the age-crime curve, more specifically, the apparent "aging out of crime" or "maturational reform" process (Glueck & Glueck 1937). Some scholars drew attention to social conditions that appeared to be correlated with crime cessation, such as the "drift" associated with adolescent male status anxiety (Matza 1964) or the reduction in the material deprivations of youth combined with increasing social integration (Greenberg 1979). Others focused on biopsychosocial factors such as the changes in physical strength, energy, and psychological wellbeing that co-occur over time and reduce deviant motivations (Gove 1985). Still others argued that attempts to explain desistance with social correlates is misguided because the factors that explain crime or its absence are constant across the life course (Hirschi & Gottfredson 1983, 1985; Gottfredson & Hirschi 1990). Today, the development of micro models of criminal careers continues, identifying groups of offenders with similar offending trajectories (D'Unger, Land, & McCall 1998; Nagin & Land 1993).

With the recent application of life-course and developmental perspectives in criminology (Loeber & LeBlanc 1990; Farrington 1992; Sampson & Laub 1992), theories that initially addressed the stability of offending are being recast to determine whether they can also explain change and the cessation of offending. Perhaps the most notable empirical example of the use of this life-course perspective is Sampson and Laub's (1993) reanalysis of the Glueck data. Analyzing adult offending at three age periods, they conclude that childhood continuity in crime is significantly modified over the life course by the social bonds and the "social capital" that adults develop (p. 139). In contrast to using a theory of informal social control to organize the concepts of a life-course perspective, others have drawn attention to rational choice theory (Gartner & Piliavin 1988) and opportunity theories (Uggen & Shelton 1996) to explain transformations in criminal behavior over the life span. Missing from this developing body of scholarship, however, is a careful discussion and empirical evaluation of gender differences in desistance.¹ Are the adult

¹ Several factors may explain the systematic inattention to gender. First, research on desistance cannot be effectively carried out with cross-sectional data. Few longitudinal

social bonds identified by Sampson and Laub (1993) as affecting male crime trajectories equally important for females? (See also Rutter, Quinton, & Hill 1990.) Do criminal opportunities and the perceived rewards and risks of crime affect females the same way they affect males? And when the offender's behavior is controlled for, can official or legal desistance also be explained by examining how law responds to the various social locations male and female offenders occupy?

Motivational Models of Desistance

Although a life-course perspective has been instrumental in drawing attention to the cessation of crime, it does not provide a theoretical rationale for predicting or explaining this phenomenon. Recent developments in the field of desistance, however, suggest that rational choice theory, social control theory, and opportunity theory are all consistent with understanding deviant role exits (Ebaugh 1988; Hagan & Wheaton 1993) and crime and delinquency over the life course. Each of these theories emphasizes factors relevant to the offender's motivation to desist from crime, and each suggests potential gender differences in the process of criminal desistance. After discussing each of these theories, we consider a different approach to desistance which makes no assumption about the offenders' motivations but instead looks to the social locations of male and female offenders and the impact their respective statuses have on the "behavior of law" (Black 1976).

Rational Choice Theory

According to rational choice theory, individuals weigh the costs and benefits of criminal and noncriminal opportunities and select the alternative with the greatest net benefit.² An increase in the anticipated costs of crime or in the rewards for conformity will lessen the propensity for crime (Becker 1968; Erlich 1973; Clarke & Cornish 1985; Grogger 1992, 1994). Recent applications of the rational choice model to desistance have produced mixed results. Some scholars find support for the opportunity or

prospective studies of offending, which make causal inferences less problematic, have included females. Second, and in a related vein, from both a policy and a theoretical perspective, researchers have been concerned with the factors that are most likely to end "serious" criminal careers; and, "serious" criminal careers are thought to be occupied only by male offenders (see D'Unger et al. 1998). Third, the presumption that women are "naturally" less criminogenic than men makes the issue of their desistance from crime unproblematic (see, e.g., Gove 1985).

² We are aware that some individuals argue that no new theoretical concepts or propositions have been added to criminological theory by rational choice studies (Hirschi 1986; Akers 1990). Rather than engaging in this debate, we examine a somewhat broader issue: the relevance of motivational models to our understanding of criminal desistance and, more specifically, gender differences in desistance.

reward side of the economic ledger and little or no support for the risk or deterrence side (Piliavin et al. 1986; Uggen & Shelton 1996); others find that the perceived risks of criminal sanctions have a significant impact on criminal behavior (Paternoster 1989).

Although no study has systematically examined whether gender interacts with the rational calculus involved in crime commission, there are ample empirical data to justify such an exploration. For example, the analysis of power-control theory by Hagan and his colleagues (Hagan, Gillis, & Simpson 1979, 1985, 1990; Hagan, Simpson, & Gillis 1987) provides evidence that the perceived risk of criminal actions differs for males and females raised in traditional patriarchal families. Gottfredson and Hirschi's (1990) "general theory of crime" also links gender differences in delinquency to risk, since a preference for risk is a key component of low self-control, which is viewed as a major determinant of crime. Most recently, Grasmick, Blackwell, and Bursik (1993) and Grasmick, Hagan, & Blackwell (1996) examined gender differences in perceived risk of criminal sanctions among adults. Classifying respondents according to the authority relations in their families of origin, they found gender-related patterns comparable to those reported by Hagan and his colleagues (1979) for the crime of theft.

We also expect males and females to have different perceptions of their respective risks for criminal sanctions because an extensive body of research indicates that females have a lower risk of imprisonment than males (Steffensmeier, Kramer, & Streifel 1993; Daly 1994). However, the risks of criminal actions extend beyond the formal sanctions one might encounter as a result of these actions. These risks include the loss of a partner and/or employment, and there are strong reasons for believing that these risks are conditioned by gender. Scholars in a wide range of substantive areas argue that gender role socialization leads females to be more concerned with managing and maintaining relationships, whereas males are more concerned with developing technical skills for the paid labor market (see, e.g., Oakley 1972; Gilligan 1982; England & Farkas 1986; Heimer 1989).

Social Control Theories

Most versions of control theory hold that the motivation to commit crimes is relatively constant across individuals and only attachment to others and commitment to conventional institutions produce conforming behavior (Hirschi 1969; Kornhauser

1978; Gottfredson & Hirschi 1990; Sampson & Laub 1993).³ Social control theory would appear to be particularly salient for explaining gender differences in desistance because parental attachments are commonly thought to be more critical to the development of delinquency in girls than in boys (Nye 1958). Nevertheless, there is relatively little empirical evidence to support this belief (see Kruttschnitt 1996) and virtually none that would address how adult attachments in both males and females influence antisocial behavior. Although Sampson and Laub's (1990, 1992, 1993) age-graded theory of informal social control is silent with regard to gender, it directs attention to the significance of both marital attachments and job stability in desistance from crime. Specifically, they argue that it is the strength of these attachments, not their occurrence or timing, that leads to a reduction in criminal behavior.

As previously noted, a sizable body of research suggests that, in general, intimate relationships are more important to females than males. These studies, as well as other bodies of related research, indicate that these gender differences in attachments have important emotional and behavioral consequences. For example, the primacy of relationships to females is related to higher levels of distress among females than males (Kessler & McLeod 1984), and females report engaging in delinquent and criminal behavior as a direct result of their romantic attachments (Jessor, Donovan, & Costa 1991; Haney 1996). Interestingly, a comparable effect has not been observed for males (Sampson & Laub 1993).

Related to the observed gender differences in the primacy of relationships are the observed gender differences in employment and job stability. Despite the dramatic increases in the past two decades in the labor force participation of married women, women continue to hold the majority of part-time and temporary jobs (Moen 1992:98). In fact, women follow no modal pattern of labor force employment; combinations of full-time and part-time work, as well as periods of absence from the work force, are more the rule than the exception for women (Moen 1985:150).

Structured Strain and Opportunity Theories

According to these theories, the combination of universal cultural success goals (notably in modern American society, economic affluence) and an unequal distribution of legitimate educational and occupational means to their attainment produces a societal condition of anomic stress that is unevenly distributed throughout the social structure (Merton 1938; Messner & Rosen-

³ Nevertheless, we classify control theories as motivational models because they posit that social bonds motivate or encourage conformity or desistance from crime (see Black 1976).

feld 1997). By arguing that illegitimate as well as legitimate opportunities are differentially distributed in society (Cloward & Ohlin 1960), opportunity theory speaks not only to the class distribution of crime but also the gender distribution of crime.

Women appear to have fewer illegitimate opportunities than men both because of the ways in which deviant peer relations affect their behavior and because of the gender stratification of the illegitimate marketplace (Steffensmeier 1983; Steffensmeier & Allen 1996). Smith and Paternoster (1987) found that exposure to persons who hold deviant values leads to delinquency for both males and females. Although support for this finding can be garnered from a review of the limited quantitative data on female gang involvement, others have found that female peer associations differ from male peer associations in ways that serve to inhibit deviance among girls but amplify it among boys (see Kruttschnitt 1996). Further, while changes have appeared in the criminal "underworld," evidence suggests that it is still dominated by males (Steffensmeier 1993). Women appear to have gained new opportunities in emerging drug markets, but even in these markets, they are accorded marginal tasks with substantially lower earnings than their male counterparts (see, e.g., Adler 1985; English 1993; Maher & Daly 1996).

Black's Theory of Law

By contrast to these theories, Black's (1976:9) theory of law predicts some of the same facts "but as an aspect of the behavior of law, not of the motivation of the individual."

Theory of this kind predicts and explains social life without regard to the individual as such. It neither assumes nor implies that he is, for instance, rational, goal directed, pleasure seeking, or pain avoiding. It has no concept of human nature. It has nothing to do with how an individual experiences reality. It has nothing to say about the responsibility of an individual for his own conduct or about its causes. (P. 7)

According to Black, law, defined as governmental social control, varies with other aspects of social life: stratification, morphology, culture, organization, and social control. Respectively, these are the vertical, horizontal, symbolic, corporate, and normative aspects of social life. Because of our concern with criminality or, more specifically, desistance from crime, we begin by directing attention to Black's concept of social control and the normative aspects of social life.

According to Black, respectability is a normative status to be measured by the amount of social control to which a person has been subject. "To be subject to law is, in general, more unrespectable than to be subject to other kinds of social control [and] to be subject to criminal law is especially unrespectable"

(p. 111). Further, just as the direction of law can be predicted from other social statuses (e.g., morphology and culture), so also can it be predicted from someone's normative status: "law is greater in a direction toward less respectability than toward more respectability" (p. 114). Thus:

A known criminal is more vulnerable to law than a man without a record. He is more likely to be arrested, prosecuted, convicted and punished. It is harder for him to get a parole from prison. For that matter, parole itself makes any ex-convict more vulnerable to law. (P. 115)

How, then, would Black predict and explain desistance from crime among a known group of offenders? Although his theory is not concerned with behavioral desistance, Black would predict and explain legal or official desistance as a result of the social statuses individuals hold. Black's explanation would invoke many of the same variables as social control or opportunity theories.⁴ According to Black, however, these variables draw their explanatory power from the social positions they indicate, rather than the motivations that presumably follow from these statuses. For example, whereas social control theory assumes that attachments to significant others and commitments to conventional institutions induce conforming behavior, Black (p. 37) argues simply that law responds to "the distribution of people in relation to one another, including their division of labor, networks of interaction, intimacy and integration." Specifically, with reference to an individual's radial location (or one's proximity to the center of social life), employed persons are more integrated than unemployed ones and married persons are more integrated than single persons. Further, assuming that law varies inversely with integration, "a crime by an unemployed man is more serious than a crime by an employed man [and] it is still more serious if an unemployed offender has no family" (p. 51).

Recall that opportunity theories explicitly assume that the differential social distribution of legitimate and illegitimate opportunities creates deviant behavior and implicitly assume that deviant peer networks play an important role in shaping this behavior (Cloward & Ohlin 1960). The theory of law also predicts these relationships but, again, without reference to the offender's behavior. In the first case, by postulating that law responds to the vertical distribution of people in social life, Black maintains that criminality varies inversely with rank. Specifically, "since crime is conduct that is subject to criminal law," the theory of law explains the higher rate of crime among those deprived of legitimate opportunities because whatever the actual conduct of lower ranks, their behavior is more likely to be defined as illegal

⁴ Because rational choice theory assumes people are free to choose their course of actions, based on their consideration of the profit or pleasure it will provide for them, the theory is at odds with the basic premise of Black's theory.

(pp. 30, 31). In the second case, Black (pp. 70, 79) maintains that law varies with the frequency and conventionality of culture: all else constant, including the victim's characteristics, law varies inversely with the conventionality of the offender. Accordingly, we should expect that relative to individuals with "straight friends," individuals with deviant friends will be more vulnerable to law of every kind, including rearrest.⁵

Black's theory would also predict gender differences in desistance, although not on the basis of the commonly cited emotional or psychological differences between the sexes (e.g., Miller 1976; Chodorow 1978; Gilligan 1982). Instead, from Black's (1980:122; 1993:162) perspective, sex is nothing more than a biological characteristic, and its sociological relevance depends entirely on the degree to which it corresponds to a social location. Consider, for example, respectability. As a group of offenders, women appear somewhat more respectable than men (Kruttschnitt 1982b). Generally, they acquire less extensive and less serious criminal records than men (Daly 1994; Steffensmeier et al. 1993). Accordingly, we should expect women to encounter less subsequent legal control in their lives or have a higher probability of desistance from crime than men. Moreover, women occupy other social positions, which are also predictive of less law. Women are often more integrated into social life than men as a result of their stronger ties to children and family, and it might be noted, the statuses of wife and mother are hallmarks of conventional "femininity" in our society. The traditional economic dependence of women on men, and the ensuing informal controls they encounter as a result of this dependence, also appears to have resulted in their exclusion from legal life throughout much of history and, more recently, from the most severe criminal sanctions (Black 1976:18-19; Kruttschnitt 1982a; Bridges & Beretta 1994). Separately, and together, then, all these statuses provide mechanisms whereby women are afforded greater protection than men from formal legal controls.

The Current Study

We attempt here to build on desistance research by explicitly addressing gender differences in crime cessation. Our analysis of gender differences provides a setting that illustrates how both the behavior of the offender and the behavior of law shape our understanding of the transition out of crime. We examine separate models contrasting two theoretical perspectives: (1) a motivational model that incorporates aspects of rational choice, social

⁵ Black's theory also avoids the self-selection problem inherent in motivational theories under which it can be argued that enduring individual differences explain both the occurrence of desistance in crime and the simultaneous acquisition of stable employment and marital commitment among some offenders.

control, and opportunity theories to explain behavioral desistance, and (2) a theory of law model that attempts to hold individual behavior constant and seeks to explain official desistance based on the social statuses of individuals.

Data and Measures

The Supported Work Data File

The data to be analyzed are taken from the National Supported Work Demonstration Project (Hollister, Kemper, & Maynard 1984). Supported Work attempted to provide a basic work opportunity to members of four disadvantaged population groups: welfare (AFDC) recipients, hardcore drug users, recently released ex-offenders, and youth dropouts.⁶ These data are well suited to a desistance analysis because Supported Work successfully captured a population of serious and high-risk offenders (Piliavin et al. 1986).⁷

To be eligible for Supported Work, members of the ex-offender sample had to have been recently incarcerated, currently unemployed, and employed for no more than 3 of the preceding 6 months. Addicts were additionally required to have been enrolled in a drug treatment program within the past 6 months. Half of those in the youth dropout sample were required to have an official delinquency or criminal record, to have been recently incarcerated, currently unemployed, employed for no more than 3 of the preceding 6 months, and enrolled in a drug treatment program within the past 6 months. Subjects were recruited from drug treatment, criminal justice, and social service agencies and randomly assigned to treatment and control conditions. Those in the treatment group were offered subsidized jobs for up to 18 months in work crews with six to eight other participants. Members of both the treatment and the control groups provided semi-monthly self-reported work, income, crime, and arrest data at 9-month intervals for up to 3 years.

Measures

Our model of desistance suggests relationships among a variety of independent variables that address the three motivational models, as well as the social dimensions of Black's theory of law,

⁶ Crime data were not collected for the AFDC recipients, so the present analysis is limited to men and women in the ex-offender, ex-addict, and youth groups.

⁷ Although these data were collected in the late 1970s, to our knowledge, they remain the only large-scale data set that contains information necessary to determine whether there are sex differences in desistance among serious offenders. As Sampson and Laub (1993) have convincingly demonstrated, the application of modern analytic techniques to older data can inform contemporary debates and yield important new knowledge.

and two measures of behavioral and official desistance. The fixed independent variables include age, race, ethnicity, years of education, work experience, prior criminal behavior and arrests, a dichotomous indicator for the presence of children, and assignment to the dropout, addict, or offender program group, all measured at assignment to the Supported Work program. Although our unit of analysis is the person (rather than the person-period as is often the case in criminal careers research), the values of many of our explanatory variables may change over time. These time-dependent covariates include living arrangements, friendship patterns, perceived risks and illegal opportunities, and current school attendance and work activities. Work and school measures are lagged by two weeks (so that employment at time t predicts arrest at time $t+2$ weeks). Data for the remaining time-dependent covariates are available in nine-month intervals and are thus lagged by nine months (so that living with a spouse or partner at time t predicts arrest at time $t+9$ months).⁸

Because Supported Work was an employment program, its architects were particularly concerned with economic crimes such as robbery, burglary, and theft. In our analysis, we employ two dependent variables: self-reported illegal earnings and self-reported arrest. Self-report measures of deviance were developed to provide a more accurate source than law enforcement records for assessing whether persons are involved or not involved in deviant behavior. Although the merits of the self-report method have been the subject of much debate and research, research utilizing reverse checks of police records suggests that self-reported crime and arrest data are reasonably reliable and valid by most social-scientific standards (Hindelang, Hirschi, & Weis 1981). Further, in a motivational study of desistance from crime, it is imperative to distinguish between the actual incidence of deviant behavior and the official responses to it, between persons involved in deviant acts and persons apprehended for these behaviors (see Elliott, Huizinga, & Menard 1989:4-5). If we relied only on arrest data, we would run the serious risk of underestimating the effects of the indicators of the motivational models on behavioral desistance because we would have no way of knowing whether arrests were representative of actual offending patterns.

⁸ We follow Allison's (1995:138-54) procedure for computing lagged time-dependent covariates and estimate their effects using SAS PROC PHREG. The value of each time-dependent indicator is determined in the period immediately preceding the interval in which the outcome or censoring occurs. For example, the value for "currently in school" for someone arrested in month 18 is determined by whether the respondent was attending school in month 17. Each of the fixed covariates is measured at the time origin, or assignment to the Supported Work program. For more information on Supported Work and the measures of perceived risk, see the appendix to Piliavin et al. 1986:117-18 and Matsueda et al. 1992.

By contrast, Black's theory treats the offender's conduct as virtually irrelevant and instead predicts legal behavior of which arrest is one indicator (see Black 1976:8). Because Supported Work collected self-reported arrest data, the initial investigators were concerned about the possibility of response bias or selective recall of arrest histories among respondents. Therefore, Supported Work conducted its own reverse record check in three sites, comparing official arrest records of participants in Hartford, San Francisco, and Oakland with self-reported interview data on arrest (Schore, Maynard, & Piliavin 1979). Schore et al. found 45% of the respondents underreported the incidence or frequency of arrests but only about 20% underreported the prevalence of arrest. That is, persons were more likely to underestimate the number of times they had been arrested than to err in reporting whether they had been arrested at all. Consistent with prior research, they also found that blacks were likely to underreport relative to whites and Hispanics (Elliott & Ageton 1980; Hui-zinga & Elliott 1986:324). Because the majority of participants in the Supported Work project were black, we attempted to estimate separate models for blacks and whites to determine whether such underreporting attenuated the effects of our predictor variables on crime (see Piliavin et al. 1986:108 n.12). The small number of whites included in the Supported Work project, however, precluded this type of discovery process. Therefore, we acknowledge the potential for some bias in our race coefficients and exercise caution in generalizing about racial differences based on these models.

Analysis

A properly specified model of desistance must be sensitive both to the length of time a person spends in a state of desistance and the changes in the person's status over time. For the purposes of this project, event history analysis has several advantages over cross-sectional or panel designs: (1) it increases the precision of estimates of explanatory variables; (2) it aids in determining the temporal order of the explanatory and outcome variables; (3) it provides an appropriate model of censored cases (those who never left the state of desistance) over varying observation periods; and (4) it facilitates the modeling of indicators of the motivational model and Black's theory (e.g., work participation, marital status, deviant friends, frequency of illegal opportunity) as time-varying rather than fixed explanatory factors. The net effect of these advantages is to provide estimates that are sensitive to the timing of motivations, behaviors, social statuses, and legal responses to these statuses.

To identify sources of variation in the timing of illegal earning and arrest, we estimate Cox's proportional hazard model

(Cox 1972). In this model, the dependent variable is the natural logarithm of the hazard of entering a period of criminal activity or arrest defined as an instantaneous probability. The Cox model does not require the selection of a particular distribution for survival times, because the estimation method maximizes a partial likelihood that leaves the baseline hazard unspecified. We estimate models of the form

$$\log h_i(t) = \alpha_0(t) + \beta_1 X_{i1} + \beta_2 X_{i2}(t) + \dots + \beta_{kX_{ik}}$$

where $\alpha_0(t)$ represents the natural logarithm of the unspecified baseline hazard function at time t ; X_1 represents fixed explanatory variables; β_1 represents the effects of these variables; X_2 represents time-varying explanatory variables; and β_2 represents the effects of these variables. Cox's proportional hazards model assumes that for any two persons, the ratio of their hazards is a constant that does not vary with time. This implies that covariates raise or lower individual hazard rates by a constant multiple at all time points. Under this specification, the predictors are assumed to have a uniform effect on illegal earnings and arrest.⁹

We first present descriptive statistics for each sex with a test for mean differences in levels of the relevant correlates at the start of the experiment. Second, we test simple hypotheses about sex and desistance using survival curves and tests of equality based on life tables. These curves illustrate the duration structures of desistance from both self-reported illegal earning and arrest, respectively, for men and women. Third, and finally, we build multivariate models of desistance and conduct significance tests of cross-sex differences in the effects of covariates using proportional hazards models with time-varying explanatory variables. We gauge the relative importance of the motivational models of desistance from illegal earnings for both men and women by examining the size and the significance of the covariates within categories of sex. To test Black's theory of law, we estimate the same model with arrest, controlling for self-reported illegal earnings and drug use. Black (1976:31) argues that his theory should explain the same facts as the motivational theories we are considering, but without regard to the offender's behavior. We therefore expect that indicators of respectability, integration, deprivation, and conventionality (e.g., prior arrests, marriage, parenthood, employment, illegal opportunities, and deviant friends) will be

⁹ For both theoretical and practical reasons, we limit our investigation to the timing of the first period of illegal earning and the first arrest. These transitions are particularly critical for released offenders. For many, the first offense represents a parole violation with serious consequences. Moreover, only a minority of the sample ever leaves a state of desistance, and only a small proportion of this group leaves desistance a second time. Because of the uniqueness of the first reoffense and first rearrest, we cannot justify pooling each of the intervals together and estimating a single model. Nor do we have sufficient numbers of women (especially) and men at risk of a second arrest or a second spell of illegal earning to merit a separate quantitative analysis.

significantly associated with desistance from arrest, irrespective of the self-reported offending patterns of men and women.

Results

Descriptive Statistics

Table 1 compares women and men who entered Supported Work with a self-reported crime or arrest record. We pooled the offender, addict, and youth-dropout Supported Work samples and selected those who had either a history of self-reported illegal earnings (for the illegal earnings outcome) or an arrest history (for the arrest outcome) and were thus eligible to desist from these statuses.¹⁰ Most participants from these samples were young black males with less than a high school education and an extensive criminal history. Across these four groups, less than 10% of those reporting illegal earnings or an arrest were female (302 of 3,093 and 340 of 3,764, respectively). The women were slightly older and better educated, with significantly fewer prior arrests than the men. Regardless of whether women reported subsequent deviant acts or an arrest, their perceived risks of imprisonment and their perceived risks of losing their jobs or partners should they be imprisoned were significantly lower than those of males. Several factors suggest that these women's perceptions may be quite accurate. For example, women generally have lesser arrest histories than men, which makes them more likely candidates for probation, as opposed to prison, sentences. Nevertheless, even when prior record is held constant, extant sentencing research indicates that in terms of the "in/out decision," women are more likely to obtain the lighter dispositions (Kruttschnitt 1996:147-50). Women's lower perceived risks of losing a partner should they be imprisoned may be related to their slightly lower likelihood of living with a spouse or partner. They are also much less likely than men to be living with a parent. Although it is unclear from these descriptive statistics how the presence of children influences either women's perceptions about the risks of criminal involvement or their probability of subsequent arrest, they are roughly three times more likely than men to have children living with them. Finally, the significant

¹⁰ Only those who have experienced an arrest are considered eligible for official desistance, and only those who have a history of self-reported illegal earnings are considered eligible for behavioral desistance. A total of 3,093 participants entered the program with an illegal earnings history and 3,764 entered with an arrest history. Outcome data are available for 83.5% of the illegal earnings group and 76.2% of the arrest group. To determine whether sample attrition was systematic in these data, Brown (1979) found that only race influenced attrition, with African Americans being most likely to complete all interviews. Using Heckman's (1976) selectivity procedure, Brown finds no biasing effects on selected program outcomes, including self-reported arrest (see Piliavin et al. 1986 for more information on the sample and attrition).

differences between men and women's assessment of their opportunities for engaging in illegal activities are noteworthy. Although women view themselves as having less frequent illegitimate opportunities than men, a significantly higher proportion of women than men believe they can earn more money on the street than in a "straight" job. We suspect that this effect may derive from both the gender segmentation of the labor market and the differential availability of income from prostitution. For women enmeshed in deviant street networks, prostitution is simply seen as part of their "hustle," "part of everyday living" (Miller 1986:85).

Table 1 Baseline Characteristics of Female- and Male-Supported Work Participants

Characteristic	Illegal Earnings History		Arrest History	
	Women (N=302)	Men (N=3,093)	Women (N=340)	Men (N=3,764)
Age**	26.5 (6.0)	25.0 (6.6)	26.0 (6.5)	24.8 (6.6)
% African American	79.5	77.2	79.1	76.3
% Hispanic**	6.0	11.0	6.5	12.2
% white	13.6	11.6	12.9	11.3
Years of education**	10.6 (1.6)	10.3 (1.8)	10.5 (1.5)	10.2 (1.8)
Length in months of longest job held	16.9 (22.0)	16.0 (20.8)	15.4 (22.5)	16.2 (22.9)
% ever making money illegally	—	—	74.4	77.2
No. of arrests**	6.8	9.2	6.7	8.7
Perceived risk of prison if arrested (1–5)**	3.5	4.1	3.7	4.1
% living with spouse or partner	17.7	19.5	15.5	18.8
% living with parent**	27.4	43.4	30.1	45.2
% with children**	38.3	12.9	38.7	12.2
Risk of losing partner if imprisoned (1–5)**	2.3	2.7	2.3	2.7
Risk of losing job if imprisoned (1–5)*	3.9	4.1	3.9	4.1
% with "straight" best friend	76.0	75.0	76.0	76.5
Frequency of illegal opportunities (0–3)*	1.3	1.5	1.1	1.3
% for whom weekly street earnings exceed weekly "straight" earnings*	64.9	55.5	59.9	51.4

* $p < .01$ ** $p < .001$ (two-tailed tests)

Viewing these indicators from a rational choice perspective, we would predict that women are less likely than men to desist from crime. However, from a social control perspective, which draws attention to parental and marital attachments, we might predict a very different result. An initial assessment of whether there are gender differences in the likelihood of remaining crime free can be gleaned from survival analyses.

Nonparametric Survival Analyses

Figures 1 and 2 show survival distributions by sex. These curves show the cumulative proportion of men and women who remained in a state of desistance during the observation period. Because these analyses are stratified by sex, the chi-square value tests the equality of male and female desistance patterns. Survival distributions of the time to the first period of illegal earnings among men and women who had entered the program with a history of economic criminal behavior are depicted in Figure 1. The survival curves show that women were much more likely to remain in a state of desistance from illegal earnings. After six months (12 semi-months), about 90% of the women remained in a state of desistance relative to about 77% of the men. This 13% gap widens slightly throughout the observation period to 14% at one year, 15% at two years, and 16% at three years from the start of the program. Both the log-rank and Wilcoxon tests suggest that the difference between these curves is statistically significant.

Figure 2 shows the corresponding survival curves for arrest among men and women who entered the program with at least one arrest. After six months, less than 5% of the females had been arrested, relative to 15% of the males. This 10% gap widens to 15% after one year and 18% after two years. Again these differences are statistically significant. Together, these data indicate not only that women are more likely than men to report having desisted from crime but also that they are less likely to be rearrested. In fact, gender differences in duration of desistance appear to be slightly greater for arrest than self-reported illegal earnings.

Multivariate Models

Tables 2 and 3 report parameter estimates and standard errors of models predicting illegal earnings and arrest (controlling for illegal earnings) for males and females. We estimated each model separately by sex, then pooled the samples to test the significance of differences in the estimates with dummy variable interaction terms. The *p*-value shows the significance of the difference between each pair of coefficients in the male and female equations. Each model contains background and program characteristics, the perceived risk indicators, informal social controls in the form of work, school attendance and family commitments, and perceived legitimate and illegitimate opportunities. All time-varying terms are preceded by the symbol τ . Since sample sizes are much smaller in the female equations than in the male equations, the magnitude of the estimates may be more informative than their significance levels, particularly when one is making comparisons across equations.

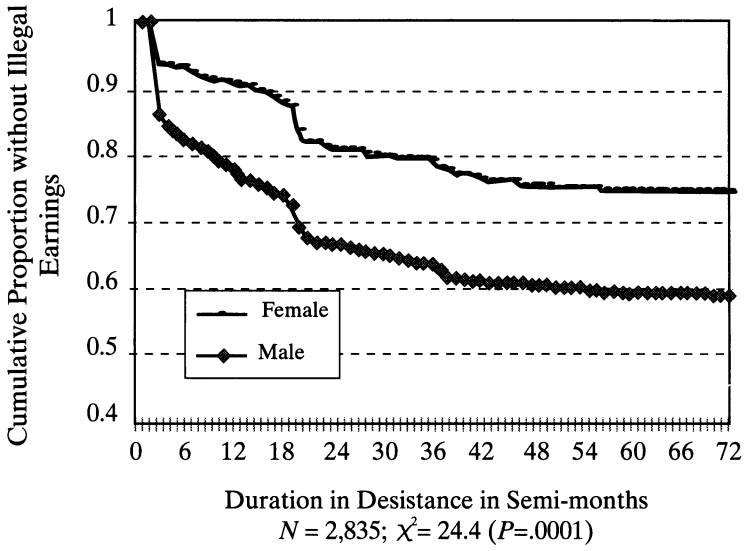


Fig. 1. Time to illegal earnings by sex, 261 females and 2,574 males at risk.

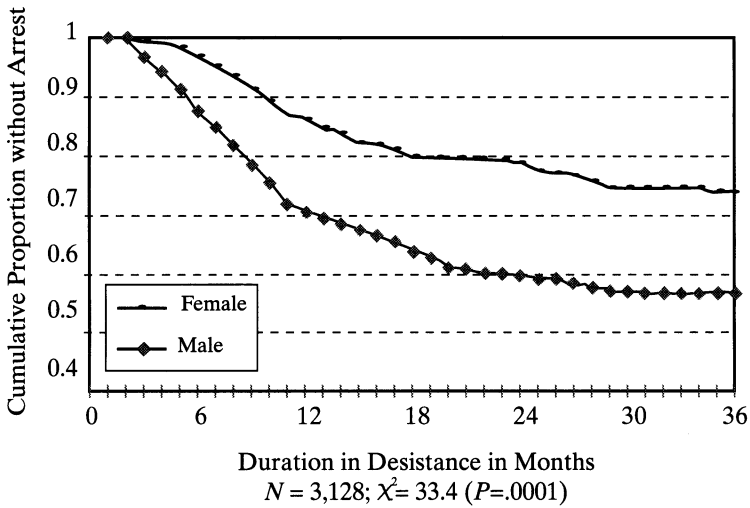


Fig. 2. Time to arrest by sex, 285 females and 2,843 males at risk.

Illegal Earnings

Table 2 presents maximum likelihood estimates for the full model of illegal earnings. Educational attainment, but not work history, appears to have a beneficial effect for women. Those with greater education were less likely to leave a state of desistance: each year of education reduces the hazard of illegal earnings by about 18%.¹¹ Women with children and women with a “straight” best friend also have reduced risks of entering a period of illegal earnings: in fact, the hazard for women with children is roughly one-half (47%) of the hazard for women without, net of the other covariates. The only condition that appears to significantly

Table 2 Maximum Likelihood Estimates for Proportional Hazards Model of Illegal Earnings

Variable	Females (N=252)		Males (N=2,415)		p-Value of Difference ^a
	Parameter Estimate	Standard Error	Parameter Estimate	Standard Error	
Age at assignment	-.011	.027	-.021***	.007	.712
Hispanic (vs. African American)	.502	.516	-.231*	.129	.218
White (vs. African American)	.592	.420	-.006	.111	.238
Years of education	-.200**	.093	.020	.021	.028**
Longest job in months	.010	.008	-.002	.002	.134
No. of arrests	.138	.097	.118****	.023	.874
τ Perceived risk of prison	-.114	.095	-.019	.026	.399
τ Living with spouse	-.118	.380	.118	.114	.530
τ Living with parent	-.078	.352	-.016	.076	.708
Children at assignment	-.748**	.310	-.147	.131	.084*
τ Risk of losing spouse	-.107	.093	-.016	.021	.326
τ Risk of losing job	-.011	.099	-.006	.027	.890
τ “Straight” best friend	-.732**	.294	-.278****	.074	.142
τ Frequency of illegal opportunities	.277**	.119	.140****	.030	.279
τ Weekly street earnings exceed “straight” earnings	-.147	.311	.316****	.074	.102
τ Working in program job	.117	.321	-.238***	.078	.725
τ Working in regular job	-.838	.610	-.103	.099	.356
τ Currently in school	.460	.448	-.244	.157	.106
Addict group (vs. offender)	-.208	.330	.072	.082	.796
Youth group (vs. offender)	-1.459	1.082	.014	.105	.179
		-2 log L = 453.2		-2 log L = 7,671.0	
		χ ² (d.f) = 33.9**(20)		χ ² (d.f) = 154.0**(20)	

NOTE: Items preceded by τ are time-varying covariates.

^a The global test for sex differences in coefficients is not statistically significant ($p < .3$): $\chi^2 = 24.10 (20)$.

* $p < .10$ ** $p < .05$ *** $p < .01$ **** $p < .001$ (two-tailed tests)

¹¹ The percentage is derived by subtracting the exponential of the coefficient from 1 and multiplying the result by 100.

increase a woman's odds of recidivism is the frequency of illegal opportunities.

For males, the primary predictors of illegal earnings are age, arrest history, legal and illegal opportunities, and current work status. Each year of increase in a man's age reduces his hazard of illegal earnings by 2%. Men currently working in a Supported Work program job are about 21% less likely to enter a period of illegal earnings. Neither of these effects are, however, significantly different from those for women. In fact, the only predictors of desistance from illegal earning that differ significantly between the sexes are education and, to a lesser extent, children. In both cases, the effects on desistance are much greater for women than men.

Contrary to our predictions, then, we have relatively little evidence that the factors influencing desistance from deviant behavior operate differently for females and males. While the survival curve clearly demonstrates that women are more likely than men to desist from illegal behavior, this outcome does not appear to be due to significantly different perceptions of the risks of crime, criminal opportunities, or even arrest histories between the sexes. A global test for the differences in coefficients by sex is not statistically significant, suggesting that we cannot reject the null hypothesis of equal effects across the sexes.¹²

Arrest

Table 3 presents the maximum likelihood estimates for the arrest outcome. To test Black's theory of the behavior of law, we attempt to hold constant the offender's behavior. By including the time-varying covariates for self-reported illegal earnings and self-reported drug use as controls, we may interpret the remaining estimates as the effects of social statuses on arrest, net of illegal behavior.¹³ To the extent that the motivational factors influence illegal behavior, which in turn affects arrest, the direct effects of the motivational factors will be attenuated by this procedure. Our intent here is to isolate the effects of social position

¹² We fit pooled models without sex interaction terms and pooled models with interactions. The likelihood ratio χ^2 test has degrees of freedom equal to the number of interaction terms.

¹³ We are limited in our ability to distinguish among different types of arrest due to the relatively small sample of women, the few arrests among these women, and the lack of data on the sequencing of different types of arrest. Our major concern in this regard is that males may have been more likely to be arrested for violent personal offenses than females. Since we do not include a self-report indicator of (noneconomic) personal crimes in the arrest models, we might mistakenly attribute heterogeneity in violent offending to the offender's social position. In supplementary analyses, however, we determined that 17.5% of the previously arrested male sample were subsequently arrested for person offenses during the observation period, compared with 16.4% of the previously arrested female sample. Since these differences are not statistically significant, we are more confident that the self-reported illegal earnings and drug use variables adequately control for the presence (if not the severity) of behavioral offending.

on official desistance, net of behavioral desistance. The results suggest that, at least for females, the factors that predict arrest are very different from those that predict self-reported illegal earnings. Specifically, we now find that while white women, women with longer arrest records, and women currently using drugs have a highly elevated risk of arrest, the effects of the presence of children and illegal opportunities are small and non-significant. Current employment and school attendance, however, dramatically reduce the likelihood of arrest. Women who are working in a regular job are 83% less likely, and women at

Table 3 Maximum Likelihood Estimates for Proportional Hazards Model of Arrest

Variable	Females (N=277)		Males (N=2,743)		p-Value of Difference ^a
	Parameter Estimate	Standard Error	Parameter Estimate	Standard Error	
τ Illegal earnings	.955**	.413	.477****	.078	.339
τ Illegal drug use	1.085****	.328	.421****	.090	.056*
Age at assignment	.022	.027	-.028****	.007	.101
Hispanic (vs. African American)	.137	.557	-.079	.109	.949
White (vs. African American)	1.502****	.386	.153	.100	.002***
τ Years of education	-.097	.084	-.007	.019	.292
Longest job in months	.005	.008	-.003	.002	.391
Prior crime for money	-.157	.375	.253***	.084	.292
No. of arrests	.400****	.108	.105****	.021	.011**
τ Perceived risk of prison	.144	.104	.016	.025	.198
τ Living with spouse	-.392	.395	-.069	.099	.408
τ Living with parent	-.080	.318	-.059	.068	.850
Children at assignment	.271	.280	.036	.116	.575
τ Risk of losing spouse	-.043	.083	.022	.019	.400
τ Risk of losing job	-.118	.100	.010	.024	.222
τ "Straight" best friend	.567	.350	-.018	.070	.153
τ Frequency of illegal opportunities	.018	.129	-.114****	.026	.568
τ Weekly street earnings exceed "straight" earnings	-.134	.308	.043	.066	.637
τ Working in program job	-.865*	.452	-.861****	.099	.619
τ Working in regular job	-1.744**	.729	-.730****	.087	.151
τ Currently in school	-2.317**	1.093	-.428**	.173	.146
Addict group (v. offender)	-.936****	.336	-.226***	.076	.088*
Youth group (vs. offender)	-.676	.621	-.275***	.095	.514
		-2 log L=469.9		-2 log L=9,359.8	
		χ ² (d.f.)=77.7****(23) ¹		χ ² (d.f.)=393.8****(23) ²	

NOTE: Items preceded by τ are time-varying covariates.

^a The global test for sex differences in coefficients is statistically significant at $p < .05$: $\chi^2 = 37.97^*(23)$.

* $p < .10$ ** $p < .05$ *** $p < .01$ **** $p < .001$ (two-tailed tests)

tending school are 90% less likely, to be arrested than women who are unemployed or not in school.

Among males, the arrest results are more consistent with those for self-reported illegal earnings. Recidivists tend to be younger, have more extensive histories of crime and drug use, and report having more frequent illegal opportunities. In addition, the effects of working in a program job significantly reduce their likelihood of crime. Employment in a regular job and school attendance also produce a notable reduction in probability of arrest. Further, in contrast to the illegal earnings model, the global test for sex differences in the parameter estimates is rejected at the .05 level. Whereas the effects of the motivational models do not vary by sex, it appears that at least some of the statuses that men and women occupy have a differential effect on the behavior of law as indicated by arrest.¹⁴ Significant sex differences include the effects of drug use, race, and arrest history.¹⁵

Summary and Discussion

We began by asking two questions: (1) whether the factors that predict desistance from crime differ for men and women; and (2) whether focusing on the behavior of law, in addition to the traditional focus on the behavior of the offender, furthers our understanding of criminal desistance. The answer to the first question clearly depends on the domain of behavior under consideration. For behavioral desistance, measured by the absence of self-reported illegal earnings, we find only one predictor that differs significantly between the sexes: each year of education cuts women's risks of illegal earnings by 18% but increases men's risk by 2%. In contrast, we find that several covariates have significantly different effects on official desistance, indicated by women's and men's avoidance of arrest. In each case, the differences emerge because the effects are much larger in absolute value for females than males. For example, while current illegal drug use and prior crime increase the arrest risks for both women and men, in both cases the increase is more than twice as large for women as for men. And in a potentially intriguing inter-

¹⁴ We also tested arrest models that excluded the time-varying terms for illegal earnings and drug use and were thus identical to the illegal earnings model. Under this specification, $\chi^2 = 30.78$ (20) and $p < .075$.

¹⁵ One explanation (raised by an anonymous reviewer) for the absence of significant sex differences is that "structural zeros" may bias gender differences downward. After excluding those who had not self-reported crime or drug use (the "falsely accused" and "behavioral desisters"), we reestimated the arrest model. When we limit the analysis to this smaller self-reporting subgroup of behavioral persisters, we replicate the original arrest results. The overall test of equivalence is rejected at the .05 level, and we find significant sex differences in the effects of drug use, age, Hispanic ethnicity, work history, and regular employment.

action of race and gender, we find that white women have a significantly higher risk for rearrest than black women, while no comparable finding appears for white men.

There are several possible explanations for why gender differences emerge for the arrest outcome but do not appear in the self-reported crime outcome. First, although there is considerable overlap between these two groups, they are not identical samples. Thus, it could be that our findings are simply due to selectivity bias: the women and men who self-reported illegal earnings differ from those who reported arrests in some important characteristics that affect their propensity to desist from crime. This explanation seems unlikely, however, because we observed considerable similarity in the baseline characteristics of respondents in this program (see Table 1). Accordingly, we offer a second, and what we believe is a more plausible, explanation that is consistent with the argument that these two measures tap distinct events (see also Piliavin et al. 1986:108).

There is little question that offenders face considerable economic and social constraints reestablishing themselves in the community once they are released from prison. Both theoretical and policy research suggests that these constraints are precisely why recidivism rates are so high (Laub et al. 1995). Our research suggests, further, that there are far fewer gender differences in the factors that predict one's ability to refrain from subsequent offending than we might have expected based on recidivism data and gender stereotypes (Beck et al. 1993; Erez 1992). Generally, the same types of controls and opportunities serve to inhibit economic crimes among both men and women. We suspect, then, that the gender differences we observe in the illegal earnings model are related to more subtle distinctions in the situational contingencies of men's and women's lives, distinctions only hinted at in this analysis but ones that are illuminated well in prior ethnographic research. For example, we know that women engage in much deviance and crime (e.g., gang fights, shoplifting, drug sales) as a direct result of their emotional attachments to pimps, boyfriends, and spouses (Adler 1985; Miller 1986; Campbell 1991; Haney 1996). Consistent with this pattern, we found that the presence of a "straight" best friend has a disproportionately large effect on female offenders' self-reported likelihood of desistance from illegal earnings, as do the presence of children and years of education. Although we are hesitant to draw too much attention to these gender effects (due to our inability to reject the global null hypothesis of no gender differences in illegal earnings), they do suggest the import of understanding how gender differences in illegal conduct are linked to social relationships.

A different picture emerges in the case of arrest, where it appears that the legal system is determining which types of women

are in need of control. Here we find a greater effect of drug use and prior crime on the risk of rearrest among women than among comparable men. Because gender is enmeshed in our concept of normative life—what is right and wrong, what is disgraceful and what is reputable—and legal violations committed by women are particularly disgraceful (Schur 1983; Horwitz 1990), we should expect these statuses to weigh more heavily against women than against men.

Perhaps, what are more unexpected are the effects of race: Net of self-reported offending, white women are at a significantly greater risk of being rearrested than black women. Because blacks were more likely to underreport arrests than whites (Schore, Maynard, & Piliavin 1979), it could be argued that we are simply observing an artifact of race differences in the accuracy of self-report data. Several factors, however, lead us to doubt this explanation. First, if this were the case, we should also observe significant race differences in self-reported illegal earnings and significant race differences for males as well as females. Second, this finding has precedence in the sentencing research in which some scholars have found that white women who assume nontraditional roles (e.g., live alone) are treated much more harshly by the legal system than black women who assume traditional matriarchal roles (Daly 1989; Bickle & Peterson 1991). Although limitations in sample size preclude us from determining how gender, race, and family-role factors interact to influence desistance from crime, we do find some evidence from these data that is consistent with this pattern: By comparison with black women, white women were much less likely to have dependent children (23% vs. 41%), and they were also less likely to have a “straight” best friend (54% vs. 74%). Accordingly, we suspect this outcome is due to both the greater priority placed on the formal control of white, as opposed to black, women’s behaviors and the fact that white women with criminal records are seen as particularly unconventional in their violation of cultural norms about who is an “offender” (Black 1976:71; Harris 1977; Bickle & Peterson 1991:391). As a result, white women with criminal records are in more disrepute than similarly situated black women and attract greater legal control in their lives.

Although these are tentative explanations, each is consistent with the overall thrust of the findings, which indicate that our two dependent variables are tapping different domains of behavior. They also provide a clear answer to our second question: Does focusing on the behavior of law further our understanding of criminal desistance? It does. By controlling for self-reported illegal conduct, we have shown that gender differences in official desistance are at least partially a function of the way in which legal agents respond to the different social locations of male and female offenders. We have also shown that many of the facts

about crime and deviance put forth by social control and opportunity theories might also be explained by the behavior of law.

Rational choice theory can be most clearly distinguished not only from Black's theory of law but also from social control and opportunity theories, in the attention it draws to the "perceived risks" of crime. This theory proved to be of little value in predicting desistance, regardless of the offender's gender. The perceived risks of losing a spouse or of losing a job or even of going to prison had no significant effects on either self-reported illegal earnings or arrest. Recall that Sampson and Laub's (1993) age-graded theory of informal social control posits that acquiring steady employment and entering a cohesive marriage are the key predictors of desistance from crime. Black (1976:48–51) also argues that these social locations, reflecting an individual's radial status, are important predictors of legal behavior. While we found that living with a spouse or even with a parent had no impact on either illegal earnings or arrest, current employment, in a program job or in a regular job, reduced the risk of arrest for both men and women but not individual propensities for crime.

Congruity in the effects of the indicators of opportunity theory and indicators of the behavior of law (conventionality and stratification) on desistance may appear less striking. For both males and females, the frequency of illegal opportunities has a significant impact on the risk of entering a period of illegal earnings. Men who report earning more on the street than in a regular job also have a higher risk of reporting subsequent illegal earnings. These findings are consonant with Piliavin et al.'s (1986:115–16) suggestion that "persons' perceptions of the opportunity, returns, and support for crime within a given situation may influence their perceptions of risks and the extent to which those risks are discounted [so that] assessments of risk are to some extent situationally-induced, transitory, and unstable." But these findings are also consistent with Black's theory. The effect of "street earnings" disappears in the model for arrest which controls for illegal earnings, and it is very likely that the frequency of illegal opportunities is directly linked to the normative location of ex-offenders, irrespective of whether one is considering self-reported deviance or the behavior of law. Simply put, ex-offenders who locate themselves in an "underworld" that provides many illegal opportunities should report engaging in more illegal acts, and they should attract more attention from the police.

Despite the complexity of our findings, they do support one conclusion: The factors that influence official desistance are not gender neutral. Women are more likely to make the transition out of crime and remain crime free for longer periods of time than similarly situated men. Yet we know relatively little about why this is the case. These data indicate that at least part of the reason is that men and women occupy different normative and

radial locations in social life. Although in some ways it appears that women's reputations are more easily damaged than men's—as the effects of prior arrests and drug use are much greater among women than among men—in other respects it appears that engaging in socially responsible activities (such as work and schooling) affords them greater protection from legal intervention. Black (1976:48–49) views work and schooling as factors that contribute to an individual's radial status—the degree to which one participates in social life. Because radial status is an important predictor of legal life in its own right, an important question remains: Why are these indicators of radial status more salient predictors of arrest for women than for men?

To address this question fully, we need to know more about these women and the specific ways in which their normative and radial statuses interact. How do their offending patterns and lifestyles differ from those of men? Although we know that women's reputations are much more likely to be either enhanced or damaged by their significant others than are men's (see also Daly 1994), it would be interesting to know whether this has changed, or is changing, over time as some women gain greater social and familial independence. We also need to determine precisely how and why race and gender interact to influence desistance from crime, placing white women and women of color at different levels of risk for future arrest. Are white female ex-offenders generally subject to more legal control than their black female counterparts? Or do the particular social locations of some white, or black, women make them more vulnerable to rearrest? We encourage future research that addresses these questions and, in so doing, pushes the theoretical frontiers of desistance research. Such analysis may point to other statuses in the lives of offenders that determine their vulnerability, or lack thereof, to rearrest. They may even suggest the social engineering of the crime rate.

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