

MAINE'S WOMEN OFFENDERS: *WHAT DO WE KNOW?*

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ABSTRACT

Although Maine has one of the lowest incarceration rates of any state for both men and women, between 1999 and 2004 the state experienced an increase of 114 percent in incarceration of women, the largest increase in the nation (Frost, Green & Pranis, 2006).

This study provides a descriptive analysis of the characteristics of women entering Maine's probation system in 2004, 2005 and 2006, and examines the factors contributing to recidivism, defined as an arrest for a new crime (misdemeanor or felony) while under probation supervision. The study finds that recidivism rates of Maine's women offenders vary considerably by county and by offense type. The study concludes that Maine's women offenders are quite diverse in terms of criminogenic risk domains that relate to recidivism, which carries implications for effective case management.

SUMMARY

The Maine Department of Corrections was selected by the National Institute of Corrections to adopt evidence-based practices in its adult probation services. In 2005, Maine began implementing a series of evidence-based practices, with the goal of improving the effectiveness of offender management in the community. The Maine Justice Policy Center, which served as research partner to the initiative, analyzed three cohorts of individuals entering probation in 2004, 2005, and 2006 to describe probationer recidivism rates and address various research questions.

Research suggests that the study of adult women offenders should be a high priority. Although Maine has one of the lowest female incarceration rates, between 1999 and 2004 the state experienced an increase of 114 percent, the largest increase in incarceration of women in the nation (Frost, Green & Pranis, 2006). Maine has invested a significant amount of fiscal and human resources in changing the way women offenders are processed through and transitioned from the correctional system. However, in depth research of Maine's women offenders, their demographic characteristics and recidivism rates has not been conducted since new programming was initiated in 2002. A 1999 meta analytical study (Dowden & Andrews, 1999) of 'what works' for women offenders found that of sixty seven studies that examined women's programming, none of them linked recidivism to program components. Given the comparatively small number of quantitative studies of the women offender population as compared to their male counterparts, additional, gender-specific research is critical to gaining a better and understanding of the unique characteristics and needs of this population.

This study is the first to examine the characteristics and recidivism rates of Maine's women offenders under probation supervision. The research presented here follows one-year recidivism rates of 2,087 women who entered probation supervision in 2004, 2005, and 2006, and measures independent risk variables to determine which are predictive of recidivism. For this study, recidivism is defined as an *arrest for a new crime (misdemeanor or felony) while under probation supervision*.

INTRODUCTION

As of January 2008, the US imprisoned 2.94 million people, which was more than the twenty six European countries with the largest inmate populations combined (Warren, 2008, 36). This 'mass incarceration' has occurred alongside decreases in arrests and reported crimes between 1973 and 2005 (Bureau of Justice Statistics, 2005).

Women have been disproportionately impacted by this increase in imprisonment. Over the past thirty years, there has been a 757 percent increase in women inmates in the US, while the incarceration of men during that same period was 386 percent (Frost, Green & Pranis, 2006).

Maine's increase of 114 percent in incarcerated women between 1999 and 2004, the largest increase in incarceration of women in the nation (Frost, Green & Pranis, 2006) has been of great concern in the state. Moreover, Maine's actual 24 percent growth in the overall prison population (men and women) between 2006 and 2007 and a projected increase of 21 percent between 2006 and 2011 (Pew Report, 2007) is stretching the state's corrections capacity and posing challenges for successfully reintegrating offenders back to Maine communities. Given the significant rise in female incarceration in Maine recently, there is no reason to believe that women will not continue to bear a disproportionate amount of the overall projected increase.

PURPOSE OF STUDY

The study analyzes two primary research questions:

- What are the demographic characteristics of Maine's women offenders?
- What are the recidivism rates of Maine's women offenders?

The study provides: (1) a descriptive analysis of trends in women across three cohorts, defined by year of entry into Maine's probation system; and (2) a comparative analysis of the recidivism rates of women offenders across the three cohorts.

SUMMARY OF LITERATURE

A review of the literature, combined with the staggering increase in women's incarceration across the US and in Maine supports the need for state level, gender specific research related to women involved in Maine's criminal justice system.

Developing an understanding of the ways women become involved with the criminal justice system requires an analysis of the trajectories that propel them into criminal behavior, what experts (Bloom, Owen, & Covington, 2003; Chesney-Lind & Pasko 2004; Daly, 1992; Gilfus, 1992) refer to as 'pathways'. As early as fetal development, research attests to the difference between women and men. Recent biology research on brain development (Brizendine., 2006) indicates four primary differences in the brain pathways of women related to communication, connection, emotional sensitivity and responsiveness. From fetal development to life post menopause, women's brains develop differently and they use different areas of the brain to solve problems.

The pathways model for women offenders surmises that criminal behavior stems from abuse, neglect and mental health problems experienced in childhood, which can lead to mental health problems, substance abuse and often juvenile justice involvement in early adolescence. It follows that this can lead to women engaging in sex work, drug dealing, theft/forgery and more serious crimes as they enter adulthood (Salisbury & Van Voorhis, 2007).

Women's Offense Types

Recent research (Salisbury, 2007) suggests that no one theory or approach is effective on its own to explain why women end up with the criminal justice system and how to help them stay out. While trauma may clearly be at the root of much of the criminal behavior that is seen in women offenders, the co-occurrence of other adverse conditions makes it difficult to employ the pathways model alone to an understanding of female offending.

Compared to male offenders, the types of crimes that are most prevalent among women are less serious and violent. Recent research (The Sentencing Project, 2007) found that women "were more likely than men to be incarcerated for a drug offense (29 percent versus 19 percent) or property offense (30 percent versus 20 percent) and less likely than men to be incarcerated for a violent offense (35 percent versus 53 percent)."

Taking as a given that women are more relational than men, it follows that they commit more personal crimes (economically motivated theft, assault, trauma-reactive substance use) than violent crimes. A relational model has been developed to explain "development as growth with and toward connection, positing healthy connection with other persons as the means and goal of psychological development" (Covington & Surrey, 1997, 352). It follows that criminal activity often occurs in response to fractured relationships and as such, women are often accomplices to crimes initiated by their male partners.

One study found that greater than “80 percent of [women] committed crimes with accomplices in offenses such as drug dealing, robbery, larceny and burglary. Thus, nontraditional criminal behaviors were more likely to be committed with male accomplices, who provided women with the opening into deviant networks” (Alarid, et. al., 2006, 111). While women may provide a ‘lead role’ in offenses that are traditionally women (assault, driving under the influence, etc), they have been found to play more of a secondary role in felony offenses. And criminal justice system responses, due to mandatory minimums in the types of offenses women often commit, can be excessively punitive.

VARIABLES/MEASURES

Recidivism

Recidivism is the measure that most states use to gauge the effectiveness of correctional/criminal justice programs designed to reduce future criminal behavior. For this study, recidivism in Maine is defined as an *arrest for a new crime (misdemeanor or felony) while under probation supervision*. Combined with data from Maine’s Level of Service Inventory-Revised (LSI-R) offender risk assessments; the analysis provides information about the factors that influence a woman’s likelihood of recidivating, which can inform program and policy development.

Level of Service Inventory – Revised (LSI-R)

The Maine Department of Corrections uses the Level of Service-Revised (LSR-R) as its primary offender risk assessment tool. The LSI-R is an actuarial¹ risk assessment that surveys 54 measures of criminogenic risks that have been shown to predict recidivism (Andrews & J. Bonta., 1995). The tool is comprised of ten domains, which include; criminal history; education/employment; financial; family/marital; living situation/accommodations; leisure/recreation; companions/associates, alcohol/drug, emotional /personal, and attitudes/orientation. “An offender’s LSI-R score can range from 1 to 54, where higher numbers indicate a higher probability of re-offending” (Barnoski & Aos, 2003). A cut of score is used to determine a woman’s level of criminogenic risk according to five categories (administrative, low, moderate, high or maximum).

Research Sample

This study uses and expands analysis of a data set developed under the auspices of a cooperative agreement between the Maine Justice Policy Center (MJPC) and the Maine Department of Corrections (MDOC), and supported by the National Institute of Corrections (NIC). The study sample consists of case records (N=2,092) of women who entered probation in 2004 (n=856), 2005 (n=639), and 2006 (n=597).

All case records in the sample include basic demographic information, such as gender, age, and race/ethnicity. All case records were imported from MDOC’s Correctional Information System (CORIS). CORIS is an electronic database that serves as a case management system for juvenile and adult correctional staff. It holds the official records of all demographic, sentencing, supervision, case

¹Actuarial methods base their predictability on reliably observed relationships between re-offending and factors centered on criminal thinking, attitudes, and behavior (called criminogenic needs).

management and custody data for those under the supervision of MDOC, including all probationers in the state.

METHODOLOGY

Researchers conducted three levels of analysis:

- 1) Basic descriptive statistics, to provide an overview of the population;
- 2) Bivariate analysis (Pearson's Chi Square), to examine the association between recidivism and the following variables: cohort year, offense type (misdemeanor, felony), county of residence, and employment; and
- 3) Multivariate analyses (binary logistic regression), to examine which subscales of the LSI-R (criminal history; education/employment; financial; family/marital; living situation/accommodations; leisure/recreation; companions/associates; alcohol/drug, emotional /personal; and attitudes/orientation) are most strongly and statistically significantly correlated with recidivism for Maine's women offenders.

Cox/Snell and Nagelkerke R^2 scores were used to determine how well the model explained the outcome of analysis, in this case recidivism. Values for statistical significance for this analysis were provided through the regression analysis.

LIMITATIONS

As with any research using secondary data sources, completeness and accuracy of the data is an issue. There are some missing data elements, for example level of education, in some case records.

Case record information was inputted into CORIS by MDOC staff, which includes thirty six probation offices in four regions across sixteen counties. Although CORIS is the most complete source of information on women offenders, there may be variations in data quality among cohorts, and the possibility of human error in data entry practices.

FINDINGS

Demographic Characteristics

As Table 1 indicates, the number of women entering probation decreased between 2004 and 2006. The race of Maine's women offenders in the sample was predominantly white (95.4 percent, n=1957). The education level of Maine's women offenders indicates that the majority of women probationers (81.5 percent n=1314) had no more than a high school diploma.

Nearly half of the sample (47.1 percent, n=701) was either unemployed or not in the labor force. Almost half (42.2 percent, n=883) of women probationers in the sample were single.

TABLE 1 - CHARACTERISTICS OF MAINE WOMEN PROBATIONER SAMPLE, 2004-2006

	Women	
Cohort	N	
2004	856	
2005	639	
2006	597	
Race	N	%
White	1957	95.4%
Non-White	94	4.6%
Highest Grade Completed	N	%
Up to 11th grade	598	37.1%
12th grade / GED	716	44.4%
Some college or more	298	18.5%
Employment Status		
Full time employed	504	33.8%
Self employed	13	0.9%
Part time employed	236	15.8%
Intermittent	36	2.4%
Unemployed	563	37.8%
Not in the Labor Force	138	9.3%
Marital Status	N	%
Single	883	42.2%
Married	370	17.7%
Divorced/separated/widowed	540	25.8%
Age	N	%
18-24	619	29.7%
25-34	626	30.0%
35-44	565	27.1%
45-54	228	10.9%
55-64	41	2.0%
65 and older	8	0.4%
Mean age		32

Over half of the women (59.7 percent, n=1235) were between 18 and 34 years of age, and the mean (average) age at entry into probation was 32 years old. More than half of the women (n=1,327) resided in one of five counties: Kennebec (n=300), Cumberland (n=292), Androscoggin (n=287), Penobscot (n=229) or York (n=219).

TABLE 2 – RETURNING COUNTY OF MAINE WOMEN PROBATIONER SAMPLE, 2004-2006

County	N	%
Androscoggin	287	13.7%
Aroostook	87	4.2%
Cumberland	292	14.0%
Franklin	46	2.2%
Hancock	78	3.7%
Kennebec	300	14.3%
Knox	176	8.4%
Lincoln	25	1.2%
Oxford	44	2.1%
Penobscot	229	10.9%
Piscataquis	11	0.5%
Sagadahoc	23	1.1%
Somerset	109	5.2%
Waldo	95	4.5%
Washington	69	3.3%
York	219	10.5%

Criminal History and Offense Patterns

Criminal histories of women in the sample were quite varied. The average (mean) age at first arrest was twenty four. The youngest age was ten, while the oldest woman was seventy-two years old at her first arrest. On average, women were convicted for at least three prior offenses (mean=3.18). The range of prior offenses was zero to sixty, indicating that while some women had no criminal history, some had up to sixty prior offenses. Twenty-seven percent (n=565) of the sample were younger than 18 at the age of first arrest, indicating that slightly over a quarter of Maine’s women offenders had had involvement with the juvenile justice system.

TABLE 3 - CHARACTERISTICS OF MAINE WOMEN PROBATIONER SAMPLE, 2004-2006

Age at First Arrest	
Mean	24
Prior Offenses	
Mean	3
Number of Misdemeanor Offenses	
2004	537
2005	312
2006	263
Top 5 Misdemeanor Offenses	
Assault and Threatening	362
Operating Under the Influence	239
Drugs	119
Theft	108
Forgery	52
Number of Felony Offenses	
2004	269
2005	302
2006	304
Top 5 Felony Offenses	
Drugs	295
Theft	209
Burglary	97
Forgery	63
Assault and Threatening	56

The number of misdemeanor offenses committed by women in the sample consistently decreased over the three year period (2004 n=537, 2005 n=312, 2006 n=263, respectively). In order of frequency, the most prevalent types of misdemeanor offenses of Maine’s women offender population were assault and threatening (n=362), operating under the influence (n=239), drugs (n=119), theft (n=108) and forgery (n=52). Cumulatively, these five offenses (n=880) account for 79 percent of all misdemeanor offenses committed by women probationers.

The number of felony offenses increased slightly during the same time period (2004 n=269, 2005 n=302, 2006 n=304, respectively). In order of frequency, the most prevalent felony offenses were drugs (n=295), theft (n= 209), burglary (n=97), forgery (n=63) and assault and threatening (n=56). Cumulatively, these offenses (n=720) accounted for 80 percent of all felony offenses committed by women probationers.

Risk Levels

Due to policy changes in late 2004 restricting probation to felonies and selected statutorily-defined misdemeanors, the administrative risk level category decreased from nearly one in four women (24.1%) in the 2004 cohort to 15.6% in the 2006 cohort. The low risk category, introduced in 2006, comprised 16.9% of the 2006 cohort.

Moderate risk level women decreased from 59.4% in the 2004 cohort to less than half (47.7%) in the 2006 cohort. This decline was due to the introduction of the low risk category and the expansion of the high risk category in 2006. Before 2006, moderate risk women could have a LSI-R score anywhere between 14 and 31. In 2006, the moderate risk range was substantially narrowed, to 21-25. As a result, the share of high risk level women increased from 3.9% in 2004 to 10.6% in the 2006. Finally, the maximum risk level category also increased, from 0.7% of the 2004 cohort to 2.2% in 2006.

The average women’s LSI-R score increased slightly over the three years, from a score of 17.4 in 2004, to 18.6 in 2005, and 19.3 in 2006.

TABLE 4 – RISK LEVEL BY YEAR ENTERING PROBATION

Risk Level (risk score 04-05)	2004	2005	2006*
Administrative (0-13)	24.1%	18.9%	15.6%
Low			16.9%
Moderate (14-31)	59.4%	61.6%	47.7%
High (32-40)	3.9%	5.0%	10.6%
Maximum (40-54)	0.7%	0.9%	2.2%
No score	12.0%	13.5%	7.0%
Average score	17.4	18.6	19.3

*Admin=0-13, Low 14-20 Moderate=21-25, High=26-35, Maximum=36-54

One-year Recidivism Rates

To avoid distortion in comparison of recidivism rates due to different lengths of time spent on probation, researchers compared 1-year recidivism rates for each cohort.

TABLE 5– ONE-YEAR RECIDIVISM RATES BY RISK CATEGORY AND COHORT

Risk Level	2004		2005		2006	
	N	%	N	%	N	%
Administrative	15	7.5%	8	6.6%	4	4.3%
Low					25	13.7%
Moderate	108	24.1%	76	20.9%	29	23.8%
High	8	47.1%	11	52.4%	41	44.6%
Maximum	1	25.0%	0	0.0%	10	58.8%
Total	132	19.7%	95	18.7%	109	21.5%

The one-year recidivism rate changed slightly over the three year period. Given the small sample sizes, none of the changes were statistically significant, but it is important to note that the decision to supervise more passively administrative and low risk women did not produce adverse outcomes.

In the last year, MDOC is continuing to expand their use of evidence-based practices by incorporating a new model of female supervision that will require case plans for all probationers scoring above a moderate risk level. The Women Offenders’ Case Management Model (WOCCM) will provide gender

responsive programming and services throughout Maine’s correctional system with the goal of reducing recidivism and technical violations among higher risk female offenders.

One-year Recidivism Rates by County

There were considerable differences in the one-year recidivism rates by county, ranging from a high of 40 percent in Lincoln County to a low of 13 percent in Franklin County.

TABLE 6— ONE YEAR RECIDIVISM RATE OF WOMEN PROBATIONERS BY COUNTY

County	Recidivism Rate
Lincoln	40%
Aroostook	38%
Somerset	33%
Kennebec	32%
Cumberland	31%
Knox	30%
Penobscot	24%
Waldo	24%
Statewide Average	22%
Washington	22%
York	22%
Hancock	21%
Oxford	20%
Androscoggin	17%
Sagadahoc	17%
Franklin	13%
Piscataquis	NA ²

A Pearson's chi-square (χ^2) was conducted to determine whether the one year recidivism rate was influenced by the cohort year, and statistical significance was not found.

Researchers examined the relationship between recidivism rates and level of employment and found statistical significance ($\chi^2 (1, N=1490)=8.25, p=.004$). The women in the sample who were working in some capacity (*part time, full time, self employed and intermittent employment*) recidivated at a rate of 22 percent. Women not employed (*not in the labor force and unemployed*) recidivated at a rate of 28 percent. In addition, an examination of the association between recidivism and offense type (*felony, misdemeanor*) revealed that women who were originally convicted of a felony offense are more likely to recidivate than those originally convicted of a misdemeanor offense.

Criminogenic Risk and Recidivism

Researchers examined the association between criminogenic risk, as calculated by the Level of Service Inventory-Revised (LSI-R) and recidivism. The binary logistic regression was conducted using each of the

²The sample was too small to give a recidivism rate.

LSI-R subscales as the independent variable, and recidivism as a dependent variable. The model was statistically significant, but not robust, indicating that other key factors are unaccounted for in the logistic regression analysis.

Although not robust and thus not definitive, the findings are intriguing and help to shed light on case management needs for women with different risk levels.

TABLE 7 – RISK LEVEL AND LSI PREDICTORS

Risk Level	LSI Subscale	N	R ²
Administrative	Leisure/Recreation*	273	.051
Moderate	Criminal History**, Financial**, Alcohol & Drug**	818	.047
High	Companions*, Family/Marital*	109	.133
*Maximum and low are too small in sample size to analyze, not enough iterations to make determinations			
* p < .05 ** p < .01			

Administrative risk level probationers who had recidivated were most strongly correlated ($R^2=.051$, $n=273$, $p < .05$) to new criminal activity in the risk area of *leisure/recreation*. Moderate risk women who had recidivated were most strongly correlated with three risk subscales - *criminal history, financial and alcohol/drug*, ($R^2=.047$, $n=818$, $p < .01$) and the risk of recidivism. High risk women who had recidivated were most strongly associated with the risk areas of *companions and familial/martial* (relationship) ($R^2=.133$, $n=109$, $p < .05$) in relation to the risk of new criminal behavior.

DISCUSSION

While the numbers of incarcerated women in Maine continue to rise, this study shows a simultaneous decrease in number of women probationers since 2004. The reduction in women entering probation is most likely due to a law change in 2005 (Maine Criminal Statutes, Title 17-A, Chapter 49) that modified the period of probation for class D and E offenses, and a corresponding policy change at MDOC, which 'banked' administrative risk offenders from the probation caseload. This change in Maine policy is consistent with evidence based practice in corrections (Andrews & Dowden, 2006), which warns that providing intensive supervision and services to low risk offenders actually increases their risk.

The offense trends that emerged in this study are consistent with the pathways research (Bloom, Owen, & Covington, 2003; Chesney-Lind & Pasko 2004; Daly, 1992; Gilfus, 1992), that describes the offenses of women as more likely to be economically motivated (forgery, theft, burglary, etc) or more trauma reactive and relational (drugs, operating under the influence, assault and threatening). While information about life and trauma history was unavailable for this study, the analysis of most prevalent offense types across cohorts provides quantitative offense outcomes consistent with the trajectories to criminal behavior described by pathways research. The most prevalent offenses among Maine's women offenders are also consistent with national research (The Sentencing Project, 2007) that describes women as more likely to be convicted of drug and/or property offenses than violent offenses.

Study findings on the relationship between employment status and recidivism provide evidence that employment is a protective factor against recidivism for Maine women. Women in the sample who were working recidivated at a rate of 22 percent, which was much lower than those who were not working (28 percent). This finding is consistent with the research on the LSI-R (Andrews & Bonta, 1995) that lack of employment elevates the risk of women (and men) for future criminal behavior.

Researchers examined the relationship between county of residence (where probation was assigned) and whether a woman recidivated. County differences in recidivism rates are substantial. The reason for these differences is unknown; it may relate to access to employment (or lack thereof), availability of evidence-based programming and treatment services, and differences in judicial and/or prosecutorial decision making. Additional research is needed to determine the factors that drive the differences among county recidivism rates.

Maine's women offenders are quite diverse according to which LSI-R subscales (leisure/recreation, alcohol and drugs, financial, etc.) most strongly correlate with the risk of recidivism. A risk reduction strategy for women classified as administrative risk should target pro-social leisure and recreation opportunities. Women classified as high risk require greater emphasis on developing pro-social relationship and decreasing contact with antisocial associates, alongside interventions that support improved family, marital and parenting relationships. For women classified as medium risk, the findings of this study recommend that programming address the substance abuse and socioeconomic factors (financial) that may be at the root of recidivist behavior.

CONCLUSIONS

This research provides an overview of the demographics of Maine's women offenders entering probation in 2004, 2005, and 2006, along with information about recidivism and the factors that influence the commission of new crimes. Several key findings emerged from this study.

Maine has already done EBP by banking some admin/no risk – studies show exposure to cj system deleterious effect on low risk offenders, and can increase recidivism rates.

The women probationers in the sample had different criminogenic needs, at a group level of risk. This finding evokes the basic principles of effective correctional intervention, which state that the best outcomes occur for women (and men) when services are matched to criminogenic needs and delivered in a manner that considers general and specific responsivity factors, including gender, race, and mental health status (Gendreau, Little, & Goggin, 1996). Clearly a 'one size fits all' strategy for changing the criminal offending patterns of Maine's women offenders will not support successful reintegration into Maine communities, nor will it reduce re-offending rates. Maine should continue to analyze criminogenic needs for women in relation to their recidivism risk, because the information will be useful for service planning, resource allocation and case management in the years to come.

County differences in recidivism rates of women probationers in 2004, 2005, and 2006 are substantial. The reason for these differences is speculative, and may relate to access to employment, availability of evidence-based programming and treatment services, and/or differences in county judicial and/or prosecutorial decision making. Additional research is needed to determine the factors that drive the differences among county recidivism rates.

The study finds that employment is a protective factor against recidivism for Maine women. This finding is consistent with the research on the LSI-R (Andrews & Bonta, 1995) that lack of employment elevates the risk of women (and men) for future criminal behavior. Keeping a policy and practical focus on providing opportunities for Maine's women probationers to attain employment will help reduce recidivism.

Finally, Maine has been selected as a demonstration site for WOCMM by the National Institute of Corrections. From 2008 – 2010, policy makers and practitioners from education, labor, corrections, public welfare, community groups, non-profits etc. will be collaborating to improve case management for Maine's women offenders. Continued study will be important to surface what is working in approaches to reducing recidivism for women in Maine's criminal justice system.

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