

Translational Criminology

WINTER 2019

SPECIAL
ISSUE

Promoting knowledge exchange to shape criminal justice research,
practice, and policy

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The Center for Evidence-Based Crime Policy (CEBCP), housed within the Department of Criminology, Law and Society at George Mason University, seeks to make scientific research a key component in decisions about crime and justice policies by advancing rigorous studies in criminal justice and criminology through research–practice collaborations and proactively serving as an informational link to practitioners and the policy community. *Translational Criminology* advances this mission by illustrating examples of how research is converted into criminal justice practice.

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FROM THE EDITOR

I am pleased to present a special issue of *Translational Criminology* magazine to our readers on the topic of women, girls, and justice. As many of you know, *TC* is normally a semiannual publication. However, when the American Society of Criminology's Division on Women and Crime approached the Center for Evidence-Based Crime Policy (CEBCP) about providing assistance to their congressional briefing, *Translating Research to Policy: Improving Justice for Women and Girls*, and publishing those briefs in a special issue of *TC*, we gladly accepted the opportunity.

Justice concerns about women and girls have been longstanding but seem particularly timely today. Unfortunately, women and girls have long borne the costs and burdens of crime and justice in many ways. They have been the victims of heinous and disturbing crimes, including rape, sexual assaults, human trafficking, domestic violence, gender-related mutilation, and child abuse, which are arguably the result of societal structural inequalities that disadvantage women and girls. They are also often the survivors left to deal with homicides of their children and partners, or are responsible for taking care of families while husbands, boyfriends, and sons are incarcerated. In prison, they have to fit into a system often designed without their needs in mind. The harassment they endure in the workplace generally, and for criminal justice practitioners more specifically, has now been well documented, and although much improved over the years, continues today. Recent movements like #MeToo, #LikeAGirl, and Time's Up have further shined a light on the pervasiveness of sexual assault, harassment, and gender inequality more generally.

There is no doubt that we need more reliable data and research in these areas to move evidence-based reforms forward for women and girls. Toward these goals, the Division on Women and Crime held a congressional briefing at the U.S. Capitol on October 11, 2018, to advocate for improved research and data collection on topics related to women and girls in the justice system.

The essays in this special issue of *TC* summarize these presentations, which are also available online at ascdwc.com/congressional-

briefing. Sheetal Ranjan and Amanda Burgess-Proctor lead off with an introduction to the Division on Women and Crime and the purposes of the congressional briefing. Lynn Addington then details the need for more and better data investment and collection so that issues related to women and girls in criminal justice can be better studied. Tara Richards also discusses the importance of better data for stronger responses, with a specific focus on college campus sexual assault victims. Jordana Navarro and Shelly Clevenger tackle the growing problem of cybercrime, in particular, cybersexual victimization of girls and women, while Cecilia Menjivar and Shannon Drysdale Walsh focus on gender-based violence in Central America, particularly amongst women seekers. Moving into the criminal justice system, Rachel Lovell, Lihong Yang, and Joanna Klingenstein report on the efficacy of testing sexual assault kits, while Jennifer Cobbina outlines the state of women in the correction system and the unique challenges they face. But "women in criminal justice" also points to women as practitioners in criminal justice. Anne Li Kringen examines female recruitment and retention in policing, while Cara Rabe-Hemp discusses the passage of the 2017 Women, Peace, and Security Act by the U.S. Congress and how it is relevant to today's female law enforcement officers. Ranjan then closes the special issue with a commentary with Jocelyn Fontaine of the Urban Institute.

While a great deal more research is needed, these scholars provide us with an important snapshot of the state of the science in this area. I hope you enjoy this special issue of *Translational Criminology* as much as I have enjoyed learning from these scholars.

Cynthia Lum
Editor of *Translational Criminology*
Director, Center for Evidence-Based Crime Policy



Translating Research to Policy: Improving Justice for Women and Girls

BY SHEETAL RANJAN AND AMANDA BURGESS-PROCTOR

Sheetal Ranjan is an associate professor at William Paterson University and chair of the Division on Women and Crime at the American Society of Criminology.

Amanda Burgess-Proctor is an associate professor at Oakland University and immediate past chair of the Division on Women and Crime.

This special issue of *Translational Criminology* commemorates the first Congressional Briefing of the Division on Women and Crime (DWC) of the American Society of Criminology. It presents ongoing efforts to advance feminist criminological scholarship intended to improve public policy for women and girls. In this briefing, held on October 11, 2018, in the Rayburn House Office Building on Capitol Hill, DWC researchers summarized the “state of the science” and offered evidence-based policy recommendations in their respective areas of expertise to an audience of nearly 150 congressional and federal justice agency personnel. This essay outlines the development of DWC’s first congressional briefing and provides historical context for its policy-relevant work.

The DWC in Historical Context

The American Society of Criminology (ASC) was established in 1941 by a group of scholars interested in issues of crime and policing. Very few women were part of ASC at that time, and women’s involvement in ASC remained limited throughout the decades that followed. In 1975, for the first time, the ASC annual meeting featured a panel focused on women in the criminal justice system (Adler, 1997). The meeting reflected growing professional and public interest in women’s experiences as victims, offenders, and practitioners in the criminal justice system. Throughout the late 1970s, a small group of feminist ASC members arranged to meet and discuss their shared scholarly interests in gender and crime. These pioneering scholars identified strategies for increasing recognition of women’s issues in ASC and in criminology. This group was officially recognized as the Division on Women and Crime in 1982 and held its first elections in 1984¹. ASC Annual Meetings now regularly feature hundreds of related panels using feminist and intersectional approaches. DWC members have

¹ Please see Adler (1997) and Rasche (2014) for a more detailed history of DWC



Sheetal Ranjan



Amanda Burgess-Proctor

established a track record of holding leadership positions within the discipline and are regularly being elected to serve as president of ASC. DWC has successfully and sustainably met many of its original goals, including advancing feminist criminological scholarship and increasing women’s visibility in the discipline.

The DWC was established around the same time that Sandra Day O’Connor became the first woman to serve on the U.S. Supreme Court. The representation of women at the highest level of the justice system mirrored the single-minded vision of the early DWC founders who wanted to bring gender into mainstream criminological discourse. In 1986, the U.S. Supreme Court firmly established the claim of “hostile environment” in sexual harassment cases as a form of sex-based discrimination. This issue continued to gain national attention in 1991 when Anita Hill testified before the U.S. Senate Judiciary Committee on live television about her sexual harassment victimization. In 1994, the passage of the Violence Against Women Act created the Office on Violence Against Women (OVW) and spotlighted issues of domestic violence, dating violence, sexual assault, and stalking that primarily impact women. These national events led to a heightened interest in gender-relevant criminological scholarship. In this climate, publication opportunities emerged with the inception of two journals: *Women and Criminal Justice* in 1989, under the inaugural editorship of DWC member Clarice Feinman; and *Violence Against Women* in 1995, by another DWC member, Claire Renzetti, who has been the journal’s editor since its inception.

While these publication outlets led to a significant increase in gender-based criminological scholarship, most other mainstream criminological journals did not adapt a feminist approach to the study of crime and the criminal justice system (Sharp & Hefley, 2004). Considering this, DWC leaders decided to establish *Feminist Criminology*, the division’s own criminology journal dedicated to

feminist scholarship (Sharp, 2006). Under the guidance of editors Susan Sharp, Helen Eigenberg, Jana Jasinski, Rosemary Barberet, and Kristy Holtfeter, the journal has flourished in the diversity and quality of feminist criminological scholarship it offers. In addition, DWC members have authored numerous books related to gender, crime, and justice (for example: Adler, 1975; Belknap, 1996; Chesney-Lind & Pasko, 1997; Morash, 2006; Price & Sokoloff, 1995; Simon, 1975).

Public Policy, Translational Criminology, and the DWC

The journal *Criminology & Public Policy*, launched at the behest of Todd Clear in 2001, was ASC's first serious effort to strengthen the role of criminological research findings in the formulation of crime and justice policy. That, along with John Laub's focus on "translational criminology" as director of the National Institute of Justice (NIJ), has paved the way for ASC's engagement with public-sector leaders to make evidence-based criminal justice policy politically feasible. The DWC membership has a long-standing interest in policy-relevant work, especially that which improves justice for women and girls. In its early years, DWC strategized ways to translate research into active policies by establishing task forces on topics such as the criminalization of pregnancy, female imprisonment, careers in criminal justice for women, and the experiences of women of color (The DivisionNews, 1990). The goal was to educate DWC and ASC's membership on evidence-based policies needed to improve justice outcomes for women and girls. Similar efforts have continued with the policy panels organized by DWC at ASC annual meetings. These high-profile sessions bring together researchers, practitioners, and policymakers from across the country to discuss policy relevant issues.

A few examples of DWC members' work to advance social and legal justice for women in their respective communities include Margaret Zahn's work with the Girls' Study Group and advocacy for gender-specific programming for female offenders, which led some states to establish programs in delinquency prevention and assistance specific to female offenders. Similarly, Susan Sharp's persistent advocacy and research efforts in Oklahoma led to multiple senate resolutions related to maternal incarceration. Her research on female offenders was instrumental in the creation of a separate Division for Female Offender Management within the Oklahoma Department of Corrections². Cassia Spohn's work on police and prosecutorial decision-making in sexual assault cases in Los Angeles highlighted the misuse of "exceptional clearance" for case closing rather than "by arrest" and led LAPD agencies to reexamine procedures used to clear sexual assault cases and established comprehensive training for detectives (Spohn & Tellis, 2014). Sheetal Ranjan's work with the Study Commission on Violence provided recommendations³ to New Jersey's leg-

² The division has since been subsumed under another division. However, gender-specific programming remains.

³ Full report available at: <https://nj.gov/oag/library/SCV-Final-Report-10-13-15.pdf>



Congressional Briefing at the Rayburn House Building, U.S. Capitol

islature and governor and led to many new legislative efforts, including expanded mandatory sexual assault training for law enforcement officers.

Developing a Congressional Briefing Focused on Women and Girls

Wishing to build upon these past successes and recognizing the changing national dynamics as they relate to women, DWC leaders sought to coordinate the research and advocacy efforts of its members and bring evidence-based and gender-focused policies directly to U.S. lawmakers on Capitol Hill. When we first started envisioning this event back in October 2017, we could not have known how prescient our efforts would be given the various events that have brought gender issues to the national forefront in the past year. The #MeToo and #TimesUp movements, the women's marches across the country, the raw nerves touched by Christine Blasey Ford's testimony of her sexual assault to the U.S. Senate Judiciary Committee, and the number of women headed to the U.S. Congress indicate that this briefing could not have happened at a more opportune time. The October 2018 congressional briefing is the logical outgrowth of the DWC's institutional success over the years. It is a testament to the scholarly strength of feminist criminology and its pressing relevance for crime and justice policy, especially policy that addresses the needs of women from marginalized groups and communities.

Inside this Special Issue

Taking heed of the challenges of dissemination that publications of restricted access face, DWC decided to publish the results of its briefing with *Translational Criminology*, a magazine that is widely read among policymakers and academics alike. In this issue, as in the briefing, DWC scholars offer recommendations for strengthening existing initiatives and for modification of current legislation and executive decisions, and also propose new initiatives for improving justice for women and girls who may be victims, offenders, or professionals in the criminal justice system. National conversations about gender-based violence, currently and formerly incarcerated women and girls, women's participation in law enforcement, and the needs of immigrant and refugee women

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Investing in Data to Inform Issues of Justice for Women and Girls

BY LYNN A. ADDINGTON

Lynn A. Addington is a professor in the Department of Justice, Law and Criminology at American University.

Promoting justice for women and girls requires investment in the infrastructure of statistical data to inform research and policy. In the current era of big data and quick access to internet search engines, it is easy to assume that this information is just “out there.” Obtaining high-quality, reliable, and valid measures of crime affecting women demands investment in the research and development in identifying the best practices for collecting these data. This work also requires federal funding for their collection as well as dissemination of their findings to a wide range of audiences.

Current Data Needs

The data needed to support research and policy in this area can be grouped into three main categories: women as crime victims, women’s use of victim services, and women as offenders. To highlight where funding should be focused, the following discussion identifies examples in each of these three areas.

Women as Crime Victims

Certain crimes by their nature disproportionately target women, such as sexual assault, stalking, and intimate partner violence (IPV). As these crimes are notoriously underreported in police administrative records, data collections must include surveys or other self-report measures. Although a growing body of methodological scholarship is being devoted to improve collection of this data, continued support is needed and federal agencies need to be encouraged to release studies in these areas that have been conducted.

For example, sexual violence has garnered a great deal of attention recently—overall as part of the #MeToo Movement and specifically in the context of college-attending women. Despite this attention, funding is needed to increase the amount of data collected.

The #MeToo Movement highlights the range of victims of sexual assault and emphasizes the need to improve coverage of victim groups who are at risk for sexual violence, but who are largely underserved and understudied due to a lack of data in police records and limited coverage in victim surveys. These groups include women of color; lesbian, bisexual, and transgender women; immigrant women; disabled women; and poor women (Office of Victims of Crime, 2013). Gaining this information would help policymakers and



Lynn A. Addington

researchers understand the extent of the problem in terms of prevalence, as well as risk and protective risk factors.

Emerging adult women—those 18 to 25 years old—are in the age group at one of the greatest risks for sexual violence (Sinozich & Langton, 2014). As such, attention to sexual assault on college campuses remains an important issue. This focus, though, ignores the 30 percent of female high school graduates who do not attend college (U.S.

Department of Education, 2017) and who, some studies suggest, are at greater risk for sexual violence than their college counterparts (Rennison & Addington, 2014). Studying noncollege-attending women, as well as those who are not enrolled in traditional, four-year residential colleges, is needed to inform policy, especially opportunities for services and prevention.

Additionally, IPV and stalking are two other crimes that, by their nature, largely affect women as victims. As with sexual violence, more data are needed on women in understudied, at-risk groups. There is also a need for methodological research to improve data for policy and research. Stalking and IPV are challenging to measure and capture in existing statistical collections because these victims experience a continuous state of victimization rather than discrete incidents. Funding is needed to identify alternative ways to measure these crimes and augment existing statistics to provide a clearer picture of this violence and ways to intervene in these often ongoing events to reduce their duration and the damage to victims.

While sexual violence, IPV, and stalking are crimes that disproportionately target women, other crimes are of import to women because they are overrepresented in the population at risk. One example is crime against older Americans (those over age 65), which is an age group that continues to be disproportionately female (Roberts et al., 2018). In this context, the paradigm is “crimes against the elderly,” with images of physical, emotional, or financial abuse against frail seniors, especially those residing in assisted living or nursing homes. This form of victimization remains an important area to support given the challenges to data collection and the disproportionate number of women who are over 65, and especially over 85 (Roberts et al., 2018).

That being said, there is a growing need to extend research and statistics beyond elder-care facilities and the traditional paradigms surrounding retirement. The demographic changes that are occurring

with the aging baby boomers are transforming aging in ways that may affect their victimization risk and make their risk similar to younger demographic groups, as well as provide new opportunities for prevention.

Funding is needed for data collections to understand the next generation of older Americans and to keep up with these changes, especially as they pertain to women. The focus needs to extend beyond elder abuse into a broader range of spaces and situations and to identify protective and risk factors.

Women's Use of Victim Services

A second area where data are needed is related to victimization. It concerns responses by victims in terms of help-seeking and use of services and is important for this discussion because women are the major beneficiaries of this support. This year, the Office of Victims of Crime (OVC) will allocate \$3.4 billion for victim services (U.S. Department of Justice, 2018), and using these funds wisely requires investing in data to gain a better understanding of criminal justice responses to victimization. There is a glaring lack of data about how victim services are used and how often victims engage in other forms of help-seeking. OVC documents these needs in its Vision 21 report (OVC, 2013).

A few examples illustrate the information that needs to be collected: basic information about the nature of the services victims receive and their satisfaction with those services; reasons victims do (and do not) seek services; services that are needed but not available; and patterns of service use by repeat victims, especially IPV and stalking victims. Information also is needed about alternative forms of assistance, such as services provided via criminal justice system officials, including police and prosecutors and the pipeline between services and the criminal justice system.

Data are needed at the national level, but also at the subnational level to understand variations by locale, particularly the variation in support available in urban or suburban areas as compared to rural ones. As with victimization, data on victim services is especially needed for at-risk and underserved groups. The Bureau of Justice Statistics (BJS) has collaborated with OVC to collect some of these data, but more are required and the newly collected data about victim service providers must be released (Bureau of Justice Statistics, 2018).

Women as Offenders

When examining victimization and use of services, the most informative data collections rely on self-report surveys. For studying women as criminal offenders, police data provide an essential resource for identifying trends and patterns. In this area, investment in data collection could support the Federal Bureau of Investigation's (FBI) current efforts to convert its Uniform Crime Reporting Program (UCR) to a fully incident-based system by January 1, 2021. The incident-based system (known as NIBRS, or the National Incident-Based Reporting System) captures details previously not col-

lected, including offender demographics for more than 50 crimes.

NIBRS data provide a rich resource that can inform women's offending patterns. In addition to the variety of crimes (that range from violent offenses, such as homicide and aggravated assaults, to property offenses, like thefts and vandalism), insight can be gained from the incident details. These include information about the offender (sex, age, race and ethnicity, relationship to victim) and incident (location, weapon, arrest).

NIBRS represents a major shift from the FBI's traditional aggregate crime data and requires changing the way these details are disseminated to the public and policymakers. The FBI is currently working to develop products to publish this information that include capitalizing on web-based, dynamic formats. Continued support is needed for this work so that the details NIBRS collects on women offenders can be readily accessed by researchers, policymakers, and the general public.

Policy Recommendations

The previous discussion illustrates the need for data when considering justice issues involving women and girls. When considering a legislation agenda to promote justice for women and girls, this work must include investment in high-quality data to provide the statistical measures required to identify trends, document programmatic needs, and assess policies. In closing, four broad recommendations are suggested:

1. Expand funding for the existing data collection infrastructure at BJS and FBI as their data shed light on the victimization of women and their participation in offending.
2. Invest in the collection of data on the availability, use, and effectiveness of victim services. Some of this information may be obtained from modifying existing data collections, but new efforts may be required.
3. Conduct research to identify evidence-based, best practices for collecting victimization data on older Americans, as well as understudied, at-risk groups, with a focus on women.
4. Invest in ways to disseminate this information to a range of audiences, including policymakers, researchers, practitioners, and the public. An emphasis should be placed on leveraging web-based analytical tools and interactive formats to allow users to customize reports to obtain the information they need.

References

- Bureau of Justice Statistics (2018). Victim service providers. Retrieved from <https://www.bjs.gov/index.cfm?ty=tp&tid=98>
- Office of Victims of Crime. (2013). Vision 21: *Transforming victim services* (Final Report). Retrieved from https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf
- Rennison, C. M., & Addington, L. A. (2014). Violence against college women: A review to identify limitations in defining the problem and inform future research. *Trauma, Violence and Abuse, 15*, 159-169.

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Data-Driven Recommendations Regarding Campus Sexual Misconduct

BY TARA N. RICHARDS

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Title IX of the Education Amendments of 1972 states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any education program or activity receiving federal financial assistance” (20 U.S. Code § 1681). Sexual harassment has been established as a form of sex discrimination in college settings under Title IX through civil case precedent since the 1980s (e.g., *Alexander v. Yale*, 631 F.2d 178 2d Cir. 1980), and in 1997, the U.S. Department of Education’s Office for Civil Rights (OCR) first issued guidance on institutions of higher education’s (IHEs) obligations to respond to sexual harassment, also referred to as *sexual misconduct*, under Title IX (U.S. Department of Education, 1997). Since that time, we have made great strides in combatting sexual misconduct among higher education students, but victimization surveys indicate that rape, sexual assault, domestic violence, dating violence, and stalking continue to be a significant problem among students (Fedina et al., 2016).

Given this research, we must move beyond asking questions about whether sexual misconduct is happening at IHEs and focus on what is happening when incidents occur: Are alleged victims reporting to Title IX coordinators, and are their complaints investigated; are accused students receiving a fair hearing; what outcomes are associated with findings of responsibility; and what services are available to victims? We know so little about the reported incidents of sexual misconduct at IHEs and, likewise, there is a paucity of research regarding the campus adjudication process or outcomes (Cantalupo, 2014; Richards, 2016). These data limitations impair data-driven decision-making regarding IHEs’ sexual misconduct policies and procedures.

Background

While Title IX guidance from OCR, as well as provisions in the Clery Act and the Campus SaVe Act, specify a range of policies and protections that IHEs must provide to students, nationally representative studies indicate that many institutions have not implemented a number of these requirements (Karjane et al., 2002; Richards, 2016). For example, in 2015, 33 percent of colleges and universities still failed to identify a Title IX coordinator, 39 percent did not indicate offering any programs aimed at preventing sexual violence, 30 percent did not notify students about interim remedies such as academic or housing accommodations, and 23 percent did not notify students that the



Tara N. Richards

college or university would assist them in making a report to law enforcement (Richards, 2016). Further, a 2017 report from the Foundation for Individual Rights in Education (FIRE) found that many procedural safeguards for sexual misconduct investigations and disciplinary hearings from federal mandates were either insufficient or absent at the top 50 IHEs as ranked by *U.S. News and World Report* (FIRE, 2017).

In addition, at present, the primary source of information on reported incidents of sexual misconduct is Annual Security Reports (ASR). However, ASRs only present data on incidents (1) reported to a campus security authority (e.g., campus security guard, law enforcement officer) and (2) that occur within the campus’s “Clery geography.” These narrow inclusion criteria likely result in conservative estimates for incidents of sexual misconduct occurring at any given IHE, and research demonstrates that the number of incidents publicly reported in ASRs is lower than the number internally reported to Title IX coordinators. For example, a 2016 study commissioned by the National Institute of Justice found that only 67 percent of the rapes that students at nine IHEs said they reported to campus security authorities were included in their campus’s crime statistics (Krebs et al., 2016). Likewise, Richards’s (forthcoming) research at 42 IHEs in a Mid-Atlantic state found that ASRs only captured about half of the incidents of rape and sexual assault and about one third of the “other” sexual misconduct cases, such as stalking and dating violence, reported to Title IX coordinators.

Further, ASRs only present the number of arrests and referrals for disciplinary action associated with incidents of liquor law violations, drug abuse violations, and illegal weapons possessions, and thus, there is no systematic data source regarding the outcomes of reported incidents of sexual misconduct at IHEs. The limited existing research evinces that only about 25 percent of incidents reported to Title IX coordinators are formally investigated and adjudicated through the Title IX administrative process, less than half of reported cases result in a finding of responsibility, and less than half of responsible students are suspended or expelled (Richards, forthcoming). When incidents of sex-based discrimination are reported to Title IX coordinators, the primary outcome is accommodations to alleged victims, not punishment to alleged perpetrators (Richards, forthcoming).

Policy Recommendations

Title IX, the Clery Act, and Campus SaVE are unfunded mandates that require institutions to employ staff and provide resources outside of their core educational mission, and at the same time, state education budgets are shrinking. Additional federal resources must be expended on combatting sexual misconduct, and more effort must be made to prevent noncompliance through training and compliance monitoring. For example, proposed legislation—the Campus Accountability and Safety Act (CASA)—would direct the secretary of education to develop online training materials for staff at IHEs and calls for additional resources for training through increases in campus grant funding. Further, proposed amendments to the Higher Education Act (HEA) would authorize the secretary of education to use funds collected from the HEA's penalty provisions to award competitive grants for campus responses to gender-based violence.

However, training on compliance is only the first step—monitoring and accountability are also necessary. Currently, the Office of Civil Rights only completes investigations, and civil litigation is only filed after noncompliance has led to the deprivation of students' rights. More effort must be made to *prevent* noncompliance, and mechanisms for holding institutions accountable must be strengthened. First, compliance audits should become routine. New York recently completed an audit of all NY IHEs that required IHEs to submit documentation regarding their compliance with state and federal policies for campus sexual misconduct. Data for each IHE and the IHE's compliance score were made publicly available on the New York Office of Campus Safety's website so that interested stakeholders can utilize the information to assess individual schools' policies and procedures. Efforts must be made to scale up innovative strategies and make every institution transparent.

Monetary penalties for IHEs that demonstrate a pattern of discrimination against students are also warranted. Currently, the Office of Civil Rights can withhold federal funds from IHEs for failure to comply with Title IX, but it cannot fine IHEs. CASA would authorize the secretary of education to impose civil penalties on IHEs that fail to uphold key provisions. Additionally, recommended amendments to the HEA would authorize civil penalties for IHEs that violate or fail to carry out Title IX requirements.

The types of offenses for which data on “arrests” and “referrals for disciplinary action” are presented in ASRs should be expanded to include sex offenses, dating violence, domestic violence, and stalking. The inclusion of such information would provide an additional avenue for transparency regarding IHEs' responses to sexual misconduct, as well as an incentive for campus security authorities to take sexual misconduct seriously. Congress should amend the Clery Act to expand these provisions.

Finally, better data collection and dissemination tools for incidents of sexual misconduct that are reported to Title IX coordinators must be developed. Maryland and New York have addressed current limitations

by requiring IHEs to report aggregate data on sexual misconduct reported to Title IX coordinators and the resolution of reports to their state's higher education commission, and these data are publicly available on the commissions' webpages. Legislators in Louisiana, New Jersey, Minnesota, and Pennsylvania have proposed similar legislation (Richards & Kafonek, 2015). Importantly, these state-based strategies use data that Title IX coordinators should already be collecting under the requirements of Title IX. A federal policy requiring that all IHEs make this de-identified data publicly available is needed.

Conclusion

Research suggests that IHE training, compliance, and monitoring regarding federal requirements for sexual misconduct must be prioritized. New proposed legislation through the Campus Security and Accountability Act and proposed amendments to the Higher Education Act, as well as common sense amendments to the Clery Act, would be significant for advancing these goals. Innovative state-based strategies for compliance monitoring and data collection and dissemination should also be “scaled up” to develop a national solution to current data limitations.

References

- Fedina, L., Holmes, J. L., & Backes, B. (2016). Campus sexual assault: A systematic review of prevalence research from 2000 to 2015. *Trauma, Violence, & Abuse*. Advanced online publication. doi:10.1177/1524838016631129
- Foundation for Individual Rights in Education. (2017). Spotlight on due process, 2017. Retrieved from <https://www.thefire.org/due-process-report-2017/>
- Karjane, H., Fisher, B. S., & Cullen, T. (2002). *Campus sexual assault: How America's institutions of higher education respond* (Final Report, NIJ Grant No. 1999-WA-VX-0008). Newton, MA: Education Development Center. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/196676.pdf>
- Krebs, C. P., Lindquist, C. H., Berzofsky, M., Shook-Sa, B., & Peterson, K. (2016). Campus climate survey validation study final technical report. (Final Report, NCJRS Document No. 249545). Washington, DC: U.S. Department of Justice.
- Planty, M., Langton, L., Krebs, C., Berzofsky, M., & Smiley-McDonald, H. (2013). Female victims of sexual violence, 1994-2010. Washington, DC: U.S. Department of Justice Statistics, Office of Justice Programs, Bureau of Justice Statistics, NCJ 240655. Retrieved from <http://www.bjs.gov/content/pub/pdf/fvsv9410.pdf>
- Richards, T. N. (forthcoming, 2019). No evidence of “weaponized Title IX” here: An empirical assessment of sexual misconduct reporting, case processing, and outcomes. *Law and Human Behavior*.
- Richards, T. N. (2016). An updated review of institutions of higher education's (IHEs) response to sexual assault: Results from a nationally representative sample. *Journal of Interpersonal Violence*. Advanced Online Publication doi: 10.1177/0886260516658757
- Richards, T. N., & Kafonek, K. (2016). Reviewing state legislative agendas regarding sexual assault in higher education: Proliferation of best practices, and points of caution. *Feminist Criminology*, 11(1), 91-129.
- U.S. Department of Education, Office for Civil Rights. (1997). Sexual harassment guidance 1997. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/docs/sexhar01.html>

Combatting the Cybersexual Victimization of Girls and Women

BY JORDANA N. NAVARRO AND SHELLY CLEVENGER

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The advancement of technology has provided considerable benefits to society. These benefits include greater access to information and increased avenues for sharing information. Yet, despite these advancements, perpetrators have devised methods to exploit technology to sexually victimize others. One particularly devastating form of this cybersexual abuse is the nonconsensual distribution of pornography (NCDP). Given the nascent stage of the national conversation regarding this cyber-crime, limited options remain for survivors to pursue justice through formal entities of social control. Yet, as we discuss in this article, this form of cyberabuse has lasting consequences for survivors and their families.

The Prevalence and Consequences of the Nonconsensual Distribution of Pornography

While the risk of sexual victimization crosses all demographic boundaries, evidence indicates that girls and women remain overrepresented among survivors (Smith et al., 2017). Although there is a dearth of research available on the prevalence of NCDP, national studies focused on assessing the scope of sexual violence broadly show the persistence of this issue. For example, findings from the most recent National Intimate Partner and Sexual Violence Survey showed that over a third of women were survivors of sexual violence (Smith et al., 2017). These data also showed that survivors of violence, broadly, experienced lasting physical and psychological consequences (e.g., anxiety, depression, fear) (Smith et al., 2017). Similar national studies have indicated this problem is not isolated to adulthood; online and offline abuse is an issue among youth as well (Lenhart et al., 2016).

Smaller studies focused on NCDP, regardless of context, have supported these findings. One of the most recent examples is the 2017 Nationwide Online Study of Nonconsensual Porn Victimization and Perpetration conducted by the Cyber Civil Rights Initiative conducted by Eaton et al. (2017), which included more than 3,000 participants. Eaton and colleagues found that nearly 13 percent of respondents reported that someone threatened or followed through



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with the sharing of explicit content absent their consent. Moreover, slightly more than five percent of respondents admitted to perpetrating the offense. Again, while this offense crossed demographic boundaries, greater percentages of women were threatened with this offense or were subjected to it. Moreover, all age groups were affected (the age range in the survey was 18-97), with the largest percentage reported representing survivors 34 to 41 years old.

Eaton and colleagues also discovered that while most perpetrators reported that they were not maliciously motivated (79 percent), over 10 percent indicated they were driven because they were upset with the survivor (11 percent) or that it made him or her “feel good” (7 percent). The methods of distribution varied widely from email (about 18 percent), simple text messaging (about 45 percent), and social media (about 19 percent), as well as offline forms of transmission (e.g., hard-copy delivery, in-person handoff). In terms of what would have potentially deterred their behavior, most offenders noted they would have halted their behavior if they knew that they risked being charged with a felony, being incarcerated, or having to register as a sexual offender.

A Call to Action

As shown, NCDP remains a serious social problem, but research findings can also drive evidence-based solutions. First, given that research has identified that perpetrators disseminate explicit content through both offline and online routes (Eaton et al., 2017), legislation that defines the term “distribute” must be broad to account for these various methods of transmission. This is especially important to address in the pending federal legislation specifically focused on NCDP, which is known as the ENOUGH Act (H.R. 4472, 2017; S. 2162, 2017). Definitions should essentially be written to cover all instances in which explicit content is purposely transferred from the holder to another individual.

Second, because research indicates that perpetrators in this arena can be deterred when confronted with serious sanctions like incarceration or sexual offender registration (Eaton et al., 2017), legislation targeting this cybercrime should explicitly include punishments serious enough to curb this problematic behavior. For example, as written in the ENOUGH Act, violators "...shall be fined under this title, imprisoned not more than 5 years, or both" (H.R. 4472, 2017; S. 2162, 2017). While this base punishment is an excellent start, "aggravating factors" should also be accounted for, including

- the number of individuals the material was distributed to;
- the amount of content distributed (e.g., one image versus 100 images);
- whether the material involves an underage survivor; and/or
- whether this offense occurred within the context of a dating or an intimate partner abuse situation.

The inclusion of these factors can then serve as the basis to increase the base punishment for the most egregious of cases (e.g., increasing sentence length, triggering sexual offender registration).

Third, given the past practices of cybercrime offenders like child pornographers, any legislation targeting NCDP should maintain a broad definition of what is considered an "intimate visual depiction." For example, in the ENOUGH Act, an "intimate visual depiction" is "(a) of an individual who is reasonably identifiable from the visual depiction itself....(b) in which (i) the individual is engaging in sexually explicit conduct or (ii) the naked genitals or post-pubescent female nipple of the individual are visible..." (emphasis added; H.R. 4472, 2017; S. 2162, 2017). This is critically important because history has shown that perpetrators are skillful at exploiting technology while staying within the realm of existing law. For example, child pornographers circumvented early legal protections by creating digital images that were lifelike but involved no actual children. In an era where degrading "memes" can be created from explicit content to literally destroy an individual's life (e.g., Tiziana Cantone; Mortimer & Forster, 2016), we can unfortunately imagine a situation in which a perpetrator creates a "visual depiction" of a victim, such as by photo-shopping an individual's head onto another individual's intimate body parts or even creating an entirely fictitious body that is extremely lifelike. In that case, while the victim would be identifiable (addressing the first part of the definition), the intimate parts would not necessarily be from that individual per se (as the wording in the bill notes). Thus, it is important to consider all forms of intimate visual depiction possible through technology.

Fourth, and most importantly, given the severity of this issue, there is a critical need for additional research. While the study by the Cyber Civil Rights Initiative was an important first step, this area remains severely under researched in comparison to other areas of cybercrime (e.g., digital piracy, hacking, identity theft). By gathering this additional research, stakeholders will be better equipped to craft effective policy to combat these occurrences. Moreover, by gaining a deep understanding of this offense, stakeholders can also work toward craft-

ing prevention and intervention programming targeted at vulnerable groups (e.g., girls and women). As technology continues to evolve, perpetrators will innovate in their methods. Therefore, it is important for stakeholders to remain engaged as well through research.

Conclusion

Laypersons often believe that cybervictimization is somehow less harmful because it occurs online rather than on the street. We often hear that survivors should just "turn off the computer" and "let it go;" however, this ignores two important realities. First, that suggestion punishes the survivor. Technology has permeated every facet of social life. Asking survivors to "turn off the computer" is not only putting the onus on them for their victimization, but also is simply unrealistic. Second, even if the survivor were to withdraw from the internet, the behavior is unlikely to stop.

Research indicates that survivors of NCDP suffer a range of various psychosomatic consequences (Eaton et al., 2016). These findings make intuitive sense given our own research involving survivors of sexual violence. Indeed, in our research involving 29 survivors of various types of cybervictimization, participants noted that perpetrators had shared explicit images without their consent across important social networks (e.g., family, professional) (Clevenger, 2016). Moreover, perpetrators also leveraged the explicit content they held to coerce survivors' behaviors (i.e., sextortion). These forms of cybersexual violence led survivors and secondary survivors (e.g., family, loved ones) to experience anxiety, depression, and engage in self-destructive behaviors. One survivor reported losing employment as well.

Fortunately, research has provided concrete steps to deter potential offenders from engaging in this cyberoffense. For example, care should be given to how important definitions like "distribute" and "intimate visual depiction" are constructed. By carefully creating thoughtful legislation, it is much less likely that perpetrators will be able to circumvent these protections later. In another example, considering serious punishments like incarceration and sexual offender registration requirements is a worthwhile pursuit, given that studies show they might deter behavior. What is not an option is failing to act, especially considering the available research on consequences to survivors. Indeed, the available research indicates that NCDP is a serious offense, akin to any other form of sexual violence, and it is time for it to be treated as such through legislation.

References

- Clevenger, S. (2016). *Online victimization of female sexual assault survivors and their families*. United Nations Women. New York, NY.
- Eaton, A.A., Jacobs, H., & Ruvalcaba, Y. (2017). 2017 Nationwide online study of nonconsensual porn victimization and perpetration. *Cyber Civil Rights Initiative*. Retrieved from <https://www.cybercivilrights.org/wp-content/uploads/2017/06/CCRI-2017-Research-Report.pdf>

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Gender-based Violence in Central America and Women Asylum Seekers in the United States

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Sara, who fled Honduras and sought asylum in the United States, explained: “Coming here was like having hope that you will come out alive” (Cardoletti-Carroll et al., 2015, p. 41, emphasis added).

Women around the globe are often forced to migrate to escape gender-based violence, which comes in many forms. However—regardless of the specific manifestations—unresponsive governments, ineffective justice systems, and weak institutions play a key role in creating conditions for women experiencing different forms of violence who then have no other option than to flee. Recently, the case of Central American women—mainly from Guatemala, Honduras, and El Salvador—fleeing violence in their countries has been front and center in the news and in public officials’ debates about and proposals for immigration enforcement and our asylum system.

The Trump administration has implemented a broad strategy to reduce immigration. Refugees seeking protection in the United States by applying for asylum have been prosecuted as criminals, separated from their children and other family members at the border, rushed through immigration courts, and locked up in immigration prisons (Center for Gender and Refugee Studies, 2018). In June 2018, then-attorney general Jeff Sessions ruled to deny asylum for a Salvadoran woman, known as Ms. A.B., who sought refuge in the United States after enduring 15 years of extreme abuse by her ex-husband and trying in vain to seek protection in her country (CGRS, 2018a). In addition, the attorney general issued a broad decision known as the *Matter of A-B*—that overturned a legal precedent affirming the right of domestic and gang violence survivors to seek protection in the United States—even when authorities in their home countries are unable or unwilling to protect them and risk murder if they are returned. This ruling misunderstands violence against women as a “private” matter.

The attorney general’s decision undermines decades of asylum law recognizing domestic violence and gang violence as possible bases for asylum claims. It has at least two immediate harmful consequences



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for the lives of women seeking asylum. First, this change in policy effectively prevents many women who are in the asylum process from receiving protection based on these two forms of violence, which are the two main causes propelling thousands of Central American women to flee their countries. Second, it prevents these women from even having a chance to apply for asylum because these new standards are applied in screening cases, in what are called credible fear interviews. So, women who now approach authorities at the U.S. border to seek asylum protection are denied the opportunity to determine whether they can even start asylum proceedings. Following the law and reaching out for protection in the United States now results in their swift removal back to the life-threatening conditions they fled.

What Is Known

Women fleeing Central America are seeking refuge not only from generalized violence, but also from violence that targets women in particular. Homicide rates for the northern countries in Central America are among the highest in the world. The most recent 2016 reported rates for intentional homicide victims (per 100,000) are as follows: El Salvador (82.84), Honduras (56.5), and Guatemala (27.26); in contrast, for the United States the rate is 5.35, and for Canada it is 1.68 (UNODC, 2016). Compared to the United States, homicide rates are approximately 15 times higher in El Salvador, 10 times higher in Honduras, and 5 times higher in Guatemala. In this context of generalized violence, two main reasons driving women’s migration are threats and violence suffered from their male partners (e.g., gender-based violence) and extortion and death threats from delinquent groups (e.g., gang violence).

Over the last decade, there has been widespread violence and an increase in killings of women in El Salvador, Honduras, and Guatemala. In El Salvador, 468 women were reported to be killed in 2017 (reported by the Gender Violence Observatory of the Organization

of Salvadoran Women, ORMUSA). This amounts to approximately one woman killed every 19 hours in a country with a population slightly larger than Maryland (6.3 million in El Salvador versus 6 million in Maryland). In Honduras, violent deaths of women increased from 146 to 636 women killed between 2003 and 2013: a jump of 335 percent over the decade (Memoria, 2014). The rate of violent deaths of women in Guatemala is one of the highest in the world: 9.7 per 100,000—an average of two deaths per day in a country with a population of 16.9 million (slightly larger than Illinois, at 12.8, and smaller than New York, at 19.7; U.N. Women, 2014).

In addition, these countries persistently fail to comply with international and regional legal norms that compel them to prevent, punish, and eradicate violence against women. The relatively few cases of violence against women reported are rarely advanced or prosecuted. The most recent reported conviction rate for domestic or intrafamilial violence in El Salvador was 1.5 percent in 2012; thus, 98.5 percent of cases were left without conviction (U.S. Department of State, 2012). Guatemala, with one of the highest levels of killings of women, has a paltry 1-2 percent conviction rate (U.S. Department of State, 2012). The 2016 State Department report on human rights in Honduras notes that violence against women and impunity for perpetrators continued to be a serious problem, and the state has failed even to report recent statistics.

As we demonstrate in our research on gender-based violence in Central America (Menjívar & Walsh, 2016; 2017; Walsh & Menjívar, 2016a; 2016b), women in these countries escape from contexts where multiple forms of violence coalesce to shape their lives, and the lacking government responses to the women's plight further exacerbates the situation. During fieldwork in Central America, women narrated stories of extreme precarity brought about by international and domestic policies that led to poverty, amplified systematic mistreatment, humiliation, and devaluing of women because they were women. This was compounded by gendered expectations of behavior rooted in gender inequalities.

Women would couch their stories in a language that reflected the normalization and internalization of the multiple forms of violence in their lives: "This is the way things are around here," or "I endure all this, what else can I do?" But their stories were only half of the picture. Our analyses of why existing laws to protect women from violence in Central America have failed show that the same violent structures and practices that produce violence in the women's lives also shape how institutions and the justice system respond to women's plight and contort government officials' interpretations of those laws.

A conclusion of our research is that the confluence of multiple forms of state, institutional, everyday, and intimate violence pave the way for the ultimate form of violence against women—their deaths in what is called femicide. This is what Central American women flee today and the reason why they seek protection in the United States. In addition to our research on women in Central America,

Menjívar has also conducted extensive research on Central American migration in the United States, with especial attention to women. Her work among Central American immigrant women in the United States supports our research results from Central America: The immigrant women she has interviewed have shared stories about ineffective police, indifferent officers, and corrupt justice system workers open to bribes in their home countries. Importantly, although there are laws designed to protect women from violence, which we have extensively analyzed in our research, the legal system systematically fails to protect women. Thus, it is not only violence that women flee, but also the fact that governments and institutions in their home countries are unable and unwilling to protect them.

Policy Recommendations

Based on Menjívar's research on Central American immigrant communities in the United States, as well as our work in Guatemala, El Salvador, and Honduras and our extensive pro bono work on cases of detained Central American immigrant women today, we propose the following policy points:

1. Treat Central American women as asylum seekers and recognize their right to present their cases. We currently serve as experts in litigation brought by the Center for Gender and Refugee Studies and the ACLU challenging the unlawful application of the attorney general's decision to turn asylum seekers away at the border. We urge legislators to monitor other opportunities to support access to the asylum process after *Matter of A-B*.
2. Acknowledge domestic violence and gang violence as bases for protection.
3. Stop these women's detention in prison-like conditions, the abuses they suffer, and their treatment as a criminal population indistinguishable from "common" criminals. This treatment by U.S. enforcement agencies often deters women from fully pursuing their right to protection while adding another layer of suffering to women who escape violence and who have experienced harrowing conditions in their journey north.

References

- Cardoletti-Carroll, C., Farmer, A., & Velez, L. (2015). *Women on the run*, United Nations High Commission for Refugees. Retrieved from <http://www.unhcr.org/5630f24c6.html>
- Carey Jr., D. (2006). *Engendering Mayan history: Mayan women as agents and conduits of the past, 1875–1970*, New York: Routledge.
- Center for Gender and Refugee Studies (CGRS). (2018). *Immigrant women too: About matter of A-B*.
- Center for Gender and Refugee Studies (CGRS). (2018). *Backgrounder and briefing on matter of A-B*. Retrieved from <https://cgrs.uchastings.edu/matter-b/backgrounder-and-briefing-matter-b>
- Memoria Foro Femicidios. (2014). Memoria del Foro Femicidios: Análisis desde el Movimiento Feminista de Honduras. March 6, 2014. Tegucigalpa: Centro de Derechos de Mujeres.

Menjívar, C. (2011). *Enduring violence: Ladina women's lives in Guatemala*. Berkeley, CA: University of California Press.

Menjívar, C., & Bejarano, C. (2004). Latino immigrants' perceptions of crime and of police authorities: A case study from the Phoenix metropolitan area. *Ethnic and Racial Studies*, 27(1), 120-148.

Menjívar, C., & Walsh, S. D. (Forthcoming). Migration, gender, and violence. In Mitchell, K., Jones, R., & Fluri, J. (Eds.), *Handbook on critical geographies of migration*. UK: Edward Elgar Publishing

Menjívar, C., & Walsh, S. D. (2017). The architecture of feminicide: The state, inequalities, and everyday gender violence in Honduras. *Latin American Research Review*, 52(2), 221-240.

Menjívar, C., & Walsh, S. D. (2016). Subverting justice: Socio-legal determinants of impunity for violence against women in Guatemala. *Laws*, 5(3), 1-20.

Walsh, S. D., & Menjívar, C. (2016). "What guarantees do we have?" Legal tolls and impunity for feminicide in Guatemala." *Latin American Politics and Society*, 58(4), 31-55.

Walsh, S. D., & Menjívar, C. (2016). "Impunity and multisided violence in the lives of Latin American women: El Salvador in comparative perspective." *Current Sociology*, 64(4), 586-602.

UN Women. (2014). *Guatemala: Background*. Retrieved from <http://lac.unwomen.org/en/donde-estamos/guatemala#sthash.HniuHocr.dpuf>

United Nations Office on Drugs and Crime (UNODC). (2016). *Statistics and data: Intentional homicide victims, counts, and rates per 100,000 population*. Retrieved from <https://dataunodc.un.org/crime/intentional-homicide-victims>

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provide a timely platform for highlighting empirical feminist criminological research conducted by DWC's scholars. We reiterate causality-related concerns of social science research (Blomberg, 2012). However, criminological research in general and feminist criminological research in particular does not lend itself to causal research. We need to proceed, albeit mindfully, with the "best available knowledge." In the pages that follow, DWC researchers elaborate and reflect on the information they presented during the October 2018 congressional briefing.

References

Adler, F. (1975). *Sisters in crime*. New York, NY: McGraw Hill.

Adler, F. (1997). The ASC and women: One generation without, one generation with. *The Criminologist*, 1, 3-5.

Belknap, J. (1996). *The invisible woman: Gender, crime, and justice*. Toronto: Wadsworth Thomson Learning.

Blomberg, T. G. (2012). Continuing to advance criminology and public policy. *Criminology & Public Policy*, 11(1), 1-3.

Chesney-Lind, M., & Pasko, L. (1997). *The female offender: Girls, women, and crime*. Thousand Oaks, CA: Sage.

Morash, M. (2006). *Understanding gender, crime, and justice*. Thousand Oaks, CA: Sage.

Price, B. R., & Sokoloff, N. J. (Eds.). (1995). *The criminal justice system and women: Offenders, victims, and workers*. New York, NY: McGraw-Hill Humanities, Social Sciences & World Languages.

Rasche, C. E. (2014). The ASC division on women and crime from 30 years out. *Feminist Criminology*, 9(4), 253-269.

Sharp, S. F., & Hefley, K. (2007). This is a man's world... or least that's how it looks in the journals. *Critical Criminology*, 15(1), 3-18.

Simon, R. (1975). *Women and crime*. Lexington, MA: Lexington Books.

Spohn, C. & Tellis, K. (2014). *Policing and prosecuting sexual assault: Inside the criminal justice system*. Boulder, CO: Lynne Rienner.

The Division of Women and Crime. (1990, Spring). Vol. 4, Number 1. (Edited and produced by C. E. Rasche, University of North Florida).

Investing in Data, continued from page 5

Roberts, A. W., Ogunwole, S. U., Blakeslee, L., & Rabe, M. A. (2018). *The population 65 years and older in the United States: 2016*. Washington, DC: Bureau of the Census. Retrieved from <https://www.census.gov/content/dam/Census/library/publications/2018/acs/ACS-38.pdf>

Sinozich, S., & Langton, L. (2014). *Rape and sexual assault victimization among college-age females, 1995-2013*. Washington, DC: Bureau of Justice Statistics. Retrieved from <https://bjs.gov/content/pub/pdf/rsavcaf9513.pdf>

U.S. Department of Education. (2017). *Digest of education statistics 2017: Table 302.10 recent high school completers and their enrollment in college by sex and level of institution: 1960 through 2016*. Retrieved from https://nces.ed.gov/programs/digest/d17/tables/dt17_302.10.asp

U.S. Department of Justice. (2018). Justice Department announces \$3.4 billion in grants to aid crime victims nationwide. Retrieved from <https://www.justice.gov/opa/pr/justice-department-announces-34-billion-grants-aid-crime-victims-nationwide>

Combating Cybersexual Victimization, continued from page 9

ENOUGH Act, Ending Nonconsensual Online User Graphic Harassment Act of 2017, H.R. 4472, 115d Cong. (2017).

ENOUGH Act, Ending Nonconsensual Online User Graphic Harassment Act of 2017, S. 2162, 115d Cong. (2017).

Lenhart, A., Ybarra, M., Zickuhr, K., & Price-Feeney, M. (2016). Online harassment, digital abuse, and cyberstalking in America. *Data & Society Research Institute Report 11.21.16*. Retrieved from https://www.datasociety.net/pubs/oh/Online_Harassment_2016.pdf

Mortimer, C. & Forster, K. (2016). Investigation launched into death of Italian woman who killed herself after explicit images went viral. *Independent*. Retrieved from <https://www.independent.co.uk/news/world/europe/tiziana-cantone-sex-tape-suicide-internet-meme-revenge-porn-naples-a7307041.html>

Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Testing Sexual Assault Kits Saves Money and Prevents Future Sexual Assaults

BY RACHEL LOVELL, LIUHONG YANG,
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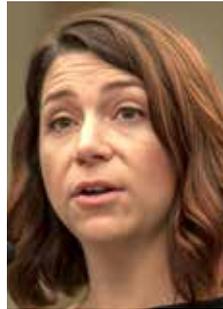
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Nationwide, hundreds of thousands of sexual assault kits (SAKs), also known as rape kits, have languished for decades, untested, in evidence storage facilities. An SAK is a set of items used by medical professionals for collecting and preserving evidence from victims of sexual assault for investigation and prosecution. The vast majority of sexual assaults are not reported to law enforcement (Tjaden & Thoennes, 2006); yet, hundreds of thousands of SAKs from victims who did report have been collecting dust. Many of these kits contain a definitive (and in some cases, the only) piece of evidence linking an offender to a victim—DNA. Untested SAKs represent missed opportunities to identify unknown offenders, confirm the identities of known offenders, connect offenders to previously unsolved crimes, possibly exonerate innocent suspects, and populate the federal DNA database. By not testing, victims have been denied justice, and sexual offenders have been allowed the opportunity to continue to harm others (End the Backlog, 2018).

Since early 2015, the Begun Center for Violence Prevention Research and Education at the Jack, Joseph and Morton Mandel School of Applied Social Sciences at Case Western Reserve University has been the independent research partner of the Cuyahoga County, Ohio, SAK Task Force (SAK Task Force) on an action research project to examine untested SAKs in the county, which is currently following up via investigation and prosecution on the DNA testing of nearly 7,000 SAKs.

In early 2015, our research team began to examine the prosecutors' case files from these now-tested SAKs. With funding provided by the Bureau of Justice Assistance's (BJA) Sexual Assault Kit Initiative (SAKI), the research team has thus far gathered details on nearly 1,000 of these SAK cases, capturing extensive information about the sexual assault, the offender and their criminal history, the victim, the lab report, the investigation, and the prosecution over an almost 20-year span of time. We have also conducted research on the process and outcomes of the initiative in Cuyahoga County.



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The purpose of this essay is to highlight three key findings from this research—research that is already changing what we know about sexual assault, the offenders who commit it, and the efficacy of testing SAKs. This research demonstrates the need for the continued funding of BJA's SAKI and the need to support and encourage victim reporting and SAK collection.

Key Findings from Our Research

Testing SAKs saves the community money. In 2016, we conducted a cost-benefit analysis of the SAKI in Cuyahoga County. Our analysis found that, as of January 2016, Cuyahoga County had saved a net total of \$38.7 million, or \$8,893 per tested SAK. What's more, the cost of testing SAKs pales in comparison to the cost that victims incur. An SAK costs \$950 to test, while a sexual assault costs a victim, on average, more than \$200,000 in pain and suffering, earnings lost to injury, medical expenditures, and decreased quality of life. The cost of testing and investigating Cuyahoga County's SAKs as of January 2016 was approximately \$9.6 million, while tangible and intangible cost to the victim was \$885.5 million (Singer et al., 2016). Importantly, the cost savings come not from testing the SAKs but from investigating and prosecuting the offenders, thereby preventing future sexual assaults. Thus, even if testing SAKs does not appeal to one's better nature, our research demonstrates that when SAKs are tested and followed up on, a community saves money and prevents future sexual assaults.

Serial sex offending is far more common than previous research suggests, with offenders often varying their offending patterns.

About a quarter of the SAKs from the initiative in Cuyahoga County have "hit" or linked to at least one other SAK in the inventory of untested SAKs—meaning this finding applies only to victims who

reported and had SAKs that were collected but not tested in a single county. Moreover, a quarter of the SAK Task Force’s indicted defendants are serial sex offenders—with one of these defendants linking to 17 previously untested SAKs (Lovell et al., 2018). Given the amount of underreporting, the full scope of serial sex offending is likely much higher.

Serial sex offenders have traditionally been thought of as being a certain type of sexual offender. However, given the number of serial sex offenders and the ability to observe criminal behavior over almost 20-plus years, these research findings suggest that it is very likely that a sexual offender has either previously sexually offended or will in the future.

Serial sex offenders often drastically vary their offending patterns, including sexually assaulting both strangers and nonstrangers (sometimes referred to as “relationship crossover”), which is counter to how most people view serial sex offenders. A quarter of the sexual offenders with more than one SAK in the initiative sexually assaulted both strangers and nonstrangers—and again, these are only the ones we know about (Lovell et al., 2017). For example, one of the offenders was linked via DNA to a sexual assault where he was one of four offenders involved in the sexual assault of 13-year-old girl, a stranger, at a party. Two months later, he was connected to the sexual assault of his three-year-old son. Another offender was linked to three SAKs in the initiative. One was a female who was a stranger to the offender. The second was a female who was a former intimate partner. The third was a 29-year-old male. These offenses are so different from each other that, without DNA, they likely never would have been linked, thereby illustrating the power of DNA testing. Given the amount of serial sex offending and extent of relationship crossover, by testing and investigating all SAKs (even those with named suspects), investigators can obtain strong investigative leads for sexual assaults connected to previously unknown offenders (i.e., a “nonstranger” SAK with a named suspect links to a “stranger” SAK without a “hit” in the federal DNA database).

Implications and Recommendations

The experience of getting an SAK collected is time-consuming and can be psychologically difficult for victims. These victims did what they have been asked to do to preserve evidence. Testing that evidence is the right thing to do. The research presented here illustrates that testing also saves the community money and prevents future sexual assaults when the testing is followed up with an investigation and, when applicable, prosecution. This research is also challenging what we know about sex offenders—suggesting that serial sex offending is more common than previously known and that serial sex offenders often drastically vary their offending patterns.

Findings such as these also demonstrate the importance and effectiveness of the BJA’s SAKI. In Cuyahoga County alone, this funding has helped provide justice to thousands of forgotten victims and led

to the prosecution of hundreds of sex offenders, many of whom are serial sex offenders. But, this work can only continue if federal funding for this initiative continues. Additionally, this research also demonstrates the need for, and value in, research and evaluation conducted by independent researchers for initiatives such as SAKI. Research and evaluation are vital to assessing an initiative’s efficacy, establishing best practices, and ensuring systemic change.

The key policy recommendations of this research regarding SAK testing and sexual assault investigation include:

1. Test all sexual assault kits.
2. Follow up on the testing with a thorough investigation and prosecution. Testing is necessary but not sufficient. A lab report becomes more than a sheet of paper when something is done with the contents of the report. Only then does the full power of DNA testing become actualized.
3. Treat and investigate each sexual assault as potentially perpetrated by a serial sex offender. Doing a “deep” investigative dive into the offender has the potential to result in finding more victims, instead of the more common practice of investigating sexual assault as a “he said, she said” (Lovell & Clark, 2017). Yet, this requires law enforcement to be properly resourced to fully respond to sexual assaults and trained in victim-centered approaches.
4. Sexual assaults should not necessarily be investigated according to the consistency of offending patterns, which greatly overlooks sexual assaults that do not fit the pattern. Instead, DNA should be collected and tested whenever possible, allowing crimes to link to each other.

Given the power of DNA to link sexual assaults over space and time, we need to focus future efforts on better supporting victims and encouraging victims to report and have SAKs collected by making the process easier and much more victim-centered. Future efforts should also be expended to translate research (such as what has been presented in this essay) to inform and reform current policies and practices—with the ultimate goal of systematically changing how the criminal justice system responds to the sexual assault.

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Women in the Correctional System

BY JENNIFER COBBINA

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Women who are involved in the correctional system are often overlooked in national discourse and policy discussions about ways to fix our broken criminal justice system. This is surprising given that the female prison population is nearly eight times higher now than in 1980. Between 1980 and 2016, the number of incarcerated women increased by more than 700 percent, rising from a total of 26,000 in 1980 to nearly 214,000 in 2016 (Carson, 2018). Unlike men, who are more likely to be incarcerated for violent offenses (56 percent of male prisoners compared to 37 percent of female prisoners), women in state correctional facilities are more likely than men to be incarcerated for nonviolent crimes, such as drug and property offenses (Carson, 2018). Currently, 1.2 million women are under some form of correctional supervision (Glaze & Kaeble, 2014), and more than 60 percent of women in prison are mothers of dependent children (Glaze, 2009). This is an intergenerational problem, as studies show that when a mother is incarcerated, the odds that her children—especially daughters—will experience arrest, conviction, and incarceration as adults significantly increases (Burgess-Proctor et al., 2016).

Women involved with the criminal justice system face unique, gender-specific issues, including prior victimization and abuse, co-occurring substance abuse and mental health problems, dysfunctional relationships, and parental issues. The literature shows that women follow distinct pathways into crime.

- Some women's offending trajectories are precipitated by victimization experiences, such as physical and sexual abuse, neglect, and traumatic childhood experiences (DeHart et al., 2014).
- Scholars have shown that, to cope with the pain of abuse and trauma, some girls and women resort to substance abuse and running away, which are likely to facilitate contact with the criminal justice system.
- While some women may have been pushed into crime by histories of victimization, others enter crime as a result of severe economic marginalization. Women involved in the justice system are less likely to be employed on a full-time basis and more likely to depend on public assistance for survival; yet, for many, their needs are not met in prison or upon release. Unemployment and other indicators of economic distress are key predictors of women's recidivism (Van Voorhis et al., 2013). In their examination of how changes in access to economic assistance for women offenders



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impact their risk of reoffending, Morash and colleagues (2017) found that women who received extreme cuts in their welfare benefits and who lost monetary and housing benefits had increased risk of reoffending.

- Research shows that financial difficulties that many women in the criminal justice system face are complicated by the women's role as primary caregiver to dependent children. Because incarcerated women are often imprisoned far away from their family, it is

incredibly challenging for mothers to maintain close attachment bonds to their children.

Overall, the literature shows that abuse, trauma, addiction, and lack of income often drive many women into crime, resulting in their contact with the criminal justice system.

Consequently, since women's needs are rarely met, one-quarter of women released from prison fail within six months (i.e., have an arrest for a new crime), one-third fail within a year, and two-thirds fail (68.1 percent) five years out (Snyder et al., 2016). These data indicate that women are having difficulty accessing resources and navigating social systems after conviction and imprisonment.

A Call to Action

As the number of women who have contact with the criminal justice system continues to rise, it is imperative to make sure their needs are met so they can successfully integrate into the community, which only keeps the public safe. It is therefore necessary to implement the following:

- Correctional agencies and systems must address gender-specific issues during incarceration and throughout the reentry process. The Transition from Prison to Community Initiative (TPCI), which was launched by the National Institute of Corrections, has several components that are gender-responsive and appeal to the unique needs of women. Evidence shows that states that have implemented TPCI have reduced crime rates, prison populations, and annual spending (MDOC, 2010). While further evaluation of this program is needed to measure negative outcomes (e.g., recidivism) and positive changes (e.g., employment and education), increased federal funding of the TPCI would further meet the needs of female offenders and promote successful reentry (see Holtfreter & Wattanaporn, 2013).
- Funding must be increased for the Second Chance Act, which was passed by Congress in 2008. This bill authorizes federal grants that assist states, counties, and nonprofit organizations in

implementing programs (i.e., employment training, substance abuse treatment, mental health treatment, mentoring, family-centered services, etc.) to help formerly incarcerated individuals successfully integrate into the community following release from prison. The bill has helped numerous counties provide reentry services, which have proven effective in helping women successfully integrate into their communities. Successful integration results in lower rates of reoffending—which improves public safety and provides significant cost savings to counties, which collectively spend \$70 billion each year on criminal justice. The Second Chance Act is currently authorized and funded at \$85 million under fiscal year 2018 appropriations (The National Reentry Resource Center, 2018). Funding for the program should be increased to the fiscal year 2010 level of \$100 million in future appropriation bills to better meet the needs of women in the criminal justice system.

- The U.S. House, Senate, and Judiciary Committee must approve the Dignity for Incarcerated Women Act, which is a first step toward addressing the unjust conditions that incarcerated women face. The initiative includes efforts to strengthen family ties by requiring closer placement of incarcerated parents to their children, increased access to visitation, and free phone and video communication; banning shackling and solitary confinement for pregnant women and those in their first eight weeks of postpartum recovery; and offering parenting classes, trauma-informed care, mentoring of people in prison by formerly incarcerated prisoners, and access to free feminine and hygiene products. While awaiting passage of the federal legislation, states such as Kentucky and Louisiana have passed their own Dignity Act. We encourage other states to follow suit, given that the vast majority of women in prison are in state correctional facilities (98,919) compared to federal prisons (12,697).
- Mandatory minimum sentences—sentences that specify a mandatory term of imprisonment for specific crimes (i.e., gun possession, drug offenses, violent crimes)—should be eliminated. In order for true criminal justice reform to take place, sentencing reform (i.e., reducing sentence time) needs to be part of that conversation. Eliminating mandatory minimum sentences for all, or at a very minimum, for those who commit nonviolent offenses, would significantly reduce the number of people who are in prison and save a lot of money. Women would be significantly impacted, given that the majority of women in prison are incarcerated for committing nonviolent property and drug offenses.
- Congress must support the U.S. Senate version of the Farm Bill rather than the U.S. House version. The House version will take food off the table for vulnerable populations who need it the most, including formerly incarcerated individuals and their families. Current law denies eligibility for the Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps, to individuals who were convicted of a violent offense if—following

release from prison—they violate their parole or the terms of their release. The House bill would terminate food assistance for all individuals with certain violent convictions regardless of when the crime was committed, sentence completion, and compliance with terms of release. The House bill would also require SNAP participants who are not disabled or raising a child under 6 years to prove that they are working 20 hours a week, participating at least 20 hours a week in a work program, or a combination of the two.

Those who are unable to comply would be stripped of their SNAP benefits. This rule fails to address serious barriers to employment and is particularly harmful for formerly incarcerated women, many of whom are poor and face steep barriers to employment, have unstable work, and experience frequent periods of unemployment.

- In contrast, the Senate version protects and strengthens SNAP, which is the nation's most vital and effective defense against hunger. This version of the Farm Bill, which passed the Senate's chambers with broad partisan support, maintains current eligibility and benefit levels but adds new employment and training opportunities to assist recipients who are able to work in gaining skills, training, work, or experience that will increase their ability to secure employment and earnings (Lower-Basch, 2014). The 2014 Farm Bill established and funded 10 pilot programs to examine best practices for SNAP employment and training. The 2018 Senate Farm Bill proposal continues to invest in these pilots and encourages targeting them at reducing barriers to employment faced by specific vulnerable populations.

Given that the vast majority of women will be released back into the community, policymakers have a strong incentive to promote policies that promote social and economic integration, which would increase public safety through reductions in reoffending rates and decreased correctional costs for state and local governments.

References

- Burgess-Proctor, A., Huebner, B. M., & Durso, J. M. (2016). Comparing the effects of maternal and paternal incarceration on adult daughters' and sons' criminal justice system involvement: A gendered pathways analysis. *Criminal Justice & Behavior*, 43(8), 1034-1055.
- Carson, E. A. (2018). *Prisoners in 2016*. Washington, DC: Bureau of Justice Statistics.
- DeHart, D. D., Lynch, S., Belknap, J., Dass-Brailsford, P., & Green, B. (2014). Life history models of female offending: The roles of serious mental illness and trauma in women's pathways to jail. *Psychology of Women Quarterly*, 38, 138-151.
- Durose, M. R., Cooper, A. D., & Snyder, H. N. (2016). *Recidivism of prisoners released in 30 states in 2005: Patterns from 2005 to 2010*. Washington, DC: Bureau of Justice Statistics.
- Glaze, L. E., & Kaeble, D. (2014). *Correctional populations in the United States, 2013*. Washington, DC: Bureau of Justice Statistics.
- Glaze, L. E., & Maruschak, L. M. (2009). *Parents in prison and their minor children*. Washington, DC: Bureau of Justice Statistics.

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Increasing Female Participation in Policing through Research-Practitioner Partnerships

BY ANNE LI KRINGEN

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Female representation in U.S. policing has remained stagnant at approximately 13 percent for the last 15 years (Reaves, 2015). This is, of course, concerning because service professions like policing should be more representative of the population. But the underrepresentation of women in policing is concerning for an additional reason. Media coverage of public sentiment toward the police suggests increased hostility directed at law enforcement, which often leads to the push for technological solutions—like body worn cameras—to improve accountability and reduce problematic interactions between officers and the public. While the empirical evidence to validate this claim remains mixed (Lum et al., 2019), research suggests that having more women work in policing may have a substantial impact on many of the issues that underlie tensions between police and the communities they serve. For example, research indicates that women are better equipped to deescalate situations and less likely to respond to verbal aggression with increased aggression (Brandl et al., 2001; Eagly & Steffen, 1986). Additionally, agencies with more female officers can improve the public's sense of procedural justice (Novich & Kringsen, 2018). For these reasons, increasing female participation in policing should be a priority.

Almost 20 years ago, the National Center for Women and Policing (2001) published a self-assessment guide for recruiting and retaining women that identified several issues in police selection that pose barriers to women¹. The NCWP guide identified two specific issues that negatively impact women. Selection components that are not necessarily job-related and testing processes that can be biased both serve as barriers to women entering the field. A growing body of subsequent research (briefly summarized below) has shown specific examples of these issues disproportionately impacting women. Despite the availability of this information, police hiring processes remain generally unchanged.

Women and the Police Hiring Process

A multiple hurdles approach, which attempts to “weed out” applicants who fail to successfully navigate all stages, is a common



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practice in police hiring (Sanders, 2008). These stages typically include steps like initial screenings, physical and written exams, background investigations, and oral board assessments. Each of these stages has the potential to disproportionately impact women, and evidence suggests women fail to pass some stages, like the physical fitness test, at much higher rates than men (Birzer & Craig, 1996). Examples, expanded upon in later sections, are fitness tests that

incorporate thresholds of upper body strength, or hair length or style requirements that may discourage women (and sometimes women of color) from applying.

Legally, hurdles that discriminately impact women compared to men are problematic. The Equal Employment Opportunity Commission's (EEOC) rule on disparate impact establishes that, in most cases, minority candidates must pass at a rate similar to majority candidates. In the context of female applicants, the EEOC rule requires that women pass tests at a minimum of 80 percent of the passing rate for men. The minimum threshold must be met for all tests unless an agency can show that the test predicts skills that are job-related (i.e., the skills reflect bona-fide occupational qualities [BFOQ]) and that the test is the least discriminatory option (Lonsway, 2003). For example, given that criminal history relates directly to the ability to work as a police officer, a larger differential between rates of disqualification for criminal history for any group would not represent an EEOC violation. However, stages where women may disproportionately fail to pass, such as the physical fitness test, have not been validated to predict officers' ability to perform job duties, including handling resistant suspects (Avery et al., 1992). Thus, large differentials in passing rates in stages that are not necessarily BFOQ likely represent EEOC violations.

While the EEOC standard provides a basis for challenging hiring processes as potentially unlawful, it fails to actually aid in diversification. Different women navigate the hiring process in different ways, and, based on unique experiences, some women choose to opt out at various points in the process rather than continuing (Kringsen, 2014). Some officers working in recruiting and hiring view their role as supporting applicants through the process and may encourage women through the process; others adopt a prescriptive attitude that individuals (including women) who need encouragement are unsuited to

1 <https://www.ncjrs.gov/pdffiles1/bja/185235.pdf>

the profession. Given differences in gender socialization and lower levels of social capital related to law enforcement, this attitude potentially contributes to the number of women opting out during challenging stages.

Beyond this issue, consideration of EEOC-defined disparate impact fails to account for the fact that gendered rules impact a woman's choice to not apply to law enforcement agencies from the outset. For example, dress code rules such as haircut policies, though argued to be gender neutral, have a disproportionate impact on women given the gendered differences in social expectations related to appearance (Kringen & Novich, 2018). Requiring women to cut their hair to comply with departmental standards has a greater impact on their lives than requiring men to cut their hair in a typically male fashion. Women who might otherwise pursue policing careers are deterred due to gendered rules that would impact their lives outside the work environment. Most importantly, it is unclear how hair length might be related to the effectiveness of an individual in performing policing duties.

Issues Underlying Police Hiring Processes

Despite these issues, some agencies express an explicit interest in increasing the number of female officers within the ranks. Yet, even these agencies may struggle to address hiring issues that limit female participation. This may happen because many of the rules related to hiring are outside the control of individual departments. Hiring rules are often established by civil service commissions, and appointment to these committees may not be based on expertise. However, the rules passed by these commissions strictly limit who can and cannot work as officers despite being based on intuition rather than evidence. While not all departments fall under civil service, agencies that are not subject to civil service oversight often maintain similar hiring rules and processes.

Beyond limitations in authority that may impact hiring rules, police departments often lack any guidance regarding how to diversify. There is neither a structured resource that law enforcement agencies can turn to for support, nor any organized national-level effort for disseminating information on hiring practices in policing. Thus, individual departments are left without information on best practices or on the hiring processes that should be avoided. The lack of availability of information is sufficiently problematic that rules determined to be invalid in one jurisdiction still exist in others.

Policy Recommendations

In order to change the status quo in police hiring, two issues must be addressed. First, agencies need to understand where they are starting from by enhancing their data collection and reporting on every step of the recruitment and hiring process of police officers. Collecting data and reporting results can develop organizational focus on the problem and also illuminate possible solutions to the challenges of diversifying the ranks. Agencies should also consider

collaborating with researchers to assist with the analysis of the hiring data, and who may be much more familiar with the evidence on gender disparities in criminal justice professions and solutions that are evidence-informed. Of course, this in turn requires not only that researchers generate more evidence on hiring practices, but also that funding agencies support more research on hiring and retention of the police within a diversity perspective.

Second, even with better data collection, analysis, and a stronger evidence base, agencies need the leadership, will, and organizational structures that can facilitate changes in hiring policies and processes. Support from national law enforcement organizations, such as the International Association of Chiefs of Police, the National Police Foundation, the National Sheriff's Organization, or the Fraternal Order of Police, is needed to encourage chiefs that gender (and racial and ethnic) diversification is the right thing to do.

Moving Forward

Currently, the information available concerning what works to increase the proportion of women in policing careers is insufficient. Researchers work to understand the impact of various specific aspects of recruiting, including the impact of where to recruit, the impact of hiring incentives, and the choice between focusing on different messages in the recruiting process (Jordan et al., 2009; Linos, 2018; Taylor et al., 2006); yet individual studies do little to impact hiring practices. While agencies search for solutions to increase the number of working female officers, insufficient discourse between researchers and police executives limits opportunity to move toward effective change together. Efforts to advance women in other careers such as in science, technology, engineering, and mathematics (STEM) fields reflect an understanding that getting women active in traditionally male fields requires a substantial effort shared by many partners. Increasing female participation in law enforcement careers will require a similar recognition and the participation of practitioners and researchers alike.

References

- Avery, R. D., Landon, T. E., Nutting, S. M., & Maxwell, S. E. (1992). Development of physical abilities tests for police officers: A construct validation approach. *Journal of Applied Psychology, 77*, 996-1009.
- Birzer, M. L., & Craig, D. E. (1996). Gender differences in police physical ability test performance. *American Journal of Police, 15*, 93-108.
- Brandl, S. G., Stroshine, M. S., & James, F. (2001). Who are the complaint-prone officers? An examination of the relationship between police officers' attributes, arrest activity, assignment, and citizens' complaints about excessive force. *Journal of Criminal Justice, 29*, 521-529.
- Eagly, A. H., & Steffen, V. J. (1986). Gender and aggressive behavior: A meta-analytic review of social psychological literature. *Psychological Bulletin, 100*, 309-330.
- Jordan, W.T., Fridell, L., Faggiani, D., & Kubu, B. (2009). Attracting females and racial/ethnic minorities to law enforcement. *Journal of Criminal Justice, 37*, 333-341.

- Kringen, A. L., & Novich, M. (2018). Is it 'just hair' or is it 'everything'? Embodiment and gender repression in policing. *Gender, Work, & Organization, 25*, 195-213.
- Kringen, A. L. (2014). *Understanding barriers that affect recruiting and retaining female police officers: A mixed method approach* (Doctoral dissertation). Retrieved from <https://digital.library.txstate.edu/bitstream/handle/10877/5291/KRINGEN-DISSERTATION-2014.pdf?sequence=1>
- Linou, E. (2018). More than just public service: A field experiment on job advertisements and diversity in the police. *Journal of Public Administration Research and Theory, 67*-85.
- Lonsway, K. A. (2003). Tearing down the wall: Problems with consistency, validity, and adverse impact of physical agility testing in police selection. *Police Quarterly, 6*, 237-277.
- Lum, C., Stoltz, M., Koper, C. S., & Scherer, J. A. (2019). The Research on Body-Worn Cameras: What We Know, What We Need to Know. *Criminology & Public Policy, 18*(1).
- National Center for Women and Policing. (2001). *Recruiting and retaining women: A self-assessment guide for law enforcement*. Washington, DC: Author.
- Novich, M., & Kringen, A. L. (2018). "They can't search her": How gender imbalances in the police force contribute to perceptions of procedural unfairness. *Feminist Criminology, 13*, 260-286.
- Reaves, B. A. (2015). Local Police Departments, 2013: Personnel, policies, and practices. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Sanders, B. A. (2008). Using personality traits to predict police officer performance. *Policing: An International Journal of Police Strategies & Management, 31*, 129-147.
- Taylor, B., Kubu, B., Fridell, L., Rees, C., Jordan, T., & Chaney, J. (2006). *Cop crunch: Identifying strategies for dealing with the recruiting and hiring crisis in law enforcement*. Police Executive Research Forum. Washington, DC: USDOJ.

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of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice. Pilot research was supported by a research grant from the Cuyahoga County, Ohio, Prosecutor's Office.

References

- End the Backlog. (2018). *Where the backlog exists and what's happening to end it*. Retrieved from <http://www.endthebacklog.org/backlog-where-backlog-exists-and-whats-happening-end-it>
- Lovell, R. & Clark, D. R. (2017). *Do serial sex offenders maintain a consistent modus operandi?: Findings from previously unsubmitted sexual assault kits*. Retrieved from https://case.edu/socialwork/begun/sites/case.edu.begun/files/2018-09/Brief_CrossoverSerials_FINAL.pdf
- Lovell, R., Luminais, M., Flannery, D. J., Bell, R., Kyker, B. (2018). Describing the process and quantifying the outcomes of the Cuyahoga County sexual assault kit initiative. *Journal of Criminal Justice, 57*, 106-115.
- Lovell, R., Luminais, M., Flannery, D. J., Overman, L., Huang, D., Walker, T., & Clark, D. R. (2017). Offending patterns for serial sex offenders identified via the DNA testing of previously unsubmitted sexual assault kits. *Journal of Criminal Justice, 52*, 68-78.
- Tjaden, P. G., & Thoennes, N. (2006). *Extent, nature, and consequences of rape victimization: Findings from the national violence against women survey*. Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice.
- Singer, M., Lovell, R., & Flannery, D. (2016). *Cost savings and cost effectiveness of the Cuyahoga County sexual assault kit task force*. Retrieved from <https://case.edu/socialwork/begun/sites/case.edu.begun/files/2018-09/Cost-Savings-and-Cost-Effectiveness-Brief-1.pdf>

Women in the Correctional System *continued from page 18*

- Holtfreter, K., & Watanaporn, K. A. (2013). An examination of gender responsiveness for female offender reentry. *Criminal Justice & Behavior, 41*, 41-57.
- Lower-Basch, E. (2014). SNAP E&T. Retrieved from <https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/SNAP-ET-Overview.pdf>
- Michigan Department of Corrections. (2010). *Progress report: Making strides in public safety*. Lansing, MI: Michigan Prisoner Reentry Initiative.
- Morash, M., Kashy, D., Bohmert, M. N., Cobbina, J. E., & Smith, S.W. (2017). Women at the nexus of correctional and social policies: Implications for recidivism risk. *British Journal of Criminology, 57*, 441-462.
- The National Reentry Resource Center. (2018). The second chance act. Retrieved from https://csgjusticecenter.org/wp-content/uploads/2018/07/July-2018_SCA_factsheet.pdf
- Van Voorhis, P. (2013). *Revalidation of the women's risk needs assessment: Probation results*. Cincinnati, OH: University of Cincinnati.

Women, Peace, and Security Act: Implications for Women in Law Enforcement

BY CARA RABE-HEMP

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Introduction

In 2017, Congress made history when it passed the Women, Peace, and Security (WPS) Act, recognizing that women's participation in peace and security is a matter of global importance. This act ensures that women have a stronger presence in conflict resolution efforts, with greater opportunities for peacekeeping and more protections for those impacted by postconflict reconstruction. As law enforcement agencies in the United States face unprecedented concerns about police community relationships and pleas for less forceful police-citizen interactions, the successes of the WPS Act suggest that the diversification of police agencies and the inclusion and advancement of women may have the potential to transform modern police agencies.

Women, Peace, and Security Act: What We Know

The Women, Peace, and Security Act was decades in the making. In 2000, the United Nations Security Council enacted UN Security Council Resolution 1325 to promote female leadership in peacekeeping and conflict resolution and to address the disproportionate impact of armed conflict on women and girls. This resolution requires member states to develop National Action Plans (NAPs), which outline the steps to women's greater participation in peacekeeping, conflict prevention, training, and the protection of women and girls during armed conflict. In October 2017, President Trump signed the Women, Peace, and Security Act. As we come upon the one-year anniversary, we reflect on the importance of gender inclusion in the peacekeeping process and the need for a broad range of stakeholders with a variety of socialization and cultural experiences.

We have come to recognize what international women's organizations have long argued—there is a connection between the increased representation of female police officers and a range of peacekeeping improvements, including less violence against women, and terrorism prevention. Prior to WPS, gender inclusion was not a reality in peacekeeping and security efforts. For example, from 1992 to 2001, only 9 percent of the negotiators at the table were women¹. Women, working at the ground level in their communities and families, have the potential to bring about change previously ignored.



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Marquita da Cunha, an army lieutenant overseas, advocated for the increased use of women in peacekeeping missions after she participated in a training designed for female military officers organized by UN Women and the UN Department of Peacekeeping Operations (DPKO). She argued: *I believe women should be involved in peacekeeping operations around the world because first, it is everyone's duty, both men and women, to contribute to strengthening peace. And second, female peacekeepers tend to be more approachable compared to male peacekeepers. In every conflict, women and children suffer the most, and they feel more secure when approached by female peacekeepers, especially if they are victims of sexual violence.*²

In the last year alone, women in peacekeeping missions supported the establishment of a multipurpose women's center in Serbia that provides vocational and educational training and counseling to women and girls, including migrant victims of violence, and contributed directly to the recovery efforts in conflict-affected communities in eastern Ukraine.

The Need for Women in American Law Enforcement Agencies: What We Know

As we celebrate the one-year anniversary of WPS, we are at a loss as to why these same ideas fall on deaf ears when looking at the representation in our local, state, and federal law enforcement agencies. Today, policing faces an unprecedented crisis of legitimacy. At no other time in history has society placed such emphasis on the accountability of police behavior. As police agencies across the nation face a legitimacy crisis, accompanied by community pleas for police officers to increase interpersonal communication, problem solving, and service to community members, the potential for enduring change through the inclusion and advancement of women is evident.

The positive benefits that women bring to policing have been empirically established. Women have more peaceful interactions with citizens and suspects. They rely less on force in their interactions, especially excessive force. They are also less likely to be named in citizen complaints and lawsuits, which saves agencies' and taxpayers' dollars. Female officers are effective in responding to domestic violence and sexual assault, reducing the likelihood of future violent attacks for victims. In a recent empirical test, Amie Schuck found

that agencies with more female officers were also more effective in identifying and clearing sexual violence cases. These positive benefits improve how law enforcement agencies do their work and strengthen the services they provide to communities.

In addition to the benefits that women bring to the communities they protect, research also confirms that women serve as change catalysts inside police organizations. As change catalysts, women contest the status quo by adding a unique perspective based on their socialization experiences. In response, organizations reconsider how they do their work, resulting in agencies that are more open to change and reform. This involves modernization in policy, increased innovation in problem solving, and improved decision making within the organization. Police agencies with female leadership and greater female representation profit from modern recruitment and retention policies, the advancement of family medical leave and maternity policies, and more transformative leadership styles.

The Future of Women in Law Enforcement: Policy Recommendations

It is important, as we consider the future of women in policing, that we do not take past efforts for granted. For the first time since women first entered policing, the number of women in the field is decreasing—from 14 percent in 1999 to 12 percent in 2013. This decline has also been seen in supervisory and command positions, where female leadership has the most potential to impact policies and procedures. A host of enduring challenges, inequities, and cultural complications still exists in this male-dominated occupation, including recruitment practices that overemphasize upper-body strength, which physiologically disadvantage women; the culture's continued resistance to women in the police; and the lack of family-friendly policies. These issues need to be addressed to ensure future generations of female law enforcement officers and leaders.

The following policy recommendations regarding the inclusion of female police officers are important to this change. First, the U.S. Congress must carefully monitor the progress of the Women, Peace, and Security Act of 2017 to ensure that action is taken to fulfill the policy objectives of the act. Specifically, Congress must ensure that the president and his administration create strategies for implementation. Doing so will encourage the increased participation of women in security and peacekeeping, not only in programs funded by the United States regarding training for foreign nationals, but for programs domestically, as well.

Efforts for more inclusive and representative police departments must be established and maintained. The WPS Act requires training programs that explain the value of women's participation in areas of conflict resolution and peacebuilding. The extension of this training for local, state, and federal U.S. police leaders may prompt a commitment to recruit and retain women in law enforcement. Important to this solution is the inducement of diversity and inclusion in law enforcement agencies receiving federal funding,

especially Community Oriented Policing Services (COPS) grants. This is one of the few empirically proven methods to keep law enforcement organizations focused on equality and diversity. Otherwise, words such as “gender equity,” “inclusion,” and “diversity” are useless buzz words. In closing, the potential for enduring change through the inclusion and advancement of women in law enforcement is too great to risk the continued consequences of the lack of diversity in criminal justice professions in the world.

Endnotes

- ¹ U.S. Civil Society Working Group on Women, Peace, and Security. (2005). *Women, peace and security act action tool kit*. Retrieved from http://www.futureswithoutviolence.org/wp-content/uploads/Action-Toolkit_Final.pdf
- ² United Nations Women. (2018). *News and events*. Retrieved from <http://www.unwomen.org/en/news/stories/2018/9/from-where-i-stand-marquita-da-cunha>
- ³ Lonsway, K., Wood, M., & Spillar, K. (2002). Officer gender and excessive force. *Law & Order, 50*, 60-66.
- Rabe-Hemp, C. E. (2008). Female officers and the ethics of care: Does officer gender impact police behaviors? *Journal of Criminal Justice, 36*, 426-434.
- Rabe-Hemp, C. E., & Schuck, A. (2007). Violence against police officers: Are female officers at greater risk? *Police Quarterly, 10*, 411-428.
- Schuck, A., & Rabe-Hemp, C. E. (2005). Women police: The use of force by and against female officers. *Women & Criminal Justice, 16*, 91-117.
- ⁴ Lersch, K. (1998). Exploring gender differences in citizen allegations of police misconduct: An analysis of a municipal police department. *Women & Criminal Justice, 9*, 69-79.
- Schuck, A., & Rabe-Hemp, C. E. (2016). Citizen complaints and gender diversity in police organizations. *Police and Society, 26*, 859-874.
- ⁵ Lockwood, D., & Prohaska, A. (2015). Police officer gender and attitudes toward intimate partner violence: How policy can eliminate stereotypes. *International Journal of Criminal Justice Sciences, 10*, 77-90.
- Lonsway, K., & Archambault, J. M. (2012). The “justice gap” for sexual assault cases: Future directions for research and reform. *Violence against Women, 18*, 145-168.
- Meier, K., & Nicholson-Crotty, J. (2006). Gender, representative bureaucracy, and law enforcement: The case of sexual assault. *Public Administration Review, 66*, 850-860.
- Spohn, C., & Tellis, K. (2012). The criminal justice system's response to sexual violence. *Violence against Women, 18*, 169-192.
- ⁶ Schuck, A. (2018). Women in policing and the response to rape: Representative bureaucracy and organizational change. *Feminist Criminology, 13*, 237-259.

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Connecting the Dots: Improving Justice for Women and Girls

BY SHEETAL RANJAN AND JOCELYN FONTAINE

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Feminist criminological research provides a nuanced understanding of how gender is related to women's victimization and offending. It looks beyond summary data that simply state that women are less likely to be offenders or victims. It presents the dynamics of these differences using intersectional variables such as race, class, ethnicity, sexual orientation, and immigration status. Criminological research and theory that “place women at the center” of the analyses are essential for formulating policies and programs responsive to the estimated 214,000 incarcerated women (Carson, 2018) and 3,013,000 females victimized by violent crime (Morgan & Kena, 2018). This approach is also essential to design policies and practices related to women who work in the justice system¹ and related service agencies. This essay begins by examining the topics discussed in this special issue—highlighting key themes—and concludes with recommendations for researchers, practitioners, and policy makers on how they can collaborate to move the justice agenda forward for women and girls.

Women as Offenders

It was predicted in the 1970s that the women's liberation movement would lead to a closing of the gender gap in female offending. This has proven true for several reasons: (i) declining rates of male offending; (ii) harsher penalties for relatively low-level drug offenses; and (iii) increasing attention on minority neighborhoods by law enforcement. Girls are more likely to be detained for less serious offenses compared to boys, which indicates a paternalistic attitude employed by law enforcement. The increase in the number of girls being arrested for runaway offenses could possibly be related to an increase in girls who experience sexual abuse relative to boys.

Women and girls in correctional facilities often do not receive appropriate screening or treatment for mental health needs or for sexual or emotional abuse and trauma. Chesney-Lind (1998) documented “vengeful equity” in modern correctional responses to

¹ There are no national estimates of the number of women working across the criminal justice system.



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women that emphasized treating women similar to men “in the name of equal justice.” Likewise, reentry is uniquely challenging for women and girls because underlying problems of trauma and substance use can be further exacerbated by their family obligations and a lack of safe and affordable housing.

Current updates: Many of these sentencing and prison laws will soon receive an overhaul by the bipartisan legislative package called the First Step Act², which—if passed—will begin to undo some tough-on-crime federal policies of the 1980s and 1990s. This act brings in new funding for reentry programs, reduces mandatory minimum sentences, and expands early-release credits that will benefit both men and women. It also reiterates policies that prohibit shackling pregnant prisoners and that provide women free tampons and sanitary napkins. The bill has received support from the highest level of the federal administration.

Women as Victims

Women's victimization studies in the early years were mainly concerned with wife abuse and sexual assault. Later studies focused on intimate partner violence, dating violence, and stalking. It is well established that women and girls generally experience violent victimization by people they know. Over half of all female homicides (55.3 percent) are related to intimate partner violence (Petrosky et al., 2017). Women's experience with violence, help seeking, and reporting behaviors, as well as their need for services, is different from men's.

Sexual assault on campus has often been referred to as an “epidemic.” Perpetuated by a culture of patriarchy and victim blaming, almost every national study indicates that an undergraduate woman

² www.themarshallproject.org/2018/11/16/what-s-really-in-the-first-step-act

has between a one in 10 and one in six chance³ of experiencing rape or attempted rape while in college. National estimates for the general population indicate that 63 percent of sexual assaults are not reported to police (Rennison, 2002). Spohn and Trellis (2012) found that only 7.8 percent of all reported sexual assault cases result in a conviction, and a mere 4.6 percent lead to a prison sentence.

Current updates: (i) The Violence Against Women Act (VAWA) of 1994 and its reauthorizations in 2005 and 2013 made considerable progress in providing protections and support to victims. However, every few years, there is a threat to VAWA reauthorizations, which puts female victims at risk of losing the act's much-needed services. At the time of writing this article, VAWA 2018 had been extended by a few months, until December 2018, as a stop-gap measure. (ii) In September 2018, the U.S. Department of Education guidelines for campus sexual assault investigations that were established in 2011 and 2014 as part of an educational institution's Title IX responsibilities were rolled back. This rollback and the proposed new guidelines⁴ released in November 2018 raise the level of proof needed in sexual assault cases. (iii) In June 2018, the federal administration took a very harsh stance by removing protections for asylum seekers fleeing domestic violence in their home countries, which disproportionately impacts women.

Women as Criminal Justice Professionals

Legislation in the 1960s and 1970s opened avenues for women's employment in criminal justice professions. Much research has documented experiences of sexual harassment, pay differences, discrimination, and bias experienced by female criminal justice professionals. Helfgott et al. (2018) found these concerns to be consistent across professions and that women work harder and longer than their male counterparts, while engaging in coping and self-advocacy to survive and thrive in their professions.

Women bring unique skills to criminal justice professions. Female officers have a positive effect on the perceived job performance, trustworthiness, and fairness of a police agency. They are less likely to use physical force and extreme controlling behaviors in police-citizen encounters, instead relying on verbal and psychological strategies (Rabe-Hemp, 2008). Female officers are better skilled in implementing community-oriented policing strategies, as they facilitate better cooperation and trust between officers and residents. The increase in the number of women in the policing workforce is related to higher reporting and higher clearance rates for rape incidents and rape cases, respectively (Schuck, 2018), and improved responses to domestic violence. Women bring problem solving and decision making skills, along with a calming influence, in correctional settings.

Female leaders in policing, courts, and corrections positively change the culture of criminal justice agencies from the inside out (Gunnison et al., 2018).

Current updates: The percentage of women employed in criminal justice careers has been relatively low. Leading criminal justice policing and corrections organizations have offered strategies to increase female recruitment and retention in various forums. Given the national climate as it relates to movements—such as #BlackLivesMatter—about the use of police force, there is urgent need to make criminal justice professions (especially law enforcement) attractive to women. This should be done by addressing sexism, sexual harassment, and pay-gaps, while improving opportunities for work-life balance and maternity leave.

Recommendations for Scholars

The Division on Women and Crime (DWC) is the largest collective of scholars studying women, crime, and justice. It is imperative for us and other gender scholars to conduct research that enables us to engage policy makers and practitioners to help improve the lives of women and girls. We should partner with practitioners, policy makers, and stakeholders to (i) inform our research designs and methods; (ii) collaborate in the research process; and, once the research is complete, (ii) inform implementation. It is essential for academics to understand that practitioners and policy makers are experts, too. Additionally, whenever we disseminate our research findings, we should noticeably articulate the policy and practice implications. This is how we can make our research truly translational. When scholars do not translate their research findings and engage in policy debates outside of academia, the resulting outcome is less informed policy, which has consequences for everyone. For this, we should be willing to shoulder some of the blame. DWC scholars need to offer their knowledge and “be an accessible source of data-driven information about crime and justice issues” related to women and girls (Burgess-Proctor, 2018). Recent policy shifts, discussed in the aforementioned current updates, provide opportunities for natural experiments and a chance to measure the impact of recent policies in local communities by using the wide range of existing national datasets.

Note for Policy Makers

Political considerations have been an intrinsic aspect of the criminal justice agenda quite unlike any other field of scientific inquiry. Politics is involved in law making, selection of decision makers, justice system decision making, policies, and programs. This involvement is essential; however, it can be problematic in various ways. Rhetoric pushes evidence out of the equation of “controlling crime” and “achieving justice,” both of which are essentially bipartisan issues. It is essential for policy makers to make research evidence the mainstay of the decision-making process. Policy

³ See thehuntinggroundfilm.com/2017/01/the-truth-about-statistics-of-sexual-assault-in-college for a list of these studies.

⁴ www2.ed.gov/about/offices/list/ocr/docs/title-ix-nprm.pdf

makers should therefore regularly engage with bipartisan research groups, such as the DWC, for crime and justice matters related to women and girls.

In the ongoing effort to advance the role of feminist criminology research on policy making, DWC plans to continue sponsoring congressional briefings. In this special issue, we have addressed a range of topics that impact women and girls. We hope that policy makers and practitioners will draw from these recommendations as they advance new legislation or adjust existing ones. We hope that future briefings will have strong attendance by policy makers and executive staff involved in the legislative process. We also hope that staffers engage DWC's scholars on legislative matters and seek out relevant research as they design policies that impact women and girls.

References

- Burgess-Proctor, A.B. (2018). Doing public criminology in a politicized climate. *The Criminologist*, 43(6).
- Carson, E.A. (2018). *Prisoners in 2016*. Washington, D.C.: Bureau of Justice Statistics.
- Chesney-Lind, M. (1997). *The female offender: Girls, women, and crime*. SAGE Publications.
- Gunnison, E., & Helfgott, J.B. (2018). *Women leading justice: Experiences and insights*. Routledge.
- Helfgott, J.B., Gunnison, E., Murtagh, A., & Navejar, B. (2018). BADASSES: The rise of women in criminal justice. *Women & Criminal Justice*, 1-27.
- Morgan, R.E. & Kena, G. (2018). *Criminal Victimization, 2016: Revised*. Washington, DC: Bureau of Justice Statistics.
- Petrosky, E., Blair, J.M., Betz, C.J., Fowler, K.A., Jack, S.P., Lyons, B.H. (2017). *Racial and ethnic differences in homicides of adult women and the role of intimate partner violence—United States, 2003–2014*. MMWR Morb Mortal Wkly Rep 2017; 66: 741–746.
- Rabe-Hemp, C.E. (2008). Female officers and the ethics of care: Does officer gender impact police behaviors? *Journal of Criminal Justice*, 36(5), 426-434.
- Rennison, C.M. (2002). *Rape and sexual assault: Reporting to police and medical attention, 1992-2000*. Washington, DC: US Department of Justice, Office of Justice Programs.
- Schuck, A.M. (2018). Women in policing and the response to rape: Representative bureaucracy and organizational change. *Feminist Criminology*, 13(3), 237-259.
- Spohn, C., & Tellis, K. (2014). *Policing and prosecuting sexual assault: Inside the criminal justice system*. Boulder, CO: Lynne Rienner.
- Silvestri, M. (2007). Doing police leadership: Enter the “new smart macho.” *Policing & Society*, 17, 38-58.
- Wilson, J., & Grammich, C. (2009). Police recruitment and retention in the contemporary urban environment: A national discussion of personnel experiences and promising practices from the front lines. Santa Monica, CA: RAND Corporation, CF-261-DOJ. Retrieved from http://www.rand.org/pubs/conf_proceedings/CF261
- ⁷ Schuck, A. (2014). Gender differences in policing: Testing hypotheses from the performance and disruption perspectives. *Feminist Criminology*, 9, 160-185.
- Rabe-Hemp, C. (2018). *Thriving in an all boys club: Female police officers and their fight for equity*. Roman & Littlefield Publishers.
- ⁸ Campbell, D. J., & Kruger, K. J. (2010). Chief's counsel: IACP policy assists agencies to define pregnancy policies. *The Police Chief*, 77, 12–14.
- Rabe-Hemp, C. E., & Humiston-Sears, G. (2015). A survey of maternity policies and pregnancy accommodations in the United States. *Police Practice and Research*, 16, 239-253.
- Scrivner, E. (2008). Recruitment and hiring: Challenge or opportunity for change? RAND Center for Quality Policing Recruitment and Retention Summit, Arlington, VA. Retrieved from <http://www.cops.usdoj.gov/pdf/conference/rand/ScrivnerRecruitmentpresentation.pdf>
- ⁹ Reaves, B. (2015). *Local police departments, 2013: Personnel, policies, and practices*, Washington, DC: Bureau of Justice Statistics. Retrieved from <http://www.bjs.gov/content/pub/pdf/lpd13ppp.pdf>.
- ¹⁰ Martin, S. (1991). The effectiveness of affirmative action: The case of women in policing. *Justice Quarterly*, 8, 489-504.

Women, Peace, and Security Act *continued from page 23*

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