

Evolution, Evidence, and Impact of the Feminist Pathways Perspective

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The gender gap in offending – that males have historically been and continue to remain responsible for a larger share of crime than females – is widely accepted as fact (Lauritsen et al., 2009; Schwartz et al., 2009). Empirical evidence confirming the existence of the gap has been demonstrated in both the United States and internationally (Savolainen et al., 2017). The gender gap has narrowed over the past 25 years or so, attributed to increases in the female share of theft, fraud, forgery, and other economic offenses (Heimer, 2000; Steffensmeier et al., 2015). These gender-based differences in offending as evidenced by official data sources (e.g., the US Uniform Crime Reports) have stimulated much scholarly interest in examining the context and circumstances of male and female crime. Central to this important focus is the work of feminist criminologists, who also called attention to the gender gap in criminological theory (Chesney-Lind, 1989; Daly, 1989; Simpson, 1989). They argued that theories originally developed and tested on samples of males are less applicable to females, and that the research methods employed to test mainstream theories obscure contextual differences. Kathleen Daly's (1992, 1994) influential pathways to crime perspective developed amidst this debate.

Although critical of mainstream criminology, Daly's (1992) study was equally concerned with representation in feminist scholarship that suggested a uniform model of female offending, described as the "leading feminist scenario." This model described a developmental trajectory where a young girl (1) experiences childhood trauma, violence, and abuse in her family of origin, (2) runs away from home to escape the abuse, and (3) subsequently gets initiated into crime on the streets, including prostitution and drug-related offending. Within this trajectory, there is a continual cycle of victimization and offending; young women may come into repeated contact with the criminal justice system through either outcome. Daly's (1992) study of female felony court participants in New Haven, Connecticut, examined the prevalence of the "leading feminist scenario" and other issues feminist criminologists face in studying justice-involved females. The goal was to identify contextual circumstances that bring women to court, some of which are gendered and others that apply to males and females.

In this chapter, we first discuss Daly's original study, which emerged within the broader debate between mainstream and feminist criminologists that began in the mid-1970s (Wattanaporn & Holtfreter, 2014). Our coverage of Daly's (1992) study focuses on methodology and major findings. We then trace the evolution of the pathways perspective to more contemporary interpretations of the model. This discussion includes an evaluation of the quantitative, qualitative, and mixed methodology evidence on Daly's framework. The chapter concludes with an overview of the implications of the pathways model for correctional assessment, treatment, and policy and directions for future research.

Pathways to Crime: An Overview

Daly (1992, pp. 13–14) described the “leading feminist scenario of lawbreaking” as women who ran away from abusive homes, entered deviant street networks, and got immersed in victimization and offending through substance addiction. This description was gleaned through Daly's assessment of qualitative studies of women and girls, which provided rich detail not present in traditional quantitative studies of female offending. Quantitative studies focused on demographic variables and official data sources, offering limited insight into context. The dominant approach taken by quantitative studies testing criminological theory was to control for sex, rather than identifying important between-sex differences. As Daly noted, the assumption that the “leading feminist scenario” described most if not all women also perpetuated an inaccurate myth. Daly (1992) sought to reconcile these positions.

Daly's Original Study

Relying on data obtained from a felony court in New Haven, Connecticut, between 1981 and 1985, Daly (1992, 1994) examined variation in sentencing for a “wide sample” of 400 male and female offenders. She also examined Pre-Sentence Investigation (PSI) reports to construct life histories – termed biographies – of 40 men and 40 women, or a “deep sample.” This analysis of women's biographies produced five unique pathways taken to the most recent felony conviction.

Daly's (1992) female pathways included four “gendered” groups of women: *Street, harmed and harming, battered, and drug connected*. The first two pathways made up more than half of the women in Daly's sample. The *street woman* pathway takes its label from Eleanor Miller's (1986) study of female street hustlers in Milwaukee, Wisconsin, in the late 1970s, and is also consistent with the “leading feminist scenario” described by Daly (1992). Women who followed this pathway ran away or were pushed out of their homes as teenagers, used and sold drugs, engaged in other petty crimes to support drug habits, and eventually got involved in prostitution and street hustling. They had more extensive criminal records, often including time in jail or prison. And they were not specialists when it came to their offending: prior arrests and/or convictions included prostitution, drugs, violence, and theft-related crimes. Similar to this group, Daly's *harmed and harming* pathway was comprised of women who were also abused or neglected in childhood. They responded to victimization by acting out violently against aggressors or others; leading to arrest. While *harmed and harming* women also abused substances to cope with their victimization, they differed from *street women* in that their criminal histories were not as lengthy or versatile, they were not typically immersed in deviant networks and street life, and lacked a history of prostitution. However, the trajectory of *harmed and harming* women can eventually become *street women*.

Also part of the larger group of women with uniquely gendered contexts, Daly's (1992) *battered woman* pathway consisted of those women whose recent felony conviction was violent. Unlike *harmed and harming* women, the abuse – and onset of offending – tended to be restricted to adulthood for *battered* women in the sample; *battered* women did not have extensive histories of abuse and victimization; rather, their victimization occurred in a recent intimate relationship. This group was also unique in its limited criminal history, and lack of substance abuse. Their current court involvement was almost exclusively acting out against a partner; Daly (1992, p. 30) found that *battered* women “would not have appeared before the court had they not been in relationships with violent men.” *Drug-connected* women made up the fourth gendered group in Daly's sample. Women in this particular pathway committed drug-related offenses, and were immersed in selling and/or using illegal substances with intimate partners or other close family members. Overall, they had less experience with victimization than the other gendered pathways, and their offending onsets were later. Their offending patterns were also more specialized in that they typically consisted of drug-related arrests. The “other” and fifth pathway in Daly's sample differed considerably from the four gendered groups in that these women – who committed fraud, theft, and other abuses of trust – had very limited criminal histories. Indeed, their most recent felony conviction in many instances was their only involvement with the criminal justice system. Subsequently labeled *economically motivated*, women in this pathway were more educated, had relatively stable lives and relationships, lacked substance abuse problems, and had not experienced prior victimization (Morash & Schram, 2002; Reisig et al., 2006). In sum, Daly's study established support for both the leading feminist scenario and simultaneously confronted problems of representation in mainstream criminology by recognizing that there is substantial within-sex variation in the context of offending.

After Daly's (1992, 1994) study, feminist criminologists continued to make strides, challenging the dominant mainstream theoretical assumptions and methodological approaches. Daly presented a model that could be replicated and extended in other settings and with more diverse samples. As this body of scholarship evolved, the reach of subsequent research also extended beyond theoretical support and empirical validation to practical applications within the criminal justice system. This includes applications for correctional assessment, treatment, and policy. Before outlining practical implications, quantitative and qualitative studies are discussed.

Empirical Support

*Quantitative studies.*¹ While the first research into gendered pathways used qualitative methods, quantitative approaches have become more common. Daly's perspective has been tested in a wide variety of contexts and has received considerable support. Evidence for gendered pathways has been found for both adolescents (Benedini & Fagan, 2020; Jones et al., 2014; Walters, 2020) and adults (Broidy et al., 2018; Salisbury & Van Voorhis, 2009), and in many geographical areas and cultures, including Argentina (Salisbury et al., 2018), Australia (Broidy et al., 2018), Israel (Shechory et al., 2011), and the Netherlands (Joosen et al., 2016).

¹ Gendered pathways to crime by no means exhausts the discussion on developmental pathways. One of the earliest quantitative pathways studies identified three trajectories (*authority conflict, overt, and covert*) that link different behaviors to increased levels of delinquency (Loeber et al., 1993). Similarly, Moffitt (1993) distinguished between the adolescence limited offenders and life-course persistent offenders, highlighting the onset, seriousness, and desistance of crime separating these two taxonomies. These studies and others from a life-course perspective are in many ways consistent with feminist pathways scholarship in that they also identify unique patterns of offending.

Street woman. Recently, Broidy et al. (2018) found evidence for a pathway that linked childhood abuse, drug use, and offending in a sample of female offenders. These women used drugs to deal with their childhood hardships, and used property offending to support their drug habit. Women with early onsets of drug use and offending had more extensive offense histories and completed a wider variety of offenses. Joosen et al. (2016) examined samples of male and female offenders in the Netherlands and found subgroups that resembled the *street woman* pathway for both genders. While both groups were defined by substance abuse, economic marginality, and mental health issues, the males did not have a history of running away from home like the females in the study did, like Daly's *street woman* pathway.

Drug connected. Women commonly offend with romantic partners and family members, and empirical support has been found for this pathway. Simpson et al. (2008) identified a specific subgroup of women involved in using and dealing drugs, although they were more violent than the *drug-connected* women in Daly's sample. Joosen et al. (2016) found that this subgroup existed for both sexes, although the members of this subgroup were less likely to use drugs than those in Daly's study, possibly explained by drug laws in the Netherlands.

Harmed and harming woman. Childhood abuse is a frequent explanation for female offending and is one of the main tenants of Daly's *harmed and harming* pathways. Using path analysis, Salisbury and Van Voorhis (2009) found that childhood abuse led indirectly to recidivism in five different pathways. Gehring (2018) also found indirect pathways from childhood victimization to female offending through psychological and behavioral effects, and a direct pathway from childhood abuse to offending for females that was not present for the males in the sample.

Battered woman. Many studies have identified the role of intimate partner violence in female offending, consistent with the *battered* pathway (Simpson et al., 2008; Smith, 2017). Burgess-Proctor et al. (2016) found that abuse by an intimate partner predicted offending for women but not men. Brennan et al. (2012) identified two distinct battered woman pathways using a person-centered approach. The first type suffered from severe lifetime victimization but lacked mental health problems. This pathway was characterized by a high rate of violence perpetration. The second of Brennan et al.'s (2012) battered pathways also had a high incidence of childhood victimization but suffered mental health problems as well. These women committed a wider variety of crimes and offended more frequently.

Economically motivated woman. Although economic factors are generally thought to be gender-neutral, female offenders have specific economic needs, including employment difficulties due to childcare and lack of financial support (Salisbury & Van Voorhis, 2009). Shechory et al. (2011) identified a subgroup of women who mainly committed fraud and had a low rate of offending. Unlike the offenders in their sample who committed violent and drug crimes, the fraud offenders lacked childhood abuse, a long offense history, and social connections to other offenders.

Other pathways. Although Daly identified five unique pathways to offending, others have found varying numbers of pathways. While Salisbury and Van Voorhis (2009) found several pathways that fit Daly's typology, they only found three pathways, not five. Brennan et al. (2012) found eight specific pathways nested into four categories, and Smith (2017) found nine different pathways for substance-abusing women. Simpson et al. (2008) found pathways that closely mirrored Daly's but identified six rather than five. Factor analysis revealed two distinct pathways for street women, one with an extensive criminal history and another with a criminal social network.

While empirical support has been found for each of Daly's pathways, this does not imply every female offender will fit a pathway. Even Daly found a small portion of women who did not follow one of the five specific pathways in her original study, and subsequent analyses have produced similar results. Jones et al. (2014) used proximity scaling and found that half of the

delinquent juvenile girls in their sample fell into one of the gendered subgroups, but the other half did not. This may be due to the juvenile girl sample; experiences during adulthood are also important in forming gendered pathways.

Qualitative studies. Qualitative studies, in addition to further validating Daly's original pathways perspective, continue to provide rich contextual information about the lives of female offenders and the circumstances that propel them into crime. Many qualitative studies have drawn on Arnold's work (1990), whose in-depth interviews with incarcerated African-American women found that crime was a coping mechanism in response to repeated victimization. The work of Gilfus (1993) on women incarcerated in a Northeastern prison helped solidify the life event history approach as the preferred method for obtaining contextual information on early childhood experiences – particularly abuse and victimization – resulting in offending as a survival strategy. While these and other studies prior to Daly (e.g., Miller, 1986) largely supported the “leading feminist scenario,” their methodology also established a standard for researchers.

Qualitative methods are increasingly being used in pathways research outside of the United States. For example, Erez and Berko (2010) examined incarcerated Arab/Palestinian women, focusing on the role of cultural norms and expectations. While their pathways closely resemble several of Daly's pathways, the non-American context provides unique insights. For example, their *abusive home and resisting gender oppression* pathway resembled Daly's *harmed and harming* and *battered woman* pathways; but the cultural tradition of arranged marriages was at the forefront of why some women were engaged in relationships with abusive partners. Nuytiens and Christiaen's (2016) study in Belgium found pathways similar to Daly's, but many of these pathways lacked adverse childhood experiences, delaying offending onset. Gueta and Chen (2016) interviewed Israeli inmates and found that traditional masculine and feminine roles were used to explain women's roles in crime, specifically regarding the role of past childhood abuse. Others have addressed how childhood adversity leads to maladaptive coping strategies in the form of offending and substance abuse (Bowles et al., 2012; Pasko & Chesney-Lind, 2016).

Mixed methods studies. Mixed methods approaches provide a means for pathways scholars to incorporate the strengths of quantitative and qualitative methods. Mixed methods approaches often pair qualitative life history interviews with supplementary, quantitative data obtained from another source, such as official records (Johnson et al., 2007). In the study of pathways to crime, the qualitative component can be used to first establish the distinct pathways, and the quantitative component can then be used to examine variation between pathways. Below, the findings from mixed methods studies examining Daly's (1992) pathways are discussed.

Reisig et al. (2006) built on and extended Daly's work by including multiple sources of data to construct women's biographies: official records, in-person interviews, and supplemental correctional officer data. Additionally, more than one researcher coded biographies for the identification of pathways, increasing the study's reliability and offsetting common method bias. Reisig and colleagues identified five pathways consistent with Daly's original study. This included four “gendered” pathways: *street*, *harmed and harming*, *drug-connected*, and *battered*, all of which exhibited further sub-variation. Some women who fit the *harmed and harming* pathway self-medicated with alcohol, while others abused drugs. *Battered women*, by comparison, had later offending onsets, with criminal histories often limited to acting out violently against a partner after years of abuse in adulthood. Like Daly's “other” group, Reisig et al. (2006) identified an “*economically motivated* pathway,” of women who committed offenses that are typically referred to as white-collar crime (e.g., forgery, fraud, and embezzlement). Contrary to those who followed gendered pathways, this group did not have any history of abusing drugs

or alcohol, lacked victimization experiences, and exhibited little to no prior offending. In addition to replicating Daly's findings, the study by Reisig et al. (2006) was also the first to extend the pathways framework directly to an applied context: correctional risk assessment.

DeHart (2018) developed similar groups using qualitative interviewing, and then performed ANOVAs to examine statistical differences between pathway groups. DeHart (2018) identified several pathways similar to Daly's, including *street*, *drug-connected*, and *battered*. DeHart (2018) deemed the group of women who committed drug offenses with family members "social capital offenders," and found this group was significantly older than the other four identified pathways, had lower reading comprehension, and did not experience intimate partner violence. DeHart (2018) also found a group of women who committed defensive or retaliatory violence directed at romantic partners, like Daly's *harmed and harming* women.

Salisbury et al. (2018) completed quantitative analyses on a sample of incarcerated women in Argentina and then randomly assigned 12 women to complete semi-structured interviews. They identified themes similar to Daly's pathways, including victimization in childhood and by intimate partners. Like Reisig et al. (2006), Salisbury et al. (2018) also found that most of their sample fit into the *drug-connected* and *economically motivated* pathways. The drug-connected group differed slightly from Daly's, as they were mostly involved in drug trafficking with male partners and even male strangers, rather than family members. Salisbury et al. (2018) also found a group of women who committed crimes out of economic hardship. These women were less likely to report prior abuse than men who committed violent offenses.

Practical Implications and Future Directions

As described at the outset, Daly's original study and much of the work it inspired focused on concerns about representation, with implications for theory and measurement. Recall the historical context in which Daly's (1992) study emerged: feminist criminologists' increasing discontent with mainstream theories; namely, that these perspectives assumed shared causal mechanisms for male and female offending. One of the general theories subject to criticism was social learning (Morash, 1999; Sampson, 1999). Challenges to social learning theory extended into applied criminal justice due to the theory's connection to actuarial risk assessment. This contributed to increased attention to gender in correctional assessments, and a large empirical literature focused on the identification of gender-neutral and gender-specific risks and needs that could be subsequently treated in the correctional system. A number of practical implications can be drawn from pathways studies. These include important implications for correctional risk/need assessment, for the treatment of males and females under correctional supervision, and with regards to correctional policy. These implications are further discussed in more detail, followed by the identification of some potential directions for future research that will continue to contribute to theory with the goal of also informing policy and practice.

Correctional Assessment

One of the most widely used actuarial risk assessments in institutional and community corrections is the Level of Service Inventory-Revised (LSI-R; Andrews et al., 2004; Bonta & Andrews, 2017). Based on social learning theory, the instruments' creators have consistently touted it as a neutral assessment. Feminist criminologists questioned these claims, and many of their empirical assessments examining the family of LS tools/LS variants LSI-R suggested otherwise. For example, Holtfreter et al. (2004) found that a woman's poverty status was a better predictor of recidivism than her LSI-R score. In the previously discussed mixed-methods study

of women offenders under community corrections supervision – which replicated Daly’s pathways – Reisig et al. (2006) also evaluated the predictive accuracy of the LSI-R across pathways. While the instrument “worked” as intended among *economically motivated* women, it failed miserably for those following gendered pathways to crime, and for those who had biographies that could not be classified according to Daly’s pathways. Specifically, Reisig et al. (2006) found evidence of misclassification for women who followed gendered pathways to crime. In corrections, overclassification is problematic because it can result in offenders receiving more intense (and unnecessary) supervision; this particular error has been a concern among feminist criminologists (Holtfreter & Morash, 2003). Underclassification is also an issue in that at-risk women may not receive the services they need. The findings from this research have had a significant influence on correctional risk assessment practices.

As a result of pathways-based critiques, correctional scholars working from a feminist perspective developed the Women’s Risk-Need Assessment (WRNA), a gender-responsive instrument that can be used as a stand-alone assessment or supplement to existing instruments (Van Voorhis et al., 2008, 2010). This research and the subsequent assessments supporting the use of the WRNA as a gender-responsive tool lead to the abandonment of alleged neural instruments by numerous correctional agencies, resulting in enhanced and more accurate assessments for female offenders (Van Voorhis, 2012). With this increased accuracy of risk assessments, treatment for diverse populations of offenders has also been improved, in that correctional officials can better allocate scarce resources and match clients to available gender-responsive programming.

Treatment

Scholarship on pathways to crime has influenced correctional treatment through the increased use of gender-responsive instruments and in the delivery of correctional services. Following arguments of feminist pathways researchers, gender-responsive assessments are now routinely conducted in institutional and community corrections (Van Voorhis, 2012). Attending to gender-responsiveness means that gender is taken into account across correctional settings, and that programming considers unique risks and needs. Feminist pathways research has been incorporated into correctional treatment in a number of ways. For starters, this includes the creation of a treatment setting that is sensitive to the gendered realities of women’s life experiences (Bloom et al., 2003, 2004). Substance abuse treatment is one example where this modification has been consistently implemented, focusing on delivering programs and services in the least restrictive environment (Covington, 2002, 2003).

In substance abuse programming, traditional group-based approaches can be modified to take gender into account, such as using same-sex environments. This includes assigning female counselors to female clients and delivering support groups to all-female participants. Doing so is consistent with the mounting empirical evidence showing that many of the gendered pathways to crime – *street, harmed and harming, and battered* – involve histories of abuse and victimization, often at the hands of male partners. The use of gender-responsive treatment has been promoted since feminist criminologists called attention to the possibility of re-victimization and post-traumatic stress response in the correctional boot camp setting, a military model dominated by male leadership that has since been discarded (Morash & Rucker, 1990). The pathways-informed advancements in correctional treatment also have implications for policy.

Policy

As the previous discussion of risk assessment demonstrates, correctional policies have been modified to take sex into account. Within institutional corrections, attending to gender-responsiveness

in the delivery of programs and services is critical for achieving the initial goal of program completion. This can also be accomplished with minor modifications to existing correctional policy, which starts at the risk assessment stage and continues when programming and treatment options are assigned and evaluated. Considering gender responsiveness is particularly important when it comes to the overlapping long term goal(s) down the road following the offender's release from prison, such as successfully being reintegrated into society, remaining drug and crime free, and related positive outcomes, such as securing and maintaining employment, and reestablishing relationships with children (Holtfreter & Watanaporn, 2014). Of course, continued follow-up care upon release is also a necessary extension of the gender-responsive treatment that begins in prison.

Future Research

The quantitative, qualitative, and mixed methods studies of pathways scholars have provided researchers and practitioners with critical insights and serve as a point of departure for future research endeavors. It is important to note that some of the preferred methodological techniques advocated by feminist criminologists, including replication of Daly's study by the construction of life histories, may not be readily available to all researchers. Mixed methods studies can address the limitations associated with reliance on quantitative data drawn from official records as a primary source; such an approach can similarly address the concerns that are raised regarding the external validity of small sample, qualitative studies. Despite these strengths, such approaches are often not feasible due to a lack of resources, both in terms of time and effort, and in the financial costs associated with conducting longitudinal, mixed-methods studies. Scholars interested in doing so should partner with correctional agencies, and seek federal funding or cooperative agreements to provide the resources needed for a comprehensive study.

There are other techniques, however, that most researchers have within their existing arsenals. When the use of qualitative methods is not feasible, studies that include males and females could conduct split sample analyses, a strategy that is an improvement over simply controlling for sex (Belknap & Holsinger, 2006; Holtfreter & Cupp, 2007). Estimating separate regression models for males and females helps researchers get at the unique effects of various independent variables – including those suggested by mainstream criminological theories – for each sex. This approach is relatively simple to employ and is recommended in analyses that include both sexes. Following in the tradition of life-course criminologists, it will be important for future research to continue examining whether the patterns observed in predominately North American settings also hold in other contexts.

Moving forward, gender-responsive correctional policy and practice could benefit from evaluations of existing programs and services. The use of experimental or quasi-experimental designs could be employed to assess short-term (e.g., program completion) and long-term (e.g., obtaining employment) outcomes of gender-responsive treatment. Process evaluations – that is, assessments of whether a program was delivered as intended – should also be conducted, particularly in instances where null findings emerge. It is important for researchers to also continue to systematically evaluate and summarize the findings from pathways-informed scholarship that is conducted both within and outside criminology. The use of “state of the art” reviews and/or meta-analytic techniques, such as those frequently used in studies of risk assessment, can help synthesize the findings from quantitative research and present that information in a user-friendly way that informs both research and practice (Pusch & Holtfreter, 2018). Following in the tradition of life-course criminologists, it will be important for future research to continue examining whether the patterns observed in predominately North American contexts also hold in other geographic settings and cultures.

Conclusion

This chapter reviewed the pathways to crime perspective, beginning with Daly's (1992) influential study. The evolution of the model was subsequently traced, reviewing quantitative, qualitative, and mixed methods studies that validated and extended this perspective to practical applications in corrections. This includes the use of pathways-based research to inform correctional risk assessment, the adoption of gender-responsiveness in the delivery of treatment, and modifications to policies and practices. While some significant advancements have been made, there is still much work to be done in the continued efforts to better understand the contexts and circumstances that bring females into the criminal justice system, and to develop effective programs and services that address risks and needs while promoting recovery.

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