John A. Humphrey · Peter Cordella

Editors

Effective Interventions in the Lives of Criminal Offenders

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Preface

The trajectory of criminal justice is untenable. American society is marred by the highest incarceration rate in the world (International Centre for Prison Studies 2013). More than 1.6 million persons are incarcerated on any given day in state and federal prisons across the USA (Carson and Sabol 2012). One in 31 people is under correctional supervision—that is, persons in prison or jail, on probation or parole (Pew Center on the States 2009).

There is scant evidence that involvement with the criminal justice system is a deterrent to further criminal activity. About four in ten criminal offenders are rearrested, reconvicted, and re-incarcerated within three years of their release from prison (Pew Center on the States 2011). Over 70 % of adults who are rearrested were previously incarcerated in the USA for robbery, burglary, larceny, including motor vehicle theft, and possession of stolen property or illegal weapons (Langan and Levin 2002).

Intervention in the lives of criminal offenders is critical to the viability of the criminal justice system. Persistently high rates of offender recidivism undermine trust in our efforts to alter the lives of criminal offenders. The economic consequences are dire: political responses are often driven more by a sense of urgency than by empirically supported strategies for crime desistance.

Yet, criminal offenders often engage in the process of desisting from licit activity. An understanding of the sociopsychological mechanisms that underlie desistance is critical to the future of the criminal justice system.

This book draws together the most current thinking of leading scholars in the field of interventions in the lives of criminal offenders. More specifically, we are concerned with interventions across the life course that result in the decision to desist from further criminal activity.

Manchester, NH, USA   John A. Humphrey
                                                                             Peter Cordella

Theoretical Foundation

Sampson and Laub (2003, 2005) and Laub and Sampson (2003) provide a theoretical understanding of the effectiveness of interventions in the lives of offenders and their decision to alter their criminal behavior. Central to their life-course perspective is their conceptualization of turning points in the lives of criminal offenders. They hold that turning points are not static events, but dynamic "repeating in nature"—that is, they have the potential to reverberate across the life course. For example, their analysis of marriage as a turning point leads them to the conclusion that: "marriage is not a singular turning point but a potential causal factor in desistance that operates as a dynamic, time varying process through time" (Sampson and Laub 2005:36).

Sampson and Laub (2003, 2005) posit that an understanding of turning points must include a consideration of **social location**—the positioning of an individual in social structural space; and **human agency**—the conscious decision to engage in or desist from an action. Sampson and Laub (2005:34) have identified five criteria for the assessment of turning points:

- 'A "knifing off" of the past from the present'.
- "Opportunities for investment in new relationships that offer social support, growth, and new social networks."
- "Direct and indirect supervision and monitoring of behavior."
- "Structured rather than unstructured routines."
- "Situations that provide an opportunity for identity transformation and that allow for the emergence of a new self or script."

An analysis of turning points then must consider what Laub and Sampson (2003) refer to as a "situated choice." That is, "individual action needs to align with the social structure to produce behavioral change and to maintain change (or stability) over the life course" (Sampson and Laub 2005:43). And, they conclude by arguing that neither human agency nor structural location can itself explain the process of criminal desistance.

Organization of the Book

Following the life-course perspective set forth by Sampson and Laub, the chapters in this book are organized in four parts: (1) social location, (2) human agency, (3) situated choice, and (4) cross-cultural perspective.

In Part 1—social location—Byron Johnson provides a systematic review of the protective, prosocial, and individual advantages of religious participation for desistance from criminal activity. Involvement in religious practices is shown to reduce criminal behavior, positively affect offender treatment and rehabilitation outcomes, and facilitate the offender's re-entry into the community. In addition, the social context of the impact of religious involvement on criminal activity is analyzed. Among other factors religiosity is found to promote prosocial and individually meaningful behavior and thereby reduce the likelihood of criminal behavior.

Also in Part 1, Jessica Craig, Brie Diamond, and Alex Piquero consider the impact of marriage on the desistance process. They critically analyze the empirical literature on the "marriage effect," including a consideration of variations by gender. Three theoretical frameworks—control, learning, and cognitive transformation—are found to account for the marriage-desistance link. The limitations of marriage as a viable intervention strategy are reviewed. Avenues for further research are also set forth.

Part 2—human agency—includes two chapters on identity and criminal desistance. In the first chapter, Peggy Giordano provides an in-depth analysis of longitudinal data on female and male adolescent offenders. A symbolic interactionist perspective provides the basis for a provisional theory of "cognitive transformation." This theoretical formulation largely complements control theory with three unique contributions: (1) it specifies the mechanism underlying change; (2) explains unaccounted for negative cases in control theory; (3) and "seems to have a particularly good fit with the life course challenges facing contemporary serious female (and more provisionally) male offenders." Four types of cognitive transformations are identified: (1) *openness to change*; (2) *openness to a particular hook or set of hooks for change* (a hook refers to a catalyst for change); (3) adopting a *new identity*; (4) *transformation in the view of the offender's deviant behavior and deviant*

lifestyle. The link between cognitive transformation and a shift toward more prosocial behaviors is explored.

Part 2 also includes Shawn Bushway and Raymond Paternoster's theoretical argument that cognitive and identity change must precede structural supports for change (e.g., marriage) in bringing about desistance from crime. They offer several elements of their rational choice-based theoretical formulation that distinguish it from structural and other cognitive theories of criminal desistance. Bushway and Paternoster argue that offenders assess the cost and benefits of their present criminal activity and similar behavior in the future. A key element in this assessment is a review of their "current, working identity" in the light of a "future identity" devoid of criminal activity. This future identity is composed of two parts: a "feared self"— to be avoided and a "possible self"—to be desired by the offender. "Intentional self –change" is a key process that underlies the decision to alter one's involvement in criminal activity.

In Part 3—situational context—David Pyrooz and Scott Decker provide an analysis of issues related to the disengagement from gang membership and the process of transiting into conventional society. A life-course perspective is used to explore the motives and methods for separating from gang involvement. The process of becoming a gang member is found to be different from the process involved in exiting from a gang. Two set of forces—pushes and pulls—explain both becoming a gang member and disengaging from a gang. Initially, external push factors serve to motivate an individual to join a gang, rather than pull factors internal to the gang itself. However, the decision to leave the gang is more a consequence of push factors internal to the gang, rather than pull factors external to the gang. In short, Pyrooz and Decker note that: "The factors that lead an individual to join a gang do not work in reverse; a different set of factors lead people into and out of gangs." The implications for the development of intervention strategies and public policy are explored.

And, Part 4—cross-cultural perspective—considers a cross-cultural analysis of the effectiveness of marriage as an intervention across the life course. Bianca Bersani and Marieke van Schellen address the effectiveness of marriage as an intervention across the life course in the Netherlands. The Netherlands, a progressive social and political setting, provides a unique opportunity to assess the generalizability of the marriage effect. Overall marriage is found to reduce criminal activity for both men and women. Men who marry a noncriminal spouse are more apt to end their offending, while marriage for women serves to insulate them from crime independent of their spouses' involvement in criminal activities. An extensive discussion of the social policy and directions for future research are included in this chapter.

Part 4 concludes with Shadd Maruna's comparative analysis of the reintegration of ex-prisoners into society and the complex process of de-stigmatization. Successful reintegration is premised on the ability of the ex-offender to desist from further criminal activity. Ex-offenders' ability to resist criminal involvement is facilitated by overcoming the stigma associated with their prior criminal behavior. This chapter provides an in-depth assessment of de-stigmatization and de-labeling practices used across Europe and in the USA. International comparisons advance our

understanding of the obstacles to criminal desistance and effective intervention strategies to combat them.

This book will spark continual reflection and debate about the relative importance and sequential ordering of the key elements in the process of desistance. Insights into the dynamics of the process of desistance provided here will lead to the refinement of existing theoretical formulations. Recommendations for further research will inspire us to advance our understanding of the theoretical underpinnings of effective intervention strategies in the lives of criminal offenders. The development of a wider range of intervention strategies will be made possible. Meaningful public policies to reduce criminal offending and recidivism will ensue.

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Part I
Structural Location

Chapter 1
Religious Participation and Criminal Behavior

Byron R. Johnson

Abstract This chapter examines and summarizes the current state of our knowledge regarding the relationship between religious participation and criminal behavior, especially in regard to crime reduction, offender rehabilitation, and offender aftercare. Aided by multiple systematic reviews of the relevant research literature, this chapter confirms that religious participation influences the behavior of many people in multiple settings such as family, peers, and school. The overwhelming majority of studies reviewed document the importance of religious participation in protecting individuals from harmful outcomes as well as promoting beneficial and prosocial outcomes. As policy makers consider strategies to reduce delinquency, gang violence, crime, and prisoner reentry, it is essential to seriously and intentionally consider the role religious institutions and religious practices are willing to play in implementing, developing, and sustaining multifaceted approaches to crime reduction. From after-school programs for disadvantaged youth to public/private partnerships that bring together secular and sacred groups to address problems like prisoner reentry, it is increasingly apparent that any crime-fighting strategy will be needlessly incomplete unless communities of faith and their vast networks of social and spiritual support are integrally involved.

There is no shortage of academic scholarship addressing the various dimensions and consequences of crime and delinquency. Crime has always been considered an important topic that is closely monitored and debated by government officials, decision-makers, and politicians alike. It comes as no surprise, therefore, that the latest trends in criminal activity as well as efforts to control crime remain a top priority for scholars and the public at large. At the same time, evidenced-based approaches to crime have gained wide support in recent years even among political adversaries. Thus, increasing importance is attached to scientific evaluations and

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ongoing research of best practices in confronting social problems like crime, gang violence, teen drug abuse, or post-release recidivism rates for former prisoners.

In a similar vein, there is no shortage of research on the topics of religion, spirituality, religious practices, and belief.[1] Beyond the many historical, theological, or philosophical studies of religion, in recent years there has been a great deal of interest in the role of religious institutions and faith-based organizations to confront social ills and in the provision of social services to those residing in communities of disadvantage. From studies of social capital to spiritual capital, scholars are studying how religion may be linked, if at all, to civic engagement, volunteerism, prosocial behavior, and crime reduction.

In light of the fact that crime and religion receive so much independent attention from the academic community as well as the popular media, it is intriguing we do not have an extensive or well-developed research literature that addresses the relationship between religion and crime. This is unfortunate, since a close examination of the extant literature reveals that the religiosity–crime relationship is robust and carries with it considerable implications at both the theoretical and public policy levels.

In order to better understand the past, present, and future role of religious participation in addressing matters related to crime, delinquency, offender treatment, rehabilitation programs, and even the transition of prisoners back to society, this chapter reviews the existing literature in a systematic fashion in order to assess the possible benefit or harm that religious influences may bring to each of these important areas. This chapter, therefore, examines and summarizes the current state of our knowledge regarding the relationship between religious participation and criminal behavior as well as discussing how religious participation matters in crime reduction, offender rehabilitation, and offender aftercare.

1.1 Religious Interventions and Crime Reduction: A Review of the Literature

Although case studies are not considered to be very scientific or objective, I include several of the more rigorous case studies that examined specific elements of religious interventions designed to reduce crime or transform offenders. Of particular note are three publications by Harvard University researchers Christopher Winship and Jenny Berrien documenting the role played by African–American congregations and religious mediators in the subsequent youth violence reduction in the late 1990s (see Berrien et al. 2000; Berrien and Winship 2003; Winship and Berrien 1999).

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[1] Though most of this research quite naturally focuses on samples of Christian populations, it is does not mean that other religions are irrelevant to these discussions. Indeed, in years to come it is hoped that we will begin to compare and contrast the relative efficacy of interventions from different religious groups, traditions, or faith communities. However, the current chapter largely focuses on the extant research which happens to be based largely on Christian samples.

This dramatic drop in youth homicides was featured prominently in news and policy outlets and was popularly referred to as the "Boston Miracle."[2]

Descriptive studies carry more weight than case studies, but still tend to suffer a number of methodological shortcomings that prevent them from being taken as seriously by scholars and policy makers alike. Generally speaking, descriptive studies should not be overlooked, but their findings should be interpreted with caution. Several descriptive studies have examined the effectiveness of faith-based programs in working with offenders both inside and outside prison. Teen Challenge, the country's largest faith-based drug treatment program, was founded over 50 years ago by Rev. David Wilkerson and would become the subject of a motion picture *The Cross and the Switchblade*.[3] In one of the first studies of any faith-based intervention, researchers found that those who graduated from the Teen Challenge program showed significant and positive behavioral change when compared with other groups over a 7-year period (Hess 1976).

Several other descriptive studies focused upon faith-based programs designed for prisoners and former prisoners. One study compared former inmates who had participated in Prison Fellowship, a faith-based organization that attempts to assist prisoners and former prisoners through an extensive network of church-based volunteers, with a matched sample of former prisoners who did not participate in the church-based program. Former prisoners in the church-based program were less likely to return to prison (O'Connor 2001). A similar study examined prisoners who had participated in Kairos Horizons, a faith-based prison program in Florida. The Florida Department of Corrections (2000) reports that Kairos participants were less likely to have disciplinary problems and more likely to attain higher literacy levels. Several years later an impact evaluation was conducted to determine the effects of the Kairos Horizon program on participants and their families. Results indicated that Kairos Horizon program participants had significantly lower rates of disciplinary infractions and had a longer period of time until their first arrest following release from prison (Hercik 2004a, b).

Multivariate studies represent the strongest set of studies reviewed. They typically include research designs that allow researchers to control for a number of factors and thus rule out other explanations for results. In the vast majority of multivariate studies reviewed, the faith-based program or initiative under study was found to be significantly more effective than its counterpart. An exception is a study that examined how participation in religious programs and the experience of being "born again" were associated with lowered recidivism. The study found no difference between religious prisoners and nonreligious prisoners in terms of recidivism (Johnson 1987).

In a comparative evaluation of the Christian drug treatment program Teen Challenge, Aaron Bicknese assessed the effectiveness of Teen Challenge according

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[2] For popular coverage of the "Boston Miracle", see, for example, *Newsweek* cover story, "*God vs. Gangs*: *What's the Hottest Idea In Crime Prevention*? *The Power of Religion*," June 1, 1998.

[3] The 1970 movie that starred Pat Boone as Rev. David Wilkerson and Erik Estrada as former gang member Nicky Cruz was based on the 1962 best-selling book by the same name.

to several outcome measures and found that offenders participating in the faith-based drug treatment program were more likely to remain sober and maintain employment than those that did not. Further, Teen Challenge graduates were employed full time and fewer Teen Challenge graduates returned to treatment than those in either comparison group (Bicknese 1999).

A series of multivariate studies examining the effectiveness of Prison Fellowship (PF) programs tend to support the notion that PF participants fare significantly better. In the first study, Mark Young and his coauthors investigated long-term recidivism among a group of federal inmates trained as volunteer prison ministers and found that the PF group had a significantly lower rate of recidivism than the matched group (Young et al. 1995). In the second study, Johnson and colleagues examined the impact of PF religious programs on institutional adjustment and recidivism rates in two matched groups of inmates from four adult male prisons in New York State. After controlling for level of involvement in PF-sponsored programs, inmates who were most active in Bible studies were significantly less likely to be rearrested during the one-year follow-up period (Johnson et al. 1997). In a follow-up to this study, Johnson extended the New York research on former inmates by increasing the length of study from 1 to 8 years and found that high Bible study participants were less likely to be rearrested at 2 and 3 years post-release (Johnson 2004).

In one of the more publicized studies to date, Johnson completed a 6-year evaluation of Prison Fellowship's InnerChange Freedom Initiative (IFI), an expressly Christian, faith-based prerelease program. Among the study's key findings are the following: (1) IFI program graduates were significantly less likely than the matched comparison group to be arrested and (2) IFI program graduates were significantly less likely than the matched comparison group to be re-incarcerated during the 2-year follow-up period (Johnson and Larson 2003).

In yet another study of Prison Fellowship, Kerley and associates explored the relationship between participation in a faith-based prison event, Operation Starting Line (OSL), and subsequent experience of negative emotions and incidence of negative behaviors (Kerley et al. 2005a). OSL participants were less likely to experience negative emotions and to engage in fights and arguments with other inmates as well as prison staff. The results from this study are consistent with previous research and were supported in a second study where Kerley surveyed prisoners in order to determine whether levels of reported religiosity were associated with reduced levels of arguing and fighting. The study concludes that religiosity directly reduces the likelihood of arguing and indirectly reduces the likelihood of fighting (Kerley et al. 2005b).

The Iowa Department of Management conducted an evaluation of all 17 substance abuse treatment programs found in eight of Iowa's prisons, including Prison Fellowship's InnerChange Freedom Initiative (IFI). Among other things, the lengthy evaluation concludes that IFI was the first or second most effective of the 17 substance abuse interventions to reduce recidivism in the state of Iowa (Iowa Department of Management 2007).

More recently, Duwe and King (2012) published a study that evaluated the effectiveness of the InnerChange Freedom Initiative (InnerChange), a faith-based prisoner reentry program in Minnesota, by examining recidivism outcomes among 732

offenders released from Minnesota prisons between 2003 and 2009. A series of regression analyses reveal that participation in InnerChange significantly reduced reoffending (rearrest, reconviction, and new offense re-incarceration) of former prisoners. Because the program relies heavily on volunteers and program costs are privately funded, the authors conclude that the program may be especially advantageous from a cost–benefit perspective. In sum, there is a small but growing research literature suggesting that religious interventions (e.g., Bible studies, faith-based drug treatment, faith-based dorms in prisons, and faith-based prisoner reentry programs) can be effective in reducing the likelihood of rearrest or re-incarceration.

1.2 Religious Participation and Criminal Behavior: A Systematic Review of the Literature

Contemporary research on the religion–crime nexus can be traced to Hirschi and Starks's classic "Hellfire and Delinquency" study (Hirschi and Stark 1969). Hirschi and Stark surprised many when they discovered that no relationship existed between levels of religious commitment and measures of delinquency among youth. Replications of this study both supported (Burkett and White 1974) and refuted (Albrecht et al. 1977; Higgins and Albrecht 1977; Jensen and Erickson 1979) Hirschi and Stark's original finding. Stark and colleagues would later suggest that these opposing findings were the result of the moral makeup of the community being studied. Stark et al. (1982) proposed that areas with high church membership and attendance rates represented "moral communities," while areas with low church membership typified "secularized communities." Stark's moral communities hypothesis, therefore, predicted an inverse relationship between religiosity and delinquency in moral communities as well as the expectation that there will be little or no effect of religiosity on individuals in secularized communities. This theoretical perspective provided an important framework for understanding why some studies of delinquency had yielded an inverse relationship between religious commitment measures and delinquency, while other studies failed to generate the inverse relationship (Stark 1996; Stark et al. 1982).

Stark's moral communities, however, represents just one of a number of different theoretical orientations informing research at the nexus of religion and crime. Social control and social disorganization are two different theoretical perspectives that have proven fruitful in examining the relationship between religiosity and crime. For example, using social disorganization as a theoretical backdrop, empirical evidence confirms that the effects of religiosity in reducing crime remain significant even in communities typified by decay, poverty, disadvantage, and disorganization (Freeman 1986; Jang and Johnson 2001; Johnson et al. 2001, 2000a). Moreover, I and my associates (Johnson et al. 2000a) found that individual religiosity helped at-risk youths such as those living in poor inner-city areas (i.e., Boston, Chicago, and Philadelphia) to escape from drug use and other illegal activities. Further, results from a series of multilevel analyses indicate that church attendance (the frequency

of attending religious services) has significant inverse effects on illegal activities, drug use, and drug selling among disadvantaged youths (Johnson et al. 2000a).

There is also increasing evidence that religious involvement may lower the risks of a broad range of delinquent behaviors, including both minor and serious forms of criminal behavior (Evans et al. 1996). Aided by several systematic reviews of this literature (Baier and Wright 2001; Johnson et al. 2000c, 2002), it has become increasingly clear that the relevant literature may not be inconclusive as some scholars continue to assert. In a meta-analysis of 40 studies that focus on the relationship between religion and delinquency, Johnson et al. (2000b) found that most of these studies reported an inverse relationship between measures of religiosity and delinquency. Several studies found no relationship or were inconclusive and only one found a positive link between greater religiosity and increasing delinquency. Interestingly, it was found that among those studies with the most sophisticated research design, there was stronger likelihood that increasing religiosity is linked to decreases in delinquency. Conversely, those studies reporting inconclusive results tended to be less methodologically rigorous. In a second meta-analysis, Baier and Wright (2001) review 60 studies within the religiosity–delinquency literature and reach much the same conclusion as the previous study by Johnson et al. (2000b). They find that studies using larger and more representative datasets are more likely to find significant inverse effects (i.e., increasing religiosity and decreasing delinquency) than studies that utilize smaller, regional, or convenient samples. In a third systematic review (Johnson et al. 2002), we examined religion and multiple outcome areas including several that are relevant for our current discussion (i.e., alcohol abuse, drug use/abuse, and crime/delinquency). Among the 97 alcohol studies reviewed, only two studies found religiosity to be associated with deleterious outcomes. Another ten studies reported inconclusive findings, while 85 studies found an inverse relationship, indicating that increasing religiosity was associated with a lowered likelihood of alcohol abuse. We also found a similar pattern among the 54 studies reviewed examining drug use or abuse. Fifty of the 54 studies found increasing religiousness linked to decreasing drug use or abuse, while only one study found a positive relationship. Finally, we reviewed another 46 studies within the crime and delinquency literature that examine the influence of religion and the same trend is obvious—increasing religiosity is associated with lowered likelihood of criminal or delinquent behavior (37 studies), while religiosity is positively related to delinquency in only one study.

In sum, these systematic reviews and meta-analyses confirm that consistent and mounting evidence suggests heightened religious commitment or participation helps protect youth from delinquent behavior and deviant activities. Simply stated, these reviews or meta-analyses document that increasing religiosity is associated with a lowered likelihood of committing delinquent or criminal acts. But are these research findings consistent with the more recent research literature on religion and crime? In order to answer this question, I report findings from a more systematic review of the relevant research literature on religion and crime.

This comprehensive review covers studies published between 1944 and 2010, with a majority of these published over the last several decades (Johnson 2011).

In this systematic review, I examine the type of study (e.g., cross-sectional, prospective cohort, retrospective, clinical trial, experimental, case control, descriptive, case report, or qualitative), the sampling method (e.g., random, probability, systematic sampling, convenience/purposive sample), the number of subjects in the sample, population (e.g., children, adolescents, high school students, college students, community-dwelling adults, elderly, church members, religious or clergy, gender, and race), location, religious variables included in the analysis (e.g., religious attendance, scripture study, subjective religiosity, religious commitment, intrinsic religiosity, extrinsic religiosity, etc.), controls, and findings (e.g., no association, mixed evidence, beneficial association with outcome, or harmful association with outcome).

In total, 109 studies were reviewed and the results of this current review confirm that a majority of these studies report a significant inverse relationship between measures of religious commitment or participation and various crime and delinquency measures or outcomes. Approximately 89 % of the studies (97/109) find an inverse or beneficial relationship between religion and some measure of crime or delinquency (i.e., increasing religiosity is associated with lower crime/delinquency). Only 11 studies found no association or reported mixed findings, and only one study from this exhaustive literature review found that religion was associated with a harmful outcome (Johnson 2011).

Researchers over the last several decades have made steady contributions to this emerging religiosity–crime literature, and yet, until recently, there was a lack of consensus about the nature of this relationship between religion and crime. Stated differently, in studies utilizing vastly different methods, samples, and research designs, increasing religiosity (religiousness, religious activities, or participation) is consistently linked with decreases in various measures of crime or delinquency. These findings are particularly pronounced among the more methodologically and statistically sophisticated studies that rely upon nationally representative samples (Johnson and Jang 2010). Religion is a robust variable that tends to be associated with the lowered likelihood of crime or delinquency or recidivism and as such should no longer be overlooked by criminologists or social scientists. In fact, failure to consider religion variables will cause researchers to be needlessly shortsighted in estimating models designed to explain its direct and indirect influences on crime and delinquency.

1.3 How Religion Matters: Protective Factors and Prosocial Behavior

The current systematic review of the research literature provides clear and compelling empirical evidence that religious commitment is linked with crime and delinquency reduction.[4] In short, the data consistently confirm that religion matters in

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[4] For a systematic review of the research literature documenting the protective role of religion in depression, suicide, mortality, promiscuous sex, alcohol abuse, and drug use/abuse, see H. Koenig

beneficial ways, but researchers have spent far less time considering how or why measures of religion, religious institutions, or religiosity are inversely linked to crime and delinquency. In this section I turn my attention to consideration of this often overlooked subject of how and why religion matters in reducing crime and delinquency.

1.3.1 Linking Religion to Protective Factors

There is growing evidence that religion, individual religious commitment, or religious congregations have the potential to help prevent high-risk urban youths from engaging in delinquent behavior (Johnson et al. 2001, 2000a). For instance, I and my colleagues (Johnson et al. 2000a) estimated a series of regression models and found that (1) the effects of neighborhood disorder (i.e., high-crime neighborhoods) on crime were partly mediated by an individual's frequency of church attendance and (2) involvement of African–American youth in religious institutions significantly buffered the effects of neighborhood disorder on crime and, in particular, serious crime. We concluded that the African–American Church is an important agency of local social control and researchers should not overlook the important role these religious congregations may play in the lives of disadvantaged youth.

Preliminary evidence suggests that youth who have continued religious involvement or participation throughout adolescent may be the beneficiary of a cumulative religiosity effect that lessens the risk of illicit drug use (Jang and Johnson 2001). Ulmer et al. (2012), using data from the Add Health Survey, found the primary effect of youth religious participation on marijuana use was to prevent its initiation in the first place. Moreover, we found that only part of religion's preventative effect on initiation was mediated by social bonds, delinquent peers, or self-control. Similarly, Jang et al. (2008) found that youth raised by parents emphasized the importance of religious training as well as service attendance were less likely to use drugs during adolescence and early adulthood than those who were raised not prioritizing religious training and attendance (see also Jang and Johnson 2011). Not surprisingly, we also found that church-attending minority youth from disadvantaged communities are less likely to use illicit drugs than white youth from suburban communities who attend church less frequently or not at all (Johnson et al. 2001). These finding, in general, suggests that youth who continue to attend and participate in religious activities are less likely to commit a variety of illegal acts.

A mounting body of evidence also suggests that such effects persist even if there is not a strong prevailing social control against delinquent behavior in the surrounding community (Jang and Johnson 2003, 2004, 2005; Johnson et al. 2000a). Stated

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et al. (2001) Handbook of Religion and Health, Oxford University Press; see also Johnson (2002) "Objective Hope - Assessing the Effectiveness of Religion and Faith-Based Organizations: A Systematic Review of the Literature," Institute for Studies of Religion, *ISR Research Report*, Baylor University (2002).

differently, youth from "bad places" can still turn out to be "good kids" if religious beliefs and practices are regular and important in their lives. There is additional evidence that religious involvement may lower the risks of a broad range of delinquent behaviors, ranging from minor to serious forms of criminal behavior (Evans et al. 1996; Regnerus 2003; Wallace and Forman 1998). Whereas criminologists have tended to focus on the effects of community disadvantage on predisposing youth to delinquent behavior, we are now beginning to understand the effects that religious participation may play in providing communities of "advantage" for youth within these disadvantaged environments. In other words, regular church attendance during adolescence may be a critical and undervalued element in enhancing the behavioral trajectories of youth as they move into adulthood (Petts 2009).

In a similar vein, preliminary research has examined intergenerational religious influence and finds parental religious devotion protects girls from delinquency (Regnerus 2003). There is additional research documenting that religion can be used as a tool to help prevent especially difficult populations, like high-risk urban youths from engaging in delinquent behavior (Johnson et al. 2001, 2000a). For example, youth living in poverty tracts in urban environments, or what criminologists call disadvantaged communities, are at elevated risk for a number of problem behaviors including poor school performance, drug use, and other delinquent activities (Johnson et al. 2000a). However, youth from these same disorganized communities who participate in religious activities are significantly less likely to be involved in deviant activities. In this way, religiously committed youth are "resilient" to and protected from the negative consequences of living in impoverished communities.

Confirmed in previous meta-analyses as well as the current systematic review of the crime and religion literature reported in this chapter, we now have solid empirical evidence demonstrating that religion is a protective factor that may buffer or shield youth as well as adults from delinquency, crime, and recidivism. Youth exposure to religious and spiritual activities, in conjunction with other environmental factors, is a powerful inhibitor of juvenile delinquency and youth violence. For example, youth who attend church frequently are less likely to engage in a variety of delinquent behaviors, including drug use, skipping school, fighting and violent, and nonviolent crimes. The fact that these findings hold even in disadvantaged communities provides additional evidence of the connection between religiousness and resilience. Stated differently, the role of religion and religious institutions is especially critical in communities where crime and delinquency are most prevalent.

In sum, a review of the research on religious practices or commitments and deviant behavior indicates that, in general, higher levels of religious involvement are associated with lower rates of crime and delinquency. The empirical evidence demonstrates that those who are most involved in religious activities are less likely to commit criminal or delinquent acts. Thus, aided by systematic reviews of the relevant literature, it is accurate to state that religiosity is now beginning to be acknowledged as a key protective factor that buffers or shields youth from criminal and delinquency outcomes.

1.3.2   Religion Promotes Prosocial Behavior

Criminologists have long studied factors thought to be causes of crime and delinquency. Thousands of studies, journal articles, and books have been dedicated to examining the many characteristics of offenders, communities, as well as the antecedents to criminal behavior in order to more accurately predict the likelihood of future criminal behavior. A great deal of criminological research, therefore, can be understood as attempting to answer two basic questions—*Why do people commit crime*? and *How can we prevent it*? As a result, much of the relevant research focuses on the deleterious effects of poverty and disadvantage, lack of education, or unemployment in causing or contributing to crime and deviant behavior. As a result of this focus, it comes as no surprise that many criminology courses are devoted to the study of factors associated with crime causation.

Social scientists and criminologists, however, have much less often asked another equally important question—*Why is it that most people do not commit crime*? Social control theorists like Travis Hirschi (1969) provide a unique and important perspective arguing that there are very important reasons why people do not commit crime or delinquent behavior. Studying and emphasizing factors that essentially keep people from breaking the law, control theorists reason, ultimately advance our understanding of how to pursue crime prevention. Religion, therefore, is but one of many factors that control theorists might argue "bond" an individual to society and conventional or normative behavior. Indeed, it is not a stretch to imagine how religion might play a central "bonding" role between each of Hirschi's four elements at the heart of social control theory—attachments, commitments, involvements, and beliefs (1969).[5]

As demonstrated from the systematic review of the extant research literature, increasing religiosity is a well-documented protective factor that insulates or buffers youth and even adults from crime and delinquency. In this way, religion may help individuals to be resilient and to avoid delinquent paths in spite of factors and characteristics that would seem to otherwise predict a deviant behavioral trajectory. But beyond acknowledging that religion can protect people from crime, criminologists have largely overlooked another equally important question. Less commonly acknowledged by researchers is the contribution of religious belief and participation in fostering positive or normative behavior—what we call prosocial behavior. I argue here that it is at least as important to understand why people turn into good citizens as to understand why some go bad. In essence, instead of asking why

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[5] Social control theory is not unique in its theoretical relevance for the role of religion in reducing or preventing crime and delinquency. Social disorganization, labeling, differential association, life course perspective, rational choice, and strain are but a few of the theoretical perspectives within criminology that easily allow the introduction of religious variables and influences within existing frameworks. These lines of inquiry make it possible for researchers to generate and test hypotheses of direct and indirect contributions of religion variables in explaining any number of outcomes relevant for criminology and delinquency studies.

people do bad things, like committing crime, we should be asking this question—
Why is that so many people do positive or prosocial things?

Solid research confirms that at-risk youth from disadvantaged communities who exhibit higher levels of religiousness are not only less likely to commit crimes than their disadvantaged counterparts, but they are also more likely to stay in school, make better grades, and more likely to find and retain steady employment (Freeman 1986; Johnson et al. 2000a). Unfortunately, such research usually emphasizes only the crime reduction story and tends to neglect the prosocial findings. Clearly, not enough scholarship has examined the prosocial side of the equation. Social scientists need to do a much better job of documenting the factors and conditions that motivate, cause, support, and sustain positive or prosocial behavior. It is important to note that when discussing prosocial behavior there is much more involved here than merely obeying the law and desisting from criminal behavior. We need to know why people do admirable things or altruistic acts. For example, why is it that people do commendable things such as supporting charities, donating their time through volunteering, returning lost valuables, or participating in civic activities?

Though less studied, there are a number of studies that examine the relationship between increasing religiosity and higher levels of prosocial behavior. This small body of research consistently finds that religious participation is a source for promoting or enhancing beneficial outcomes like well-being (Blazer and Palmore 1976; Graney 1975; Markides 1983; Musick 1996; Tix and Frazier 1997; Willits and Crider 1988), hope, meaning and purpose (Sethi andandand Seligman 1993), self-esteem (Ellison and George 1994; Bradley 1995; Koenig et al. 1999), and even educational attainment (Regnerus 2000; Regnerus 2001; Johnson et al. 2000a; Jeynes 2007). Indeed, the more actively religious are more likely to give to charities (both religious and nonreligious) and to volunteer time for civic purposes (Brooks 2006). Studies also suggest that being involved in or exposed to altruistic or prosocial activities and attitudes—something that many churches and other faith-based organizations reportedly have as intrinsic aspects of their mission—appears to reduce the risk of youth violence. Unraveling the role of religiousness, religiosity, religious institutions and congregations, as well as religious participation in promoting prosocial behavior should be a priority for academic researchers. A proper understanding of the mechanisms associated with prosocial behavior can assist in the development of future prevention and intervention strategies.

Just as the studies reviewed earlier document that religious commitment is a protective factor that buffers individuals from various harmful outcomes (e.g., hypertension, depression, suicide, and crime), there is mounting empirical evidence to suggest that religious commitment is also a source for promoting or enhancing beneficial outcomes (e.g., well-being, hope, meaning and purpose, educational attainment, and charitable giving). This review of a large number of diverse studies concludes that, in general, the effect of religion on physical and mental health outcomes is remarkably positive (Koenig et al. 2001; Johnson 2002). These findings have led some religious healthcare practitioners to conclude that further collaboration between religious organizations and health services may be desirable (Miller 1987; Olson 1988; Levin 1984).

Religious involvement may provide networks of support that help adolescents internalize values that encourage behavior that emphasizes concern for others' welfare. Such processes may contribute to the acquisition of positive attributes that give adolescents a greater sense of empathy toward others, which in turn makes them less likely to commit acts that harm others. Recent research confirms that religiosity can help youth to be resilient even in the midst of poverty, crime, and other social ills commonly linked to deleterious outcomes. Frequent participation in religious activities may help adolescents learn values that give them a greater sense of empathy toward others. Similarly, once individuals become involved in deviant behavior, it is possible that participation in specific kinds of religious activity can help steer them back to a course of less deviant behavior and, more important, away from potential career criminal paths. For example, preliminary empirical studies addressing faith-based approaches to prison treatment have shown that inmates who regularly participate in volunteer-led Bible Studies or who complete a faith-based program are less likely to commit institutional infractions (Hercik 2004a, b) or commit new crimes following release from prison (Johnson et al. 1997; Johnson 2004). In the first major evaluation study of a faith-based prison launched in 1997 in Houston, Texas, Johnson and Larson (2003) found that inmates completing the InnerChange Freedom Initiative, an 18- to 24-month length faith-based prison program operated by Prison Fellowship (a Christian prison ministry), were significantly less likely to be re-incarcerated than a matched group of prisoners not receiving this religious intervention (8 % to 20 %, respectively) during a 2-year post-release period. Similar results were reported in a study comparing former prisoners in two Brazil prisons—one a faith-based prison program[6] and the other a model prison based on a vocational model[7] in Brazil (Johnson 2002).

I have demonstrated from a systematic and objective assessment of the research literature that individual religious commitment or religiosity as well as religious congregations can have a significant buffering or protective effect that lessens the likelihood of delinquent or criminal behavior among youth as well as adults. In a separate review of the research literature I also document that increasing measures of religiousness are associated with an array of prosocial outcomes. In this way, we can argue that religion not only protects from deleterious outcomes like crime and delinquency, but also promotes prosocial or beneficial outcomes that are considered normative and necessary for a productive and civil society.

1.4   Conclusions

This chapter confirms that religious participation influences the behavior of many people in multiple settings such as family, peers, and school. The overwhelming majority of studies reviewed document the importance of religious participation in

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[6] Based on a Catholic model, the faith-based prison went by the name Humaita.

[7] In 2000, the Braganca prison was widely promoted as an exemplar and a model for future prisons in Brazil.

protecting individuals from harmful outcomes as well as promoting beneficial and prosocial outcomes. The beneficial relationship between religion and health behaviors and outcomes is not simply a function of religion's constraining function or what it discourages—such as opposing drug use or delinquent behavior—but also through what it encourages—promoting behaviors that can enhance purpose, well-being, or educational attainment.

Although some researchers have identified low religiosity as a risk factor for health risk behaviors, measures of religious participation are not routinely included in most social science or criminological research projects. Future research on crime and social outcomes should include multiple measures of religious practices and beliefs. It is time for researchers and federal funding agencies to discontinue the pattern of overlooking this important line of policy-relevant research. New research will allow us to more fully understand the ways in which religion directly or indirectly impacts crime and other social outcomes. Churches, synagogues, mosques, inner-city blessing stations, and other houses of worship represent one of the few institutions that remain within close proximity of most adolescents, their families, and their peers. This is especially true for our most disadvantaged communities. Research is now beginning to confirm that these religious institutions have the potential to play an important role in promoting the health and well-being of those they serve.

As policy makers consider strategies to reduce delinquency, gang violence, and crime, it is essential to seriously and intentionally consider the role of religious institutions and religious practices in implementing, developing, and sustaining multifaceted approaches. From after-school programs for disadvantaged youth to public/private partnerships that bring together secular and sacred groups to tackle social problems like the prisoner reentry crisis, it is apparent that any crime-fighting strategy will be needlessly incomplete unless communities of faith and their vast networks of social and spiritual support are integrally involved.

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Chapter 2
Marriage as an Intervention in the Lives of Criminal Offenders

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Abstract Criminology has long been interested in identifying evidence-based interventions that can help redirect criminal pathways. Although not within the purview of the criminal justice system, other nontraditional interventions have also emerged as generally effective desistance-promoting factors. One intervention in particular, marriage, is the focus of this chapter. Herein, we provide a brief overview of some of the main theoretical frameworks that have articulated a "marriage effect" of criminal desistance. Then, we provide a detailed review of the empirical literature assessing the relationship between marriage and crime. The chapter closes by offering summary conclusions as well as highlighting several directions for future research. Identifying the correlates of criminal desistance is important for theory—but is especially important for public policy (Laub and Sampson 2001). To the extent that aspects of offenders' lives that influence continued offending can be identified and addressed, then evidence-based policies and programs can target at-risk offenders with the hope of helping to foster and/or aid in the desistance process (see Sherman et al. 2002).

One particular correlate that has received much theoretical and empirical attention, though not routinely considered a criminal-justice-applied intervention, is marriage. The relationship of marriage to criminal desistance has long been recognized in the criminological literature and resonates well with many criminological frameworks—especially control theories of crime that focus on the accumulated bonds that prevent persons from offending.

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This chapter provides a brief overview of some of the main theoretical frameworks that have articulated a "marriage effect" of criminal desistance. This is followed by a review of the empirical literature assessing the relationship between marriage and crime. Summary conclusions and directions for future research complete the chapter.

2.1 Theoretical Explanations of the Marriage Effect

Several theoretical frameworks attempt to explain the relationship between marriage and desistance from criminal behavior. Some of these consider marriage as a direct cause of criminal desistance, others see it as a prime example of selection effects, and some researchers maintain that the effect of marriage on crime desistance is indirect via the disruption of peer processes. After highlighting these various perspectives attention will turn to the empirical evidence on the marriage effect.

2.1.1 Marriage and the Promotion of Desistance

Sampson and Laub's (1993) age-graded informal social control theory hypothesizes that marriage provides a catalyst for criminal desistance (see also Laub and Sampson 1993). Their age-graded theory of informal social control posits that certain events in adulthood, such as marriage, represent turning points in the life course that drive an individual away from criminal endeavors and toward conventional norms and behavior. Marriage represents a life event that "knifes off" one's delinquent past, provides monitoring and support for growth, alters routine activities, and transforms one's personal identity (Laub and Sampson 2003, p. 148). Through the bonding of spouses, marriage advances a host of prosocial ties—to employment, conventional peers, and community involvement—that decrease one's connection and stock in antisocial behavior. Through the transfer in routine activities, individuals spend less time with same-sex peers in crime-inducing situations and more time with spouses engaged in conventional activities (Laub and Sampson 2003).

Sampson and Laub proposed that the mere establishment of a marital bond was not the precise mechanism that triggered the desistance process. It is not simply marriage but the quality of that marriage that is the true catalyst for the termination of criminal behavior. A home rife with turmoil, deceit, and despair will hardly provide the bonds necessary to extinguish one's desire for criminal endeavors—regardless of whether one's spouse also has a delinquent history (Giordano et al. 2003; Sampson and Laub 1990, 1993). A strong attachment to a conventional spouse, however, increases access to conventional people and activities while raising the social stakes associated with misbehavior. Importantly, these effects do not occur immediately, but unfold over time as bonds strengthen to ultimately quell criminal involvement (Laub and Sampson 1993; Laub et al. 1998).

Simons et al. (2002) add to Sampson and Laub's thesis by introducing the process of assortative mating. Assortative mating is the idea that people choose romantic partners who are more like themselves—that opposites indeed do not attract, but sameness does (Collins 1988). Research shows that antisocial individuals tend to engage in romantic relationships with antisocial partners (Cairns and Cairns 1994; Rhule-Louie and McMahon 2007; Rowe and Farrington 1997; Simons et al. 1993, 2002). The implications of this concept for Sampson and Laub's theory, according to Simons et al. (2002), are that the orientation of a person's partner with regard to criminal behavior will be an important determinant in whether desistance occurs. Most antisocial individuals should marry antisocial partners and persist in their delinquent behavior, but through random occurrences some antisocial people will fall in love with and marry conventional spouses who will discourage criminal behavior and ignite the desistance process. Simons and colleagues provide evidence in support of assortative mating finding that antisocial behavior and antisocial peers in adolescence predict engaging in a relationship with an antisocial partner in adulthood. Further, they found that having an antisocial partner was predictive of continuity of offending into adulthood.

Importantly, Simons et al. (2002) highlight potentially key theoretical distinctions for the marriage effect across gender. They uncovered interesting gender differences in the influence of romantic partners on desistance. Having a conventional romantic partner was one of many factors that promoted desistance in women alongside job attachment and conventional peers in adulthood. However, for males the only factor that seemed to moderate the link between delinquency and adult criminal behavior was the presence of delinquent peers in adulthood. This study alludes to the possible need for theoretical distinctions in the marriage effect across gender (a position further espoused by Giordano et al. 2002). It may be, according to Simons et al. (2002), that for women the process outlined by Sampson and Laub (1993) holds true, but the relationship between marriage and desistance for males works through the changes in peers as suggested by Warr (1998, 2002).

2.1.2 Marriage as a Selection Process

Counter to the argument that marriage causes desistance from crime, theorists such as Hirschi and Gottfredson (1995) contend that this relationship is spurious. Consistent with their long-held view that enduring individual differences are responsible for all types of human behavior, they maintain that the marriage effect is simply capturing the natural aging out process (with regard to declines in crime) that occurs in most individuals with enough social capital and the personal interest to attract a spouse. In their view, marriage is an effect of those individuals who have naturally outgrown criminal behavior and who decide to conform to a conventional lifestyle. In support of their claim, Hirschi and Gottfredson find fault in Sampson and Laub's own qualitative follow-up interviews. The story of Leon, their primary example of the marriage effect, even alludes to the personal transformation that

occurred *prior* to his marriage at 17 years of age. Laub and Sampson (2003) report that he gave up drinking and gambling upon meeting the woman he would eventually marry—indicating a decision to leave behind his criminal lifestyle to pursue conventional endeavors. On the selection argument, Hirschi and Gottfredson (1995), (p. 137, emphasis in original) could not be clearer: "In fact, however, this process would merely account for the *apparently* good effects of good institutions." (The decision to change was made prior to involvement with the "change-producing" institutions). The narratives reported by Sampson and Laub (1993) suggest as much. Former offenders say they "decided" to settle down, get a job, or get married before they actually did so. Control theory, unlike life-course theory, accepts the notion that "decisions precede actions."

Consistent with the cognitive transformation framework advanced by Giordano et al. (2003); Hirschi and Gottfredson (1995) contend that a cognitive transformation occurs prior to securing a lifelong mate. The desisters in Giordano and colleagues' study spoke of distancing themselves from delinquent peers and coming to view themselves as impervious to peer influence. Other research by Giordano and associates (Giordano et al. 2002) points to criminally involved individuals tired of the lifestyle entailed by crime choosing to settle down and attaching themselves to prosocial, crime-inhibiting mates. They contend that, for many, the combination of desiring to live an honest life and enjoining oneself in a noncriminal relationship appears to play a key role in the desistance process.

Laub and Sampson (2003) argue against the pure selection interpretation. Citing evidence that enduring individual differences such as intelligence, personality, and aggressiveness fail to predict desistance when marital factors are included, these theorists contend that marriage itself is overwhelmingly responsible for the cessation of criminal behavior. They argue that while selection effects may be occurring at some level, most marriages are the result of spontaneous interactions, or "fortuitous contacts" (p. 45), not conscious, sustained efforts at securing a conventional lifestyle. Further, they argue that the men in their sample explicitly state that marriage changed their lives; they talk about their wives controlling their behavior, pushing them into conventional organizations such as steady jobs or community clubs, and at times moving their residence away from their delinquent friends.

2.1.3   Marriage and Peer Effects

Others have argued that marriage may indeed have an effect on criminal desistance but that its effect may be explained by the influence marriage has on an individual's access to crime-promoting factors. In this view, it is not the marriage per se that is responsible for desistance, but the barrier it creates between an individual and his delinquent peers that is the true cause for desistance. In contrast to Sampson and Laub's (1993) control theory perspective, some view the marriage effect through the lenses of social learning theory. For example, Warr (1998) suggests that marriage reduces the amount of time an individual spends with peers, thus

limiting the opportunities for crime and the peer influence toward such behavior. When an individual enters into a marriage, he tends to be more closely tied to familial obligations. His spouse likely insists upon his nightly presence in the home, chastises his delinquent friends, and safeguards against their influence on her husband by limiting the amount of time spent in their presence. When an individual marries, he naturally spends more time engaged in family life and less time in the presence of friends, especially fellow offenders. In Warr's view "marriage acts to disrupt or dissolve friendships that existed prior to marriage, including relations with other offenders or accomplices" (Warr 1998, p. 188). At the same time, marriage promotes interaction with conventional peers, which bolsters the individual's movement toward desistance.

In short, there are at least three primary theoretical frameworks that identify a relationship between marriage and subsequent criminal desistance, and our review focused on those that have received the most theoretical and especially empirical attention. In the next section, we provide an in-depth overview of the empirical research that has examined the marriage effect on criminal desistance in contemporary criminological research.

2.2 Review of Empirical Research

2.2.1 Inclusion Criteria

To be included in the current review, studies had to explicitly measure marriage, not simply any romantic relationship, and to assess its effect independently of other social bonds. Thirty-one empirical studies were identified that have assessed the impact of marriage on crime. They were published between the years of 1993–2013 and include journal articles, book chapters, and books. A handful of studies combined subjects' data on marriage and full-time employment to measure overall stakes in conformity (e.g., Piquero et al. 2002). While such studies are relevant for assessing the combined impact of social bonds, they were not included because they did not solely investigate the marriage effect.

Due to space constraints, each study cannot be reviewed in depth; as such, we provide a summary of each study in Table 2.1. When reviewing the studies, each finding that approached or reached statistical significance was counted within each study. Based on individual study characteristics such as sample location and whether gender differences were assessed, the percentage of findings within each category was calculated. The findings were counted such that those that found marriage leads to a decrease in criminal offending[1] were labeled as having a negative relationship

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[1] Of course, the "marriage effect" literature is mainly concentrated with the effect on marriage on desistance from crime. Recognizing the problems associated with measuring desistance (see Bushway et al. 2001; Laub and Sampson 2001), we consider more generally the role that marriage plays in reducing subsequent offending.

Table 2.1 Description of individual studies of the marriage effect

Study	Location of sample	Sample	Unique characteristics	Marriage measure	Special analysis notes	Findings
Barnes and Beaver (2012)	USA	Add Health, Waves I and III; twin data	Genes	Ever married	Binary desistance measure	(−) sig even when controlling for genes though effect size reduced by 60 %
Barnes et al. (2011)	USA	Add Health, Waves I–IV	Reciprocal effects of crime on future marriage	Ever married	Cross-lagged model and reciprocal effects model used	Cross-lagged model: (−) sig; reciprocal effects model: (−) NS
Beaver et al. (2008)	USA	Add Health, Waves I–III; twin data	Gene × Environment interaction	Ever married	Binary desistance measure; gender differences	Full sample: (−) sig; males: (−) sig on own and with 3 GXE interactions; females (−) sig on own and with 1 GXE interactions and (−)NS with 2 GXE interactions
Bersani et al. (2009)	Netherlands	Criminal career and life-course study—convicted men/women		Ever married	Hierarchical models; gender; context	Full sample: (−) sig; males: (−) sig; females: (−) sig; effects stronger for males;
Blokland and Nieuwbeerta (2005)	Netherlands	Criminal career and life-course study—convicted men/women		Ever married	Semi-parametric group-based models; used official arrests and self-reported offending	Official low-rate offenders: (−) sig; official moderate-rate: (−) sig; official high-rate: (?) NS; self-report: (?) NS
Broidy and Caufmann (2006)	USA—Boston	424 delinquent women collected in 1930s		Most recent marriage; conventional vs. nonconventional spouse; marital quality	Desistance: binary measure	Being married: (?)NS; conventional husband: (−) sig; high quality: (−)sig
Craig and Foster (2013)	USA	Add Health, Waves I and III		Ever married	Desistance: change score; gender differences	Full sample: (−) sig; males: (−) sig; females: (−) sig

Daigle et al. (2008)	USA	Add Health, Waves I–III		Currently married	Desistance: binary; desistance measure also included victimization	(−) sig
Doherty (2006)	USA—Boston	Glueck data	Self-control and marriage	Marital attachment	Desistance: decrease in offending; semi-parametric mixed Poisson model	Marriage: (−) sig; When self-control added, marriage: (−) sig; no moderating relationship
Doherty and Ensminger (2013)	USA—Chicago	The Woodlawn Project, $n=965$ disadvantaged black youth through 32 years old		Currently married	Desistance: mean level of changes in offending; gender differences	Males: (−) sig in general and for property and drug arrests; females: (?) NS in general, (−) sig for property arrest, and (+) sig for drug arrests
Farrington and West (1995)	UK—London	Cambridge Study in Delinquent Development		Ever married; living with wife; separated; cohabitation	Convictions at 27–32 years old	Staying married: (−) sig; living with wife: (−) sig; cohabitating: (−) sig; separating: (+) sig
Forrest (2007)	USA	National Youth Survey		Living with spouse and lived together for majority of past 12 months; quality/bond of marriage	Desistance: binary; gender differences	Full sample: marriage: (−) sig; cohabitation: (?) NS; low-quality marriages: (+) sig; medium/high-quality marriages: (−) sig; men—marriage: (−) sig; women—marriage (−) sig
Forrest and Hay (2011)	USA	National Longitudinal Survey of Youth—Child and Young Adult Supplement	Self-control	Currently married	Desistance from marijuana use	Marriage: (−) sig; once self-control included, marriage: (?) NS

Table 2.1 (continued)

Study	Location of sample	Sample	Unique characteristics	Marriage measure	Special analysis notes	Findings
Giordano et al. (2002)	USA—Ohio	244 delinquent girls/boys from Ohio institutions followed up 13 years later		Attachment to spouse	Desistance: binary; official arrest data	Male: (?) NS; female: (?) NS
Horney et al. (1995)	USA—Nebraska	658 incarcerated male offenders		Living with a wife vs. girlfriend	Event calendar used to investigate short-term offending by local life circumstances; official arrest data	Marriage: (−) sig; cohabiting with a girlfriend: (+) sig
King et al. (2007)	USA	National Youth Survey	Determines whether marriage propensity conditions marriage deterrent capacity	Married at Wave 6	Wave 7 offending; gender differences; propensity score matching	Males: (−) sig among low, medium, and high propensities; females: (−) sig among moderate propensity; (?)NS among low and high propensities
Kruttschmitt et al. (2000)	USA—Minnesota	Sex offenders in MN, mostly male, $n=556$		Marital stability	Desistance: binary measure	(?) NS
Laub et al. (1998)	USA—Boston	Glueck data		Attachment to spouse; ever married age 32	Desistance: binary measure; semi-parametric Poisson mixture model	Good marriages: (−) sig, gradual, cumulative effects
Laub and Sampson (2003)	USA—Boston	Glueck data—500 delinquent men		Ever married and spousal attachment		(−) sig—closer bonds

Maume et al. (2005)	USA	National Youth Survey, Waves 5 and 6, $n=593$	Delinquent peers	Marital attachment	Marijuana use—binary desistance measure	High attachment: (−) sig; low attachment: (?) NS; with peer exposure/delinquent peers exposure—same results
McGloin et al. (2011)	Netherlands	Criminal Career and Life-course Study; Dutch offenders from age 12 to between ages of 37/87		Marriage in specific year and 2 years prior/post year	Desistance measured as offending versatility; random-effect and fixed-effect models	Marriage: (−) sig even when controlling for offending frequency, age, and sources of unobserved heterogeneity
O'Connell (2003)	USA—Delaware	577 incarcerated drug offenders—drug treatment follow-up study, 6 and 18 months out		Married at 6 month follow-up (however many married prior to incarceration)	Desistance measure based on official arrest recidivism and self-reported drug use frequency; structural equation models	Marriage: (?) NS
Piquero, MacDonald and Parker (2002)	USA—California	524 CYA parolees, 7 years post-release		Ever married and common-law marriages	Official arrest data; racial differences	Full sample—Marriage: total arrests (−) sig; nonviolent arrests (−) sig; violent arrests (−) NS; common-law marriages: (+) sig; nonwhites—marriage: (−) sig; whites—marriage: (?) NS; nonviolent arrests: nonwhites—marriage: (−) sig, whites—marriage: (−) sig; common-law marriages—nonwhites: (+) sig, whites: (?) NS

Table 2.1 (continued)

Study	Location of sample	Sample	Unique characteristics	Marriage measure	Special analysis notes	Findings
Porter and Purser (2010)	USA	Census Bureau and UCR data 2000	Community-level data	Percent married in community	Crime rate in community	Higher percent married in community (−) sig associated with a lower crime rate
Sampson and Laub (1993)	USA—Boston	Glueck data—500 delinquent men		Ever married and spousal attachment		Closer bonds: (−) sig
Sampson et al. (2006)	USA—Boston	Glueck data—500 delinquent men		Ever married and spousal attachment	Counterfactual approach and inverse probability-of-treatment weighting	Marriage reduces odds of offending by 35 %; marriage: (−) sig
Theobald and Farrington (2009)	UK—London	Cambridge Study in Delinquent Development; n=162 convicted males	Propensity score matching	Date of marriage—at what point in life (early, mid, late)	Convictions pre/post marriage, comparing using propensity score matching	Marriage: (−) sig only for early and mid-range marriages in terms of age; late marriages: (?) NS
Theobald and Farrington (2011)	UK—London	Cambridge Study in Delinquent Development; n=162 convicted males	Propensity score matching	Date of marriage—at what point in life (early, mid, late)	Explored their 2009 study's findings	Late married men−> nervous, > likely from broken home, drug users, go out with peers

Study	Country	Sample	Controls	Marriage measure	Method	Findings
van Schellen et al. (2012)	Netherlands	Criminal Career and Life-Course Study (n = 4615)		Date of marriage	Used fixed effects Poisson models to estimate effect of marriage and spousal criminality on number of convictions	Marriage: men—(−) sig if married to non-convicted spouse, (?) NS if married to convicted spouse; women—(−) sig regardless of spouse's criminality
Warr (1998)	USA	National Youth Survey; waves 1–6	Delinquent peer relations and time spent with friends	Ever married	Self-reported marijuana use frequency; desistance: change-score analysis	Marriage alone: (−) sig; with peer variables, marriage: (−) NS
Zoutewelle-Terovan et al. (2012)	Netherlands	540 high-risk institutionalized delinquents followed into adulthood	Gender differences	Official marriage/partnership and divorce records	Official convictions	Males—marriage: (−) sig; females—marriage: (?) NS

Key: (+) marriage positively associated with offending; (?) marriage had no impact on offending; (−) marriage negatively associated with offending; *NS* not significant, *sig* statistically significant

Table 2.2 Summary of findings on the effect of marriage on desistance from criminal behavior

	Total number of findings	Percentage of findings				
		− sig	− ns	? ns	+ ns	+ sig
Total	85	67	5.9	21.2	0	5.9
Sample location						
USA	65	66.1	7.7	20	0	6.1
Europe	20	70	0	25	0	5
Sample composition						
Offenders	35	60	2.8	31.4	0	5.7
Non-offenders	50	72	8	14	0	6
Marriage quality						
High	9	77.8	0	22.2	0	0
Low	3	0	0	66.7	0	33.3
None	73	68.5	6.8	19.2	0	5.5
Marriage type						
Legal	7	57.1	14.3	14.3	0	14.3
Common-law	3	0	0	33.3	0	66.7
None	75	70.7	5.3	21.3	0	2.7
Interactions investigated						
Genes	10	80	20	0	0	0
None	75	65.3	4	24	0	6.7
Gender differences						
Male	31	87.1	0	9.7	0	3.2
Female	20	55	10	30	0	5
None	34	55.9	8.8	26.5	0	8.8
Race differences						
White	13	76.9	0	23.1	0	0
Nonwhite	9	66.7	0	11.1	0	22.2
None	63	65.1	7.9	22.2	0	4.8

Key: (+) marriage positively associated with offending; (?) marriage had no impact on offending; (−) marriage negatively associated with offending; *ns* not significant, *sig* statistically significant
Note: In Table 2.2, only findings relating to marriage (and common-law marriages where noted) were included; findings regarding separation/cohabitation were not included

while those that found marriage leads to an increase in offending were given a positive relationship. Those findings are presented in Table 2.2 in order to provide a numerical representation of the marriage effect.

2.2.2 Empirical Status of the Marriage Effect

Looking over Table 2.2, it can be seen that most of the findings support the protective effect of marriage on crime. Specifically, 67 % of the included findings indicate a statistically significant negative relationship between marriage and desistance from crime. The work of Laub and Sampson (1993, 2003) using the Gluecks' data on delinquent boys in Boston showed marriage to significantly predict desistance

from crime. Further, these men describe marriage as driving the changes in their behavior and saving them from a miserable and potentially shorter life. Two specific empirical studies on the marriage effect using the Gluecks' data are worth highlighting in further detail.

First, using methods that allow for the isolation of unique trajectories of behavior, Laub et al. (1998) examined the extent to which marriage as well as the quality of marriage related to subsequent offending across distinct groups of offenders. Not only did the authors find that marriage (and marriage quality) related to crime differently across the trajectory groups, but also observed that marriage acted much like an investment process which led to a preventive effect from crime that is both gradual and cumulative. A second, more recent study by Sampson et al. (2006) reports on the analysis of the life histories of 52 delinquent boys from adolescence to the age of 72. Using a counterfactual analytic approach that helps account for the possible selection effect, they found that the married men had 35 % lower odds of offending compared to their offending odds while single. Importantly, this protective effect was robust and lasted well into late adulthood.

Support for the marriage effect is not restricted to US-based studies as most of the European samples also find evidence in favor of a marriage effect. This is especially important given the possible differences regarding the meaning of marriage cross-culturally. On this point, a study by Bersani et al. (2009) using data from the Netherlands finds that for offenders born between the years of 1907 and 1965, marriage significantly reduced the odds of offending across the sociohistorical context. Overall, the findings summarized in Table 2.2 suggest that marriage inhibits offending cross-culturally.

Sampson and Laub (1993) argued that the quality of marriage serves as the underlying, operative mechanism linking marriage to desistance, and among the studies that accounted for this characteristic, that assertion is generally supported. The studies assessing low-quality marriages found either a contradictory effect of marriage or a nonsignificant relationship between marriage and desistance (Forrest 2007; Maume et al. 2005). Among those studies analyzing marriages characterized by high attachment, most of those studies found a protective effect (Bushway et al. 2001; Forrest 2007; Laub et al. 1998; Laub and Sampson 2003; Maume et al. 2005; Sampson and Laub 1993). Although qualitative interviews such as those used by Giordano et al. (2002) demonstrated that cognitive transformations rather than attachment are the more likely mechanisms underlying the marriage effect, this concept is difficult to measure and has rarely been empirically assessed.

Still, some evidence suggests that marriage may not be as crucial as Sampson and Laub have argued. As discussed previously, Warr (1998) provided evidence that what matters for the marriage effect is the reduction in time spent with delinquent peers and not the marital relationship itself. Further, Barnes et al. (2011) demonstrated the role genetics may play in the marriage-offending relationship. Their study of nationally representative sibling data found that before controlling for shared genetic influences, marriage led to a significant reduction in offending. Upon adding shared genetic influences to the analysis, the marriage effect decreased by 60 % though the relationship remained significant. These results show that the

marriage effect may be partially confounded by genetics. Considering that a close reciprocal relationship might exist between marriage and delinquency, Barnes et al. (2011) showed a weakened effect of marriage upon controlling for the contemporaneous influence of criminal involvement on marriage. Finally, insights by Burt et al. (2010) provide a possible point of convergence in the theoretical debate over whether marriage reflects selection or causation. Using a longitudinal twin design, they found that individuals in their sample who married exhibited less antisocial behavior than their unmarried twin counterparts. At the same time, among those who married there were marked decreases in delinquent behavior followed the timing of their marriage.

2.2.3 Gender Differences in the Marriage Effect

Research on the impact of marriage on desistance from crime has also investigated possible gender differences in the marriage effect. According to Table 2.2, among males, 87.1 % of the findings demonstrate a significant relationship in line with the hypothesis that marriage has a protective effect on offending. However, that same relationship was only found among 55 % of the female-specific studies. Several scholars have developed explanations for this relationship and perhaps the most common is Laub et al.'s (1998) assertion that men tend to marry up while females marry down. Others argue that the spouse needs to provide a prosocial orientation for the offender to follow in order for desistance to occur (Giordano et al. 2002). As discussed above, Simons et al. (2002) showed evidence that the bonds of marriage were significantly related to desistance in females, yet for males the true catalyst came from the change in peer group such marriages provide.

King et al. (2007) controlled for the subject's propensity to marry when assessing the impact of marriage on offending. They found that for males, regardless of their propensity, marriage led to a decrease in their offending. Males who were least likely to marry, however, saw the most protective effects. For females, on the other hand, the results indicated that only those with a moderate propensity to marry had a significant reduction in offending following marriage. Among women with either low or high propensities, there was no significant difference in offending pre- and post-marriage. King et al. proposed that males are more likely to marry someone with a less deviant history than females, accounting for these gender differences.

In a recent study using a sample of convicted offenders from the Netherlands, van Schellen et al. (2012) investigated the impact of the spouses' criminal history on later criminal convictions. Among men, future convictions were reduced by 30 % among those who married someone with no history of convictions. If they married someone with an official record, there were no significant differences in convictions relative to singletons. For women however, upon marriage they were less likely to be convicted regardless of the conviction history of the spouse. The scholars also found that men with more serious criminal histories and those with more stable marriages experienced the strongest reduction in

convictions. It is difficult to isolate the primary reason for these observed differences and further research is needed to understand the moderating influence of gender in the marriage effect.

2.2.4 Marriage vs. Romantic Relationship

Some scholars who have studied the marriage effect have also compared it to the impact of cohabitation with a significant other as well as with common-law marriages. For instance, Piquero et al. (2002) found that common-law marriages either increased arrests or did not have an impact on arrest among a group of California juvenile parolees followed for 7 years post-parole. Meanwhile, marriage was followed by decreases in arrests. Additionally, Horney et al. (1995) reported an increase in offending among those living with a girlfriend, but a decrease among those residing with a wife.

At the same time, not all of these findings have been consistent. Among the men studied in the Cambridge Study in Delinquent Development, both those who lived with their wife or cohabitated with their romantic partner were protected from future offending (Farrington and West 1995). Perhaps the quality of the romantic relationship and the criminal background of the partner play a role in the individual's desistance, or perhaps it is a function of the sample (where Piquero et al. and Horney et al. used offender-based samples while Farrington used a community sample). Nevertheless, as taking the conscious step to get married demonstrates some non-negligible commitment, being married appears to be more protective of future offending than cohabitating with a significant other in most of the reviewed studies.

2.2.5 Issues in Studying the Marriage Effect

In a recent study, Lyngstad and Skardhamar (2013) studied Norwegian men who entered into their first marriage between 1997 and 2001. Using official data, they estimated each male's offending propensity both 5 years prior to and 5 years after marriage. As opposed to marriage leading to desistance, they instead found a courtship effect, indicating that there was a large decrease in offending prior to marriage. This was followed by a small increase immediately following marriage, especially for felony offenses. The authors suggest that among those with the increase in offending, this behavior is due more to "fairly stable, individual-level visceral factors such as proneness to addictions and temperament" (Lyngstad and Skardhamar 2013, p. 6).

This study offers a unique way for scholars to avoid the possible temporal issue problem that may be present in some studies. For instance, the National Longitudinal Study of Adolescent Health (Add Health), a longitudinal study of a

nationally representative sample of adolescents in grades 7–12 throughout the USA and used by several researchers to examine the marriage effect, does not measure the exact date of self-reported offending or marriage. The respondents are asked about their offending behavior 12 months prior to the survey and then if they had ever been married. If a researcher uses one wave of data for both the marriage and offending measures, she cannot know for certain whether the marriage happened before or after the offending (see Craig and Foster 2013). However, the data used by Lyngstad and Skardhamar (2013) permitted them to assess offending both pre- and post-wedding, thereby reducing the temporal order problem. Of course, future studies should utilize such methods in order to investigate the possibility of this courtship effect.

2.3   Conclusions

Identifying the causes and correlates of criminal desistance is an important theoretical and policy question. This chapter focused on one specific "intervention" that has been subject to much criminological attention—the marriage effect. Although not typically considered (much less mandated) as an intervention, marriage has been considered via several theoretical frameworks, including primarily control theory and to a lesser extent social learning theory. Our review of the empirical literature investigating the relationship between marriage and crime in contemporary criminological research indicates an overall protective effect of marriage on subsequent criminal desistance.

To be sure, there are some limitations that hamper the current state of marriage–crime research—all of which suggest important directions for future research. First, because marriage is not a legally mandated intervention, methodological questions remain with respect to how it helps to foster the desistance process, including temporal order and selection effects. And while researchers have been able to develop and/or apply advanced statistical techniques that help to address these issues (see e.g., Barnes et al. 2011; Sampson et al. 2006) skeptics remain as to whether marriage actually caused the change in offending or if something about the person leads to both events occurring (i.e., an individual decides to "settle down" and get married and stop offending) (e.g., Hirschi and Gottfredson 1995). Another limitation concerns the analysis of other potentially important mediating mechanisms, and while some important headway has been made in this regard (Warr 1998; Giordano et al. 2002), there may be several others worthy of consideration and analysis. A third area of future inquiry concerns potentially important moderator effects in terms of race/ethnicity and gender. Unfortunately, many longitudinal studies do not contain sufficient variation across key demographic groups in order to assess these issues. Lastly, much attention has focused on the crime-reducing effects of marriages and especially good-quality marriages, but it seems equally important to assess if disruption of a marriage or removal from a marriage negatively affects any potential informal social control effect and, in turn, leads to a higher likelihood of offending.

From the perspective of some persons (and even some criminological theories—such as General Strain Theory), the removal of a noxious stimuli (perhaps a bad marriage) may actually serve to alleviate a key stressor and, in turn, reduce offending. Toward this end, Bersani and Doherty (2013) recently found that those with shorter marriages were less likely to be arrested following a divorce compared to when they were married. Those who had been married for two years or more actually demonstrated an increase in arrests following divorce. These and other questions remain worthy of theoretical inquiry and empirical scrutiny.

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Part II
Human Agency

Chapter 3
Gender, Crime, and Desistance: Toward a Theory of Cognitive Transformation

Peggy C. Giordano

Abstract We analyze quantitative and qualitative data derived from the first contemporary long-term follow-up of a sample of serious adolescent female offenders and a sample of similarly situated males. Our objective was to determine whether factors associated with women's desistance from crime were similar to those emphasized in prior work on male offenders. Regression analyses revealed that such factors as marital attachment and job stability were not systematically related to either male or female desistance (defined by self-reports of criminal activity or the absence of recent arrests). We outlined a symbolic interactionist perspective on desistance as a counterpoint to Sampson and Laub's (*Crime in the making: Pathways and turning points through life*. Cambridge, MA: Harvard University Press, 1993) theory of informal social control and used data from life history narratives to illustrate elements of this perspective. This provisional theory of "cognitive transformation" is compatible in most respects with a control approach, but (a) adds specificity regarding mechanisms underlying change, (b) explains some of control theory's negative cases, and (c) seems to have a particularly good fit with the life course challenges facing contemporary serious female (and more provisionally) male offenders.

In a series of recent analyses, Sampson and Laub highlighted the importance of marital attachment and job stability as key factors associated with desistance from crime (Sampson and Laub 1993). While the delinquents they studied were more likely than others to continue to offend as adults, there was considerable variability in the success of their adult transitions and in the timing of movement away from a criminal lifestyle. Sampson and Laub develop a social control explanation that emphasized the gradual buildup of investments that tend to accrue in the presence

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of strong bonds of attachment ("the good marriage effect") and steady employment. This focus on variability and on the impact of adult social bonds also adds to the broader intellectual tradition that emphasizes the ways in which socialization and development continue across the full range of the individual life course.

A potential limitation of this important body of work is that the sample on which the analyses were based was composed entirely of white male offenders who matured into adulthood during the 1950s. Thus it is not clear whether the findings described (or the theory that derives from them) effectively capture the experiences of female or minority delinquents or, more generally, offenders coming of age within the context of a more contemporary social and economic landscape. We contribute to the literature on desistance processes by presenting results of the first detailed long-term follow-up of a cohort of serious female offenders and a comparable sample of males. We rely on quantitative data to determine whether factors such as marital attachment and/or job stability are associated with female as well as male desistance from criminal activity and also analyze in-depth interview material that provides a window on mechanisms through which individuals make significant life changes. The latter interviews in particular were useful in developing a theory centering on the cognitive shifts that frequently occur as an integral part of the desistance process. We contrast this "theory of cognitive transformation" with the social control framework Sampson and Laub and other scholars have emphasized. Social control theory emphasizes the ways in which a close marital bond or stable job gradually exerts a constraining influence on behavior as—over a period of time—actors build up higher levels of commitment (capital) through the traditional institutions of family and work.

This perspective is important but not comprehensive, as it tends to bracket off the "up-front" work accomplished by actors themselves—as they make initial moves toward, help to craft, and work to sustain a different way of life. We emphasize the individual's own role in creatively appropriating elements in the environment (we will refer to these elements as "hooks for change"), including but not limited to such positive influences as a spouse. We argue further that these will tend to serve well as catalysts for lasting change when they energize fundamental shifts in identity and changes in the meaning and desirability of deviant/criminal behavior itself. The latter idea contrasts with a basic assumption of control theory, namely that an individual's motivation to deviate does not fundamentally change, but rather it is the degree of external and internal control that varies considerably.

The focus on cognitions is potentially useful as (1) it suggests the need to focus directly on the important period when actors make initial attempts to veer off a deviant pathway (when, almost by definition, various forms of social capital have not had much chance to accumulate); (2) it accommodates the observation that quite a few individuals exposed to prosocial experiences like those associated with marriage or job opportunities fail to take advantage of them (they persist in offending anyway); and (3) the focus on cognitive changes rather than a small set of predictors provides a measure of conceptual flexibility. That is, it allows for the situation in which individuals manage to put together changes in life direction even in the absence of traditional frameworks of support/resources like those a spouse or good job provide.

We developed our ideas about the importance of cognitive processes and the role of "agentic moves" primarily through our analyses of one set of contemporary quantitative and qualitative data and were particularly focused on women's efforts to change. Perhaps for individuals, samples, or eras characterized by greater advantage, the kinds of cognitive processes we will emphasize may not have been necessary (when things really do just tend to fall into place). In contrast, our respondents' frequent descriptions of efforts to, in effect, pull themselves up by their own "cognitive bootstraps" likely connect to the reality that society has provided them with little in the way of raw materials (i.e., social and economic advantages).

3.1 Background

In a series of analyses that rely on data originally collected by Glueck and Glueck (1968), Sampson and Laub (1993) documented that factors such as job stability and strong bonds of attachment to a partner were important to understanding variations in desistance from crime. These authors emphasized that living with a spouse in particular may give one "more to lose," which may in turn serve to recalculate the costs and benefits of criminal behavior. They argue further that living with a spouse may exert a significant influence on the nature of daily activities, suggesting that these new routines may also work to limit involvement.

Sampson and Laub's and other more recent studies coalesce around the idea that marriage matters, at least for male offenders. However, no comparable follow-ups examine the influence of marriage, employment, or other factors on young women's levels of involvement in criminal activity. One reason little known about female offender behavior over time is that traditional longitudinal studies do not include sufficiently large numbers of seriously delinquent girls to provide for a comprehensive analysis. This makes it difficult to study the persistence or desistance of criminal careers that have never really "taken off" to begin with. Random sampling strategies almost necessarily place emphasis on the degree to which females either conform or engage in different "styles of pathology," where distress is more likely internalized as depression. But a small number of girls in every area do engage in delinquent, aggressive, or antisocial behavior and become engaged in the juvenile and adult correctional systems. Indeed, recent Bureau of Justice statistics indicate that the number of females incarcerated in state and federal prison facilities has grown at almost double the rate of males. Yet we know remarkably little about the long-term prospects of such young women.

More research has been conducted on initial causes of female delinquency. In this literature, contradictory themes have emerged. Some researchers emphasize that even when girls engage in delinquent behaviors, their involvement is likely to be of a less serious nature, and different causes need to be identified (Leonard 1982). This idea of distinct causes and patterns is exemplified by research that focuses on linkages between women's experiences of early victimization and their patterns of offending (Chesney-Lind and Shelden 1998). Although this literature does not

address desistance processes specifically, the notion that there may be gendered pathways into crime leads to the hypothesis that there could be gendered pathways out of crime as well. The more general literature on gender socialization emphasizes that girls and women have often developed closer relationships to family and the domestic sphere, a greater tendency to derive status from marital partners, and less power/success in occupational arenas. Thus we might expect that (1) marital attachment may be even more critical as an influence on desistance for women than for men, (2) childbearing may represent a more life changing transition for female than for male offenders, and (3) employment experiences will tend to be less important for women than for men.

Yet another tradition within criminology demonstrates that some social processes linked with male delinquency are helpful in understanding young women's involvement. Economic disadvantage, family problems, school failure, and association with delinquent peers have all been significantly related to female as well as male delinquency (see, e.g., Giordano and Cernkovich 1997 for a review). This line of research on initial causes suggests that we may expect to find some similarities in women and men's pathways out of criminal behavior as well.

To summarize, research on the life course and criminal careers of female offenders is limited, and the theoretical underpinnings of the gender and crime literature are contradictory in several key respects. Our analyses will thus address three basic questions: (1) are factors such as strong bonds of marital attachment and job stability predictive of variation in transitions away from criminal involvement for women as well as for men; (2) what additional factors, not identified in previous research on male offenders, might help explain female patterns of continuity or desistance; and (3) what are the <u>mechanisms</u> through which the various factors such as marital attachment become associated with favorable adult outcomes? In the process of investigating these questions, we have developed a provisional theory of desistance, the basic elements of which are summarized below.

3.2   Toward a Theory of Cognitive Transformation

Chronic offenders who eventually desist from criminal involvement have by definition moved away from the familiar world their past behaviors represent. At a minimum, it is reasonable to assume that such individuals will have a heightened awareness of having done so. However, we posit an even more essential link between cognitive and behavioral changes, in our suggestion that "cognitive shifts" are fundamental to the change process. The social psychologist George Herbert Mead (1964) highlighted the unique capacity of humans to think, react to, and shape their environments. The offender's environment (e.g., living with a spouse) can be considered a kind of scaffolding that makes possible the construction of significant life changes. Nonetheless, individuals themselves must attend to these new possibilities, discard old habits, and begin the process of crafting a different way of life. Thus, at a basic

level, one must resonate with, move toward, or select the various catalysts for change. We will refer to these catalysts as "hooks for change" to emphasize the individual's own role in reaching out to or "hooking on" to them.

3.3   Types of Cognitive Transformations

We distinguish four types of related cognitive transformations. The first is a shift in the actor's basic *openness to change*. The idea of readiness for change has been discussed extensively in various treatment literatures, especially those dealing with addictions. Here we will simply note that this notion of a general receptivity needs to be distinguished from *openness to a particular hook or set of hooks* for change. Thus, increased recognition of the desirability of giving up one's criminal lifestyle is conceptually distinct from an increased openness to the prospect of marriage. A fundamental premise is that both exposure to a hook and one's attitude toward it are important elements of successful change. In addition to externally provided exposure (e.g., the individual is offered a job), then, what changes may involve either the hook's perceived availability and/or its meaning, salience, or importance for the individual. The latter type of shift is not, however, only the result of individualistic mental processes. Instead, the hook for change can play an important role in fostering these very transformations. Eventually, as we discuss in more detail below, successful hooks for change will need to influence the actor to make a particular sort of cognitive connection. The individual must not only regard the new environmental situation as a positive development (e.g., experience high attachment to a spouse), but must also define the new state of affairs as fundamentally incompatible with continued criminal behavior.

An especially important feature of human consciousness explored by Mead (1964) is the ability to focus attention on oneself. Thus, a third type of cognitive transformation occurs when individuals are able to envision and begin to fashion an appealing and conventional "replacement self" that can supplant the marginal one that must be left behind. This *new identity* can obviously facilitate the connecting tasks outlined above (to the degree that it becomes inappropriate for "someone like me" to do "something like that"), but can be considered a broader, more all-encompassing personal development. If, as Mead suggested, cognitions serve as an organizing process, then identity provides a higher level of organization and coherence to one's cognitions. This involves more than a mental tidying up, because the new or refashioned identity can act as a cognitive filter for decision-making. This filtering process is particularly critical as one moves into the future and inevitably encounters novel situations.

Unlike those who have built up a relatively successful life course, chronic offenders can ill afford to draw on prior experiences and habits as they attempt to forge ahead. Hooks for change can provide an important opening in the direction of a new identity and concrete reinforcement during all phases of the transformation process.

In some instances, the presence of the environmental stimulus is integral to the development of the replacement self (e.g., one's identity as a traditional wife requires a husband—ideally a correspondingly respectable one). A key point here is that the identity transformation potential presented by the various hooks for change needs to be distinguished conceptually from its qualities of control. While in practice these processes often coalesce, in the long run a solid replacement self may prove the stronger ally of sustained behavior change (e.g., as the actor encounters new situations outside of the spouse's purview, may eventually divorce a focal spouse, or experiences the loss of a particular job).

The fourth type of cognitive change (the capstone) involves a transformation in the way the actor views the deviant behavior/deviant lifestyle itself. We assume that criminal/antisocial behaviors, like conforming actions, are imbued with meaning and significance (e.g., "aggression works" (Cairns 1979), stealing offers "sneaky thrills" (Katz 1988), and drugs and alcohol can be even more relentlessly seductive). Thus, the desistance process can be seen as relatively complete when the individual no longer sees these same behaviors as positive, viable, or even personally relevant. As stated earlier, this differs from a control position, where motivation to deviate is viewed as a relative constant, while it is the degree of control that is conceptualized as varying significantly.

Our fundamental premise is that the various cognitive transformations not only relate to one another (an ideal typical sequence: an overall "readiness" influences receptivity to one or more hooks for change, hooks influence the shift in identity, and identity changes gradually decrease the desirability and salience of the deviant behavior), but they also inspire and direct behavior. Actions that flow from these cognitive shifts and that cannot be explained solely with reference to actions of the change agent (e.g., where the spouse forces the actor to discard bad companions), we consider agentic moves. Both cognitive shifts and the agentic moves that connect to them will be associated with sustained behavioral change.

3.4 Data and Methods

3.4.1 Sample

In 1982 we conducted 127 interviews with the entire population of the only state-level institution for delinquent girls in Ohio; a comparable sample was drawn from the populations of three institutions for males ($n = 127$). This work was originally an adjunct to a larger neighborhood study of Toledo youth ($n = 942$) we completed the same year. In 1995 we attempted to locate and interview all of the respondents who had participated in the adolescent interviews. Although locating respondents was a lengthy process, we were eventually able to locate and interview about 85 % of the original sample. The final sample of those reinterviewed was 48 % white (109 females, 101 males) and 37 % nonwhite.

3.4.2   Quantitative Analyses

We relied on a self-reported crime scale to measure variations in the respondents' recent (past 2 years) levels of involvement in criminal activity. We also assessed adult lifestyle characteristics emphasized by control theories of desistance, including job stability, attachment to spouse, and attachment to child(ren). The statistical analyses controlled for effects of parents' socioeconomic status, family size, attachment to parents, level of supervision, and experience of childhood sexual or physical abuse. We also incorporate adolescent behavior indices, including wave one self-reported delinquency, school commitment, and school achievement (as measured by grades).

3.4.3   Eliciting and Analyzing the Qualitative Data

In addition to the structured data collection effort, we elicited open-ended life history narratives from 97 women and 83 men in the sample. The narratives consist of tape recorded interviews conducted immediately following the completed structured protocol at wave two. These and accompanying interviewer observations were subsequently transcribed verbatim. Although necessarily varying in wider content, all were asked direct questions about the extent of their current involvement in criminal behavior and factors associated with criminal continuity and change. Many of these interviews exceeded 100 pages and were particularly useful in developing our perspective on the importance of cognitive transformations.

3.5   Findings: Quantitative Data

Results of regression analyses indicate that neither job stability nor the two measures of attachment (to spouse, to children) are significantly related to adult self-reports of criminality. Additional statistical tests indicate that the effects of the social control variables (attachment to spouse, job stability) were similarly limited for female as well as male respondents. Overall, then, we conclude that strong bonds of attachment to a spouse/partner and job stability are not strong predictors of desistance within the context of this contemporary sample of serious adolescent female and male offenders.

How do we explain this pattern of results? As mentioned above, Sampson and Laub argued that it is not marriage or a job per se but the quality of these experiences that is associated with desistance from crime. However, 66 % of the men in the Gluecks' (1968) sample were in fact married by the age 31 follow-up period as contrasted with only 27 % of the women and 24 % of the men in the present sample. Cohort changes in the likelihood and stability of marriage and increased prevalence

of cohabitation are thus likely an important subtext of our initial findings. And as researchers have pointed out, these demographic and social trends disproportionately influence lower status and minority individuals. Changes have also occurred in the nature and availability of jobs for those with low levels of education and few technical skills (Wilson 1996). A majority of respondents in our sample resided in households with total incomes below the 1995 poverty line, and most of those employed earn "under the table" wages. The solid manufacturing jobs that may have been associated with desistance for the men comprising the Gluecks' sample are infrequently available to this cohort.

It is also important to consider that the bonding and social control potential of marriage and a stable job are likely maximized when these occur together as a relatively complete "respectability package." While it appears that a large percentage of the Gluecks' respondents were both married and held a full time job, supplemental statistical analyses show that a majority of our respondents do not have access to such a "complete package." Only 17 % of the total sample are both married and employed full time, and some types of respondents are less likely than others to have access to this traditional package. For example, while a majority of the white male respondents do not have the total package, they are significantly more likely as a group to be in this category than are their African–American male or female counterparts. Conversely, African–American women are significantly more likely than those comprising other race/gender subgroups to have no elements of the package. Supplemental analyses show that access to the total "respectability package" was, however, related to lower self-reported criminal involvement, consistent with the basic tenets of Sampson and Laub's theory.

3.6 Findings: Qualitative Data

Because marriage and job stability were in short supply across the sample as a whole, our view is that a control theory fashioned around these predictors is not comprehensive as an explanatory framework for understanding variability in offending evident within this contemporary sample of serious offenders. The less structured, in-depth interviews we conducted with these respondents provide a more complete picture of respondents' lives, as well as their efforts to change direction. Below we explore in more detail specific types of cognitive transformations that are related to successful desistance: openness to change, receptivity to specific "hooks," shifts in identity, and changes in the perceived desirability of criminal behavior.

3.6.1 Openness to Change

All of the women and men in our study experienced a highly problematic adolescence, and respondents' later lives are often characterized by an array of legal and

other problems as they have matured into adulthood. Undoubtedly then, these offenders have received many messages from formal and informal sources about the need to settle down and become responsible citizens. However, the respondents' narratives nevertheless vary considerably in this basic element of openness to change. The respondent quoted below, for example, is distinguished by her complete inability to perceive an "opening" that would allow her to shift direction:

> *I do that* [prostitution]*…you know. I mean, once you do it, it's just so easy. It's all I know…and to really change I would have to change my whole lifestyle, my friends, everything I know.*

Similarly, Tony, quoted below, simply cannot imagine (as the interviewer put it) "doing the straight life thing." This respondent, currently in prison, remains closed to the idea of changing, even though he had been married to a woman who was herself making strongly prosocial moves (*she was like move with me…move on with me…grow with me…or we're gonna have to be apart*):

> *I know that once I get out there that I probably most likely will be doing the same thing, you know. I got the same guys coming to pick me up from prison as I did the last three times. Them' s my people. It ain't like I wouldn't want to be them. I just like to not get caught* [laughs]. *I like the lifestyle, but I just, I just don't like this part of it. A lot of people can't admit it to theirself…but yeah I know I'll never change. I'll be back, I know. I don't have no skills or nothing. I'm gonna go back out there and sell dope again.*

Other respondents adapt the basic outline of a change theme, but their stories lack depth and definition. For example, the respondent below expresses a general desire to live a different kind of life, but the behavioral changes that need to accompany this increased awareness are projected onto an unspecified future time:

> *I got to start being responsible for myself, because I want to…and I know this is the right way. This is the way I want to be. You don't want to shoot dope no more…you don't want someone to touch you just so you can make money. You don't want to go through life like this, you don't want your kids to be brought up in…being exposed to the stuff that you didn't like.*

Other respondents move more enthusiastically into a change story, but their use of the present tense suggests that the journey is very much in process or incomplete (e.g., *I've got a little wildness in me yet, but hopefully its about gone*; or *When I'm straight my kids are not afraid to speak to me, not as afraid to bring their friends around*). A simple feature that distinguishes the talk of incomplete and complete desisters, then, is the generally flawless use of the past tense in stories produced by the latter. For example, respondents will refer to their deviant behavior as a past (e.g., *he don't trust me because of my past* or *she is constantly throwing the past up in my face*). Consistent with our emphasis on identity shifts, respondents who had desisted also frequently put a great deal of distance between their old, discarded selves and those they currently claim (*I was a wild child*, *I was on a tear*, *I can't believe I used to do that; I was fast-HOT!; I thought I was a little bad ass*).

We posited that an initial openness to change appears to be a minimal starting point in the move toward a more conforming way of life. It is quite possible that this type of up-front cognitive shift (an increased readiness to change) is more important to consider than it may have been in earlier eras because the respondents we studied are both (a) more fully enmeshed in deviant lifestyles (i.e., the drug culture)

and (b) farther removed from social arenas that constitute a respectable alternative. In addition, society has provided these offenders with less in the way of a template for change either by virtue of tradition (e.g., the shotgun wedding) or opportunity (availability of good jobs with benefits). Thus, the individuals who comprise our sample have more to pull up and away from even as they have been provided with less societal direction about how they are to get there. Given these realities, it seems unlikely that many respondents will begin the desistance process without a heightened awareness of what it is that they are undertaking and absent a strong desire to begin such a conversion effort.

However, our examination of the range of desistance stories also leads us to conclude that long-lasting changes will frequently need to be built upon processes that are more tangible than desire and good intentions. Thus, a sociological theory of desistance will necessarily include attention to environmental influences (our notion of hooks for change). In addition to a general receptivity to change, then, chances for successful behavior change will be greatly enhanced when the individual also engages with other experiences that have good conventionalizing potential. A theory of informal control also focuses on such catalysts, but here we argue that cognitive shifts are integral to the transformation process.

3.6.2 Hooks for Change

Consistent with the quantitative findings and our discussion to this point, respondents in this sample, whether male or female, were very unlikely to build a story of change around the development of a rewarding career, and only a few focused heavily on stable employment. Two hooks that were more prominent link to experiences with formal organizational settings (prison or treatment and religion) and two relate to intimate networks (children and marital/romantic partner). We included attention to the family in our quantitative analyses, where we determined that levels of attachment (to children and partner) were not significantly related to desistance. Thus the narratives are useful, not only as they point up different hooks for change such as religion, but because they allow us to examine familiar variables like children and marriage using a different lens. This adds to our understanding of mechanisms of change, helps to explain some of control theory's negative cases (e.g., individuals with high attachment to a spouse who nevertheless persist in offending), and brings to light gender differences that were not apparent in our analysis of the quantitative data.

3.6.2.1 Prison/Treatment

In the aggregate, prison and even most treatment strategies do not fare well as catalysts for lasting change. Nevertheless, a subset of the respondents (about 13 % of the women and 27 % of the men) did focus heavily on the effect of either prison or a

treatment setting. The story we quote from below describes a rather dramatic cognitive transformation linked to a prison experience:

Um hm…I can remember in particular being in my room one night [in the juvenile institution] *and um, looking out…there were people coming from the public to see a play that they were having at the theater, and ah…and there were some young children and they looked up in the window and they said ah, are there really criminals in there? And it just…it just kind of hit me. That's what I needed to hear. I wasn't, I wasn't a criminal. I was making myself look bad by doing all of these things because I couldn't control what was going on in my life. And I realized that I had to take that control…I had to do it.*

This statement nicely summarizes the basic concept of a cognitive transformation. In this case, the respondent ties her change in direction to the prison experience, but has focused heavily on her own shift in attitude, rather than actions of prison staff or a particular type of treatment program. In addition, she emphasized her own actions or agentic moves (*I had to take that control*), as providing a way out of her problem circumstances. More commonly, stories that feature jail or prison depict a kind of wearing down process or battle fatigue associated with the accumulation of such experiences. While less dramatic, these stories also document a cognitive shift:

I got tired of being in, sitting around a whole bunch of mother fuckas hollarin' about they problems. I had my own and I wasn't sitting hollerin' about mine. I did it and may as well go on and take the consequences and not holler about it and go on and I just said this is enough. I'm tired. I'm tired…I just want a peaceful life.

Unfortunately, such shifts are inherently somewhat limited in their transformative potential. While we have emphasized the actor's role in selecting, moving toward, or at least resonating with the hook for change in regard to prison it is the criminal justice system that does all of the selecting. In addition, such cognitions are eventually grounded in the past (memories of previous jail time) and do little to direct or sustain any kind of forward motion. In contrast, a variety of treatment strategies (e.g., self-help groups) fare better in these respects. Note the very active role this respondent describes in relation to the treatment she received:

I prayed. I went to church. I went to a drug treatment program. I got a social worker. I got a counselor…and I ran and got me some help. I ran and asked people to help me cause I wanted my life together. I wanted to be well. I have a lot of people in my lives that help me. I continue to get help everyday to keep me…on the right feet.

In addition, treatment programs provide the actor with a well-developed linguistic and cognitive guide to the change process. That is, they offer the actor a great deal of specific detail about how one is to proceed as a changed individual. We refer to this as a kind of cognitive blueprint:

Narcotics Anonymous has taught me if I want to not use drugs, then I have to change my behavior. I have a lot of time to think…my decisions on life out…find out what I like and what I don't like. I have a counselor I talk to if I need to talk to anybody. I'm closer to my family and friends now than ever, and I do nothing spontaneous. I think about everything that I do.

The tone and content of this contemplative answer contrast sharply with the descriptions of prior, discarded selves (*wild, fast, hot*) quoted earlier. Indeed, the

interviewer notes include the observation that this respondent seemed almost "programmed" in her responses. This programming includes specific details about how to think (e.g., *I do nothing spontaneous*) and what to think as well (e.g., learn from the past and move on). Treatment also provides for more in the way of a replacement self that may be seen as superior to or at least more socially acceptable than the identities previously held (e.g., recovering addict vs. "crack whore" or "ex-con"). Often, access to new peer associations is an integral part of the identity transformation process:

> *Way I was goin', I was just goin' down hill real fast. Rehab, that was the best thing that happened to me. Because I got off drugs and started meetin' people that didn't use drugs. See where I come from, and the community we stayed in, I didn't know people stopped, just stopped usin' drugs and alcohol. I didn't know that. I thought they either bad or went to jail. And uh, I met a whole new different set of friends, you know…Different people from different backgrounds…*

Many of our more successful respondents could be described as "going off the deep end" as they pushed wholeheartedly in a new direction. The narratives are especially useful in that they help to convey differences in the depth of this new commitment. Due to their extremely marginal positions at the outset, such respondents may not believe (perhaps correctly) that a half-hearted approach to X or Y will be sufficient as a bridge to lasting change. This notion of a wholehearted, up-front commitment is especially apparent when we consider religion as a hook for change.

3.6.2.2   Religion

A large number of respondents within the sample make at least some reference to God, and women were somewhat more likely to consider religious experiences important catalysts for changes they have made (13 % of the women as contrasted with 7 % of the men). However, some narratives were almost completely dominated by such references. Consistent with our perspective, these experiences linked to cognitive as well as associated behavioral changes:

> *Ah the Lord. I love the Lord and I want to do what is right in His sight. I realized that God loved me, not the world. I felt like the world, people in the law, tried to throw me away…in jail…didn't want to try and see what the problem is. I knew the Lord loved me so I finally turned my heart back to the Lord. And He changed my heart and my life…My whole sense of direction was changed from self-centered…to looking to the Lord and trusting the Lord. I don't go to the bars or anything like that. I look at people differently.*
>
> *I'm a thousand percent happier…because of Jesus. ..I see the future just fine. I mean, it's just like day at a time with Him, you know, wherever He takes me, that's where I'll go.*

The religious conversion may also provide an introduction to new companions who provide concrete advice and reinforcement for sustaining the new way of life:

> *They showed me the type of person that the Lord is. He's with you through thick and thin. Their friendships have really helped me understand how the Lord walks with me side by side* even when I don't feel it. [emphasis added]

The narratives show that even though these new friends can be positive influences, individuals themselves play a role in staying away from "bad companions," while developing friendship networks that are more in line with the new lifestyle:

> *I don't think that they* [friends listed at the adolescent interview]…*to be honest, I don't think that really they know…Jesus, like I do, and they're lost, kind of. I'd say that Donna and I are still both headed in the same direction. We want to love, love the Lord. We want to please the Lord. But Lorrain, her heart isn't set on the things of the Lord right now* [laughs].

3.6.2.3   Children

In a recent study, Graham and Bowling (1996) found that for women in their British sample, desistance often occurred abruptly and was tied directly to childbearing as a key transition event. We do not find this same inevitability with regard to child effects, even though children do figure heavily in respondents' change stories. This suggests that cognitive processes and not simply the presence or absence of children are fundamental elements of successful change. Illustrating this idea, we documented many child endangerment charges in our searches of police files and found that approximately 60 % of the respondents located at the adult follow-up had never had or lost custody of one or more of their biological children. Women in the sample expressed much love for their children, and women's stories were, in fact, more likely than those of men to focus prominently on children as a hook for change. But we observed considerable variability, even from the respondent's viewpoint, in the perceived influence of children on their own behavior. One group appeared to embrace wholeheartedly the good parent role but managed to disassociate this from their drug use or criminal activity:

> *All my kids are on the honor rolls. My children have been through counseling…Family Focus. My kids will complete school. My kids will not be like I was. I am real strict. I might be a drug addict, and I may not get up but even if I'm not up, they will get up for school, dress proper for school, don't disrespect any teachers or anything like that. My children don't do that. My girls don't even leave the back yard unless I take them.*

Another set of respondents, however, clearly made the connection between the birth or maturation of their children and their own lifestyle changes:

> *Having a baby, that changed a whole lot of me. I knew I had a responsibility and I mean if I did this wrong they would come and take him. I couldn't imagine getting in trouble. I mean even spending the night in jail and having him know about it. Him growing up and saying, oh my mom has been in jail. You know my mom drinks, she's been in jail and this and that… I think that if I wouldn't have had him, I probably would have gotten in trouble. Honestly, that really settled me down.*

Formal and informal network members may attempt to shame an actor into conforming, but the success of their efforts directly relates to the individual's own receptivity to the shaming attempt. Thus while shaming has been associated with social control and labeling perspectives, the shaming process contains a strong cognitive element as well. The mother quoted above indicates that she cannot imagine

getting in trouble; yet, it seems crucial that she not only can, but has imagined it, including how the child might have to deal with a mother's negative turn, what he might say to his friends, and the like.

The ability to imagine a negative sequence of hypothetical consequences that might flow from one's deviant behavior can have a deterrent effect. However, prospects for successful transitions are likely to be enhanced when the individual also focuses on positive attributes of the parenthood (or any other) role. It is thus of interest that many of the comments these respondents made about their children are dominated by negative themes. Many women and men framed the importance of being a good parent largely as a kind of disaster avoidance strategy, rather than as a rewarding experience. Frequently, respondents recognize the potential for their children to experience the kind of negative family climates that almost universally characterized their own upbringing. Particularly as their children matured, they became more aware of the potential for the intergenerational transmission of negative outcomes:

> *That's why I've went all this time and not worked. I just didn't want nobody else to have them. They're too little and can't tell for their self and once the damage is done it's done and you can't…you can always say you're sorry but you can't fix it.*
>
> *I don't want them to have a father that's not working, that's on drugs, that's a bum… can't do anything for them. I know how living through that, I know how that makes me feel about my father. I didn't want to do that to my kids.*

Although these respondents appear aware of the need to act differently from their own parents, those who cite positive themes about parenting appear better positioned to sustain their version of the good parent role. The stories of respondents who have a longer track record as desisters reflect a deep level of commitment to the everyday challenges and rewards of the parenting role. In the narrative excerpt below, for example, this respondent references daily concerns and actions to back up her claim that motherhood is central to her identity:

> *My oldest boy…goes to kindergarten now, and he's doing very well…he stopping counting at fifteen, he needs to do better than that cause he can do better. I quiz my son. I make tapes for them to listen to in the car....you've got to be very creative.*

Consistent with our discussion of treatment and religion, engaging fully with children as a hook for change may be associated with changing network ties as well. This, in turn, would provide reinforcement for women's identity transformations and associated behavior changes:

> *My kids are so much the center of my life that I tend not to have a lot in common with the people who don't have kids…and if that person is not as involved in their kids as I am in mine, then it's like, my entire life is, you know, makin' sure that meals are on time….Those are the mothers I build the friendships with,* the other involved mothers. [emphasis added]

Having children can be a source of new directions, but at least in the early years, they cannot be considered a direct form of social control. Thus, childbearing creates possibilities for a reorientation of the self, but it is a self that must be actively embraced. Changes respondents attribute to their children and movement into parenthood, then, afford particularly useful examples of the role of cognitive

transformations. Narratives also reveal variability in how such changes unfolded. For example, some indicate that this happened with the birth of their first child or as their children became increasingly aware with advancing age, while others named a specific later child they associated with a transformation. Thus, we can see that exposure to a new condition (in this case the presence of children), or even a high level of attachment to one's children, does not on its own constitute a powerful impetus for desistance without some accompanying cognitive changes.

3.6.2.4 The Marital Relationship

Logically, marital partners could prove very powerful catalysts for changes in life direction, as the spouse has numerous opportunities for immediate, recurring influence. While our quantitative findings did not show strong effects of marital attachment, for a subset of respondents marriage was a central focus of their progressive story (24 % of the women and 26 % of the men). However, also contained within the sample are many other themes that do not square with the idea of a good marriage effect and apparent gender differences that prove a further complication. In this section we first focus on stories that seem generally consistent with a social control perspective, but attempt to show how cognitive transformations can be seen as an integral part of the change process. Next we consider stories that represent negative cases, including (a) respondents who report high marital attachment but who have not desisted from criminal activity, (b) those who report low-quality marriages but nevertheless associate them with movement away from criminal behavior, and finally (c) those for whom the absence of romantic ties is associated with positive life changes. We suggest that these conceptual categories may be of particular significance because of our focus on female offenders.

The first example that supports the idea of a good marriage effect reads like a Cinderella story, in that the male partner is seen as instrumental in directing the respondent away from a very negative environment:

> *He said that he felt that when he first met me and he seen me, I didn't belong where I was at… You don't belong [with the winos and other heroin addicts]. It made a big difference, 'cause I started, I started realizing that what I was missing and everything that, the good life, I was missing out on the good life and I knew what I was doing was bad, and I was hanging around bad people and I was doing bad things and all. Donald was always positive. Everything he does is positive. Everything! I mean his peers, everything, the people he hung around with was like, firefighters, paramedics, them, them type of people. I mean people that got the family, the family type people.*

This respondent identifies her partner as the primary catalyst for changes that she made, and her success in leaving behind a 13-year heroin habit offers concrete evidence of his positive impact. However, a key aspect of this transformation may have been the change in self-concept that the relationship fostered (*he said I didn't belong where I was at*). In addition, while Donald provided an entrée into a world characterized by prosocial connections (*firefighters, the family type people*), it is a world the respondent definitely wanted to pursue.

Thus, even while women describe how their marriages have been influential in the social bonding and investment sense, the narratives provide a window on the initial movement into this "conventionalizing" relationship form. Laub and Sampson (1993) indicate that a certain amount of luck may be involved (e.g., in suggesting that marriage can be a chance event) or in pointing out that "good" things sometimes happen to "bad actors." The narratives we examined, however, reveal how the actor's own orientations and actions are also important to an understanding of the mechanisms that eventuate in such positive effects.

Another good illustration is provided by the case of Dan, who estimated that he had dozens of sexual partners, while never staying with any of the women longer than 3 months. After his most recent prison sentence, Dan stated that he was tired of the type of life he had been leading. Eventually he began cohabiting with Wendy, a very respectable woman who was adamant about living a clean life. However, it is difficult to consider Dan's movement into such a relationship a matter of chance or luck, since Wendy had been part of his social network for many years (since he was about 16). When asked why he had initiated the relationship, he emphasized the difference between Wendy and the other types of women he had dated: *She was honest…I don't know…she was just straight honest. There wasn't fifty dudes trying to hook up with her. I just figured that we could make the best of it*.

These examples illustrate the role of actors in initiating or at least actively supporting relationships likely to foster positive changes. However, this active participation in the process relates directly to a second important consideration, namely the partner's normative orientation. In addition to the level of bonding emphasized by control theorists, it is likely that the success of desistance efforts will be greatly enhanced when the partner represents some level of *contrast* to the respondent's previous orientation and lifestyle. In viewing such a partner as desirable and actively forging a relationship with this type of individual, the respondent has in effect demonstrated at least a modest cognitive shift ("I am the type of person who wants to associate with this respectable man/woman"). In addition, the contrasting partner provides a clear blueprint for conforming actions that facilitates the respondent's ability to affect successful, lasting change. Thus it is important that the respondent is both tired of being dishonest and now connected to someone who demonstrates what it means to be honest on a daily basis. Interviews with successful desisters often contained the element of compare and contrast:

Cause I'd hate to get into any trouble and, you know, he's a very straight and narrow type guy He's a big guy…really big arms and he's a workaholic…he's a real calm guy. I'm the violent one and he's really calm. He can take a lot.

   I don't get into trouble any more (laughs). *He is very…he is the total opposite of me. And he's very quiet and calm and doesn't make really rash decisions. So, some of that's worn off on me* (laughs).

   We don't go to bars and stuff. He don't like bars. I used to love bars and I hate them now. They ain't nothing but trouble and fights and diseases and, I mean, he made me realize a lot of stuff.

These respondents consider it quite important that the partner's behavioral repertoire is explicitly prosocial), conventional (*he's a workaholic*), and instructive in

regard to different ways of handling life's difficulties (*he's a real calm guy*; *doesn't make really rash decisions*). A comment such as *we don't go to bars and stuff* is consistent with the idea of the partner as a source of informal social control. But through continued interaction and communication, these partners can also have a key role in redefinition processes. Certain prosocial modes of behavior come to be seen as more attractive (*some of that has rubbed off on me*), while the deviant behavior loses some of its former luster (*I used to love bars now I hate them).*

Although examples of positive contrast can be found within the narratives of both women and men, it is quite possible that our focus on female offenders provides us with a particularly heightened sense of the importance of this variable. Given the known gender distributions of involvement in criminal activity, males who have forged a heterosexual relationship will—on average—have moved in the direction of a more prosocial set of influences. This same assumption cannot be made for women—and particularly for the highly marginal women who make up this type of sample. Thus, a critical set of negative cases with regard to the good marriage effect consists of individuals strongly bonded to deviant partners.

> *We used a lot of drugs together. That was the basis of our relationship.*
> *He always was looking for the easy way out. Always wanted to cheat somebody, always wanted to get around things, never wanted to live up to responsibilities…took too many risks and chances and it was just not right.*

To illustrate, one respondent indicated on the structured portion of the interview that she was "completely satisfied" with her relationship with her fiancé, even though they both had been charged recently with drug trafficking and child endangerment. This example shows that love and interdependence (bonding) do not, in the absence of information about the partner's normative orientation, necessarily lead to desistance from crime.

A second type of negative case is represented by respondents who score low on the structured questions indexing marital attachment, but who nevertheless associate their marital relationship with the movement toward a more conforming lifestyle. This scenario also appears more frequently in the narrative accounts of women than men in our sample and thus constitutes another way in which these processes appear to be gendered. In such cases, the women focus primarily on the importance of their <u>own role</u> as wife (often in connection with their role as mother), rather than the nature of the marital bond. Nevertheless, the husband is a technical requirement of their ability to enact it:

> *I've knew him all my life. Just about, since I was about 13…I don't actually believe I'm in love with him, but he's the father of my children and there ain't no boy gonna walk up to my door and think my girls ain't got a dad.*

This example suggests that marriage can be conventionalizing in its effects even in the absence of high attachment. Perhaps these women (and more rarely, men) could be conceptualized as making a kind of trade. That is, they appear to have self-consciously <u>given up</u> on things (including in some instances, their own emotional well-being) to <u>get</u> a lifestyle that contains these elements of stability and conventionality.

This places their conception of their role and their desire to develop and maintain it (rather than the husband's behavior or the nature of the attachment bond) at the center of the change process. In describing the nature of this role, some women outline family circumstances that are highly traditional in form and content (e.g., husband making all the decisions). Thus, in making a significant shift in life direction, the women may embrace very traditional incarnations of the wife role for the structure and clarity of role definition that it does offer (our notion of a blueprint).

In contrast, some women, faced with the prospect of continued involvement with antisocial men, or highly traditional relationships, focused on their independence as a central theme. Investment in a high-quality marriage (we would add "to a prosocial spouse") may represent an ideal, in terms of its life changing potential and from the standpoint of what is seen as culturally appropriate. Nevertheless, for the women we have focused on in this study, it is an ideal that many have found difficult to realize. Thus, a final set of negative cases for "the good marriage effect" consists of women who lack a marital connection of any kind, but who take pride in what they have been able to accomplish alone. While much has been written about the centrality of social relations in women's lives, for some women, growth and development can also be seen as evolving from a break with connectedness, not because of it. The recognition of the need to make such a break represents another kind of cognitive transformation. The respondent quoted below has chosen independence as a pathway to a better life:

> *Happier because I have the control now to see where I'm going, what happens to me compared to then…never knew you know what was going to go on or where I was going to be or what was going to happen to me. I, I can make them things* [happen] *now.*

3.7 Conclusions

Analyses of the structured data revealed that level of attachment to a marital/intimate partner and job stability were not strongly related to the likelihood of desistance for either male or female respondents who participated in this long-term follow-up. The in-depth narratives we also elicited focused our attention on the importance of cognitive changes and allowed us to identify some distinct patterns by gender. For example, women were more likely than men to describe religious transformations and to focus heavily on their children as catalysts for changes they had made. Men more often assigned prominence to prison or treatment or focused on family more generally (the wife and kids). In spite of such variations in the character of men and women's stories, it would be premature to conclude that completely separate theories of desistance should be developed.

First, in contrast to the era in which the Glueck men came of age, the respondents in our sample matured into adulthood during a time when both women and men were less constrained by tradition and faced less favorable economic prospects (given

their low levels of education and prior criminal histories). Minorities (an important group to consider, given their overrepresentation in the criminal justice system) appeared to have faced even greater disadvantage. Precisely because traditional sources of social control and capital seemed to be in relatively short supply, it may be useful to conceptualize both female and male offenders as needing to be—to a greater extent than previous generations—the architects or at least the general contractors of their own desistance. In addition, male respondents, like their female counterparts, were frequently heavily involved in criminal and drug cultures that seemed to be more encapsulating and limiting of life chances—thus a high level of individual motivation or "up-front" commitment would seem to be required for either women or men to be able to make a successful and long-lasting change.

Future research on mechanisms associated with desistance could add depth to our understanding of concepts that have been sketched out quite tentatively in this analysis. For example we outlined four types of cognitive transformations and suggested a hypothetical sequence in which these related transformations may occur. This sequence could be documented or discarded and other types of cognitive shifts identified. We have also oversimplified the connection between changing cognitions and associated agentic moves. For example, additional research could explore why it is that some individuals who appear to have experienced significant cognitive shifts are nevertheless unable to move their behaviors into good alignment with them. We found levels of psychological distress within our sample to be particularly high, and this might be one factor associated with inability to make moves in the direction of hooks with good conventionalizing potential.

Although our theory of cognitive transformation is admittedly quite provisional, we believe our focus adds to an understanding of desistance mechanisms. Individuals vary in what they bring to the change process, including differences in preferences and levels of motivation. The idea that there is a dynamic interplay between the individual and catalysts for change helps to explain why some individuals exposed to a given catalyst (or an entire arsenal of catalysts) fail to hook onto them, others find success at time Y when they have failed miserably at time X, and still others manage successful changes using what does not look like much in the way of raw materials.

In addition, we pointed out that the hooks themselves can be seen to vary in their transformative potential. These variations also link to cognitive processes. Successful hooks will tend to provide the actor with a detailed plan of action or a fairly elaborate cognitive blueprint about how one is to proceed as a changed individual. It is also beneficial if hooks contain a projective element that directs the actor's attention toward present and future concerns. Related to this, hooks will fare better that are associated with positive themes and link in straightforward ways to prosocial normative repertoires. More useful hooks for change will not only provide the actor with new definitions and replacement behaviors, but will offer at least the broad outlines of a satisfying, conventional replacement self—one that is seen as fundamentally incompatible with continued crime/deviation. Finally, hooks for change will be more successful when they provide a gateway to

conforming others who can reinforce the actor's initial forays into more prosocial territory. This notion is entirely consistent with the traditional sociological emphasis on the influential role of the social network. But here we have attempted to showcase the volitional or agentic aspects of movement toward these potentially helpful affiliations. Particularly as we focus on adult friendships and romantic liaisons, the individual has an important role in selecting others who have the potential to be good influences, while "knifing off" undesirable companions.

As we stated at the outset, the perspective we outlined is in most respects compatible with Sampson and Laub's (1993) theory of informal control, and the two perspectives could profitably be integrated. One area of incompatibility, however, is Sampson and Laub and other control theorists' focus on the nature of the attachment bond, as contrasted with our emphasis on the normative repertoire of reference others (whether the spouse or other network members). Clearly, when we consider the array of romantic liaisons of the women in this sample, we must reject the notion that such attachments will necessarily prove beneficial to the desistance process. There also appeared to be significant variation in the prosocial potential of the various wives and girlfriends of male respondents, and this could prove even more variable in future eras. We believe that our ideas about the benefits of a spouse who offers a level of contrast add an important condition to Sampson and Laub's concept of a "good marriage effect."

It may be even more useful to combine some of the ideas we developed here with Sampson and Laub's focus on an investment build up. We agree that an actor who has much invested (whether in marriage, job, children, religion, or the fully diversified portfolio) will develop a strong stake in conformity that she will not wish to jeopardize by engaging in criminal activity. However, the individual needs a minimum level of resources to draw on if she is to have any hope of developing an effective savings plan. Further, she must recognize the need to start saving and develop a high level of commitment to the plan. It is also well recognized that individual and cultural preferences will figure heavily into the kind of strategies adapted. She may need to call on help from others, ideally, a professional or others in the network who have a stronger track record in the saving and investing world. These others can help structure the plan itself and provide guidance all along the way. She will undoubtedly want to keep in close communication, in order to stay on the right course, and make adjustments to the developing portfolio. Over time, she will not only have built up tidy savings, but will actually come to enjoy the investing process. In turn, she will refrain from foolish spending not just because she has much to lose, but because she has begun to look back with increasing disdain on her former spendthrift ways. These individually and socially structured differences in motivation and preference, the processes of interaction and communication that solidify them, and the gradual redefinitions that result are arguably as important as the "stake" itself. Indeed, they help us to understand how and why the buildup occurs. However, we also recognize that the product of all these dynamic processes is enhanced internalized control, perhaps the most important type of cognitive transformation.

3.8   Reflections on the Theory of Cognitive Transformation

In the years since the original version of the above article appeared, we completed another follow-up of this sample, when the original teen respondents averaged age 39. In that follow-up we also interviewed the respondents' children, who at the time were adolescents or young adults themselves (Giordano 2010). In working with these data, we analyzed in more detail some of the themes touched on briefly in this early paper. For example, we explored more systematically whether spirituality was significantly related to long-term patterns of desistance and did not find a significant relationship to long-term behavior change. However, religion and spirituality were important to a subset of respondents, and especially when individuals also shifted their social ties, this type of cognitive transformation was associated with a more prosocial lifestyle. Similarly, in a more detailed examination of the effects of childbearing (relying on a different sample group), we did not find strong evidence that simply having children was reliably linked to crime cessation. Nevertheless, like religion, this appeared to be life changing for a subgroup of respondents. These findings are consistent with the idea of a more conditional-on-cognitive-transformations view of the role of these potential "hooks for change."

As we continued to collect and analyze data focused on mechanisms associated with successful desistance, we increasingly recognized that a comprehensive social psychological theory of desistance would necessarily give attention to *emotional* and not just cognitive processes. Recent research and theorizing emphasize that emotions should not be considered as opposed to reason (cognitions), but instead there is a dynamic interplay of the two. Thus, for example, some of the respondents in the sample appeared to have undergone an emotional "mellowing process" as they had matured into adulthood. Early difficult childhoods were still a source of pain, but narratives revealed a distancing and accommodation. One respondent, describing her evolving relationship with a highly dysfunctional mother, said that she came to realize that *she was doing the best she could with what she had*. The changes she referenced, then, connect to emotional as well as cognitive processes. To the degree that some of her own delinquency involvement and drug use had been a reaction against these early family circumstances, then, such an emotional mellowing was helpful on the road to her own behavioral changes. We have also recognized to a greater extent that such subjective changes need not connect to a particular "hook for change" such as getting married or becoming involved in religion/spirituality.

Following up the sample for a longer period of time also revealed the tenuous nature of desistance and the need to study setbacks or "derailments" as well as the forward progress these marginalized women and men have made. Unfortunately, some of the "desisters" we focused on in the above analysis fell back into crime or relapsed after we had completed the initial follow-up interview. We do not conclude from this longer vantage point that their earlier cognitive transformations were disingenuous. Rather, the living conditions and lack of access to any elements of what we termed the "respectability package" were frequently sources of demoralization and negative influence.

To illustrate, one respondent had overcome a serious addiction to crack cocaine, organized her life around her religious faith, and was proud of the improvements she had made in her children's lives. Nevertheless, she had no reliable means of support, nor any skills that would allow her to secure legitimate employment. Forced to live in extremely marginal housing, she eventually succumbed to the temptations of the drug use that was occurring in the apartment below hers. These subsequent follow-ups highlighted that even the most heartfelt cognitive shifts need to be accompanied by tangible resources that can serve to buttress and support the new direction.

Chronic offenders are few in number but account for a large amount of police contacts and criminal justice resources. Our follow-up of the children of these respondents makes clear that early intervention would potentially pay dividends for generations to come. Analysis of the child outcome data indicates that few children we interviewed can be considered success stories. Almost 70 % of the children born to our original respondents had been suspended or expelled from school, and compared to a random sample, these youths reported greater delinquency, depression, and serious drug use. Some children had fared better, but often took on the emotionally taxing role as "premature adults" within the family, particularly when a parent was incarcerated or otherwise absent due to their drug-oriented lifestyles. Future research is needed that looks at the intergenerational consequences of variations in adult desistance, allowing us to shed new light on the "long reach" of these patterns of criminal continuity and change.

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Chapter 4
Identity and Desistance from Crime

Shawn D. Bushway and Raymond Paternoster

Abstract There is a contentious debate within criminology about the causes of desistance from crime. Some theories, such as Sampson and Laub's age-graded informal social control theory assert that desistance is due to the influences of structural factors such as placement in good jobs or finding good marriage partners. In large measure, those who find these kinds of conventional turning points are simply the victims of good luck since many desist by "default." Other theories of desistance, such as Giordano et al.'s (American Journal of Sociology 107:990–164, 2002) and Maruna's (Making good: how ex-convicts reform and build their lives, American Psychological Association Books, 2001) appeal to the role of cognitive processes in quitting crime and the importance of human agency in the deliberate decision of former offenders to stop. Among this latter type of theory is Paternoster and Bushway's (2009) rational choice-based identity theory of desistance. This theory asserts that most offenders reach a point where the utility of offending is perceived to be offset by the costs, both immediate and those projected into the future. Part of this process is that the offender begins to think that his current, working identity of a criminal offender is no longer desired and begins to think of a future self that is free from crime. This future self consists of both a feared self that the offender does not want to become and a possible self that they now aspire to and are motivated to become. In the Paternoster–Bushway identity theory, then, desistance from crime is anchored in intentional self-change. This chapter describes the identity theory of desistance and how it differs from both structural and other cognitive theories of criminal desistance. It also makes an argument as to why identity

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and cognitive changes within the current criminal offender must precede the arrival of structural supports for change, like marriages and jobs.

The dominant theory of criminal desistance in criminology today is Sampson and Laub's age-graded theory of informal social control.[1] In their theory, desistance comes about primarily as a result of an increase in informal social control as ex-offenders find themselves in conventional roles like marriages and jobs. Crime is reduced because ex-offenders do not want to lose their marriages or their jobs so they do what their spouses ("stay home") and employers ("come to work on time and work hard") tell them to do. In addition to altering incentives, these agents of social control also reduce opportunities for crime by these individuals. In their theory, ex-offenders do not change in some fundamental way such that they now have a lower propensity to commit crime. Rather, the reduced crime is the direct result of the actions of the agents of informal social control, rather than any initiative on the part of the individual, at least initially. We have argued elsewhere (Paternoster and Bushway 2009, 2011; Bushway and Paternoster 2011), that their theory is structurally deterministic, allowing for little in the way of offenders' intentional self-change (agency) because it minimizes the importance of prior changes in offender's identities or what Giordano et al. (2002) have called "cognitive transformations" as a prelude to desistance. In this chapter we recap an identity theory of desistance that builds upon and compliments the work of scholars like Giordano et al. (2002), Maruna (2001), Farrall (2005), and Shover (1983, 1996). Because the theory has been presented in more detail in other publications (Paternoster and Bushway 2009, 2011; Bushway and Paternoster 2011) we only briefly review the theory before moving on to highlight at what points our theory differs from others, why we believe that identity changes must come before entrance into conventional institutions such as marriages and jobs, and finally on to what research to date has to say about the important of identity change in the desistance process.

4.1 The Identity Theory of Desistance

We begin by drawing a distinction between one's current or working identity and the kind of person that one *wishes* to be and not be in the future—one's possible self (Markus and Nurius 1986, 1987). Offenders have working identities as someone who among other things has committed crimes, possibly taken drugs, cheated on intimates, has been a poor spouse and parent, and one who will in the future commit criminal acts. This working identity of an offender/drug user/poor parent remains

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[1] The theory is first described in Sampson and Laub (1993), with further development and modifications in Laub and Sampson (2003), Sampson and Laub (2003), Laub et al. (2006), Sampson and Laub 2005a, b, c).

operational as long as it is thought to be successful—that on average it nets more benefits than costs. Gradually, however, the working identity of "offender" becomes less and less satisfying in the mind of the offender. The process is a measured one and thoughts about changing who one is and behaving differently only occurs when perceived failures and dissatisfactions within different domains of life become linked and when current failures become linked with anticipated future failures. In other words, the incentive to alter one's identity comes when failures and dissatisfactions begin to mount up and can no longer be attributed to something benign like a streak of bad luck but rather seem to be consequences of the kind of life one is leading. These linked failures, or what Baumeister (1991, 1994) has referred to as the crystallization of discontent, provide the initial motivation to break with crime. These failures include a sense that being an offender is no longer financially beneficial, it is too dangerous, the perceived costs of imprisonment loom more likely and greater, and the cost to one's family and social relationships seem too dear.[2] It is such a newly crystallized understanding of the negativity of one's life that leads to the effort to intentionally change it, or as Shover (1996:132) put it: "[t]his new perspective symbolizes a watershed in their lives…[t]hey decide that their earlier identity and behavior are of limited value for constructing the future".

When these life dissatisfactions around a criminal identity become linked, they are more likely to be projected into the future, therefore not likely to just go away, and the person begins to think of himself as someone who would like to change to be something else. This perceived sense of a future or possible self as a non-offender, and the fear that without change he faces a bleak and highly undesirable future, is what provides the initial motivation to break from crime. Movement toward the institutions that support and maintain desistance (legitimate employment, association with conventional others) is unlikely to take place until the possible self as non-offender is contemplated and at least initially acted on. Furthermore, we believe human agency is expressed through this act of intentional self change (Archer 2000, 2007; Kiecolt 1994; Kiecolt and Mabry 2000), and this change in identity brings with it collateral changes in one's preferences (for crime, drugs, "wild" peers, one's orientation to the future) such that the same causal factors now have a different impact on the person now than in the past. Or to put it another way, the person chooses to act differently in exactly the same situation where in the past he would have committed a crime. In understanding desistance as literally a "break with the past," we believe that something distinctively changes about the person, such as their identity and preferences, so that the causal process is different before and after this change. When in his 1983 *Atlantic Monthly* article Wilson (1983:73) asked the

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[2] This is consistent with Shover and Thompson (1992) who found that the probability of desistance increases when offenders' expectations for achieving rewards through criminal activity declines. Similarly, Summers et al. (1994: 125) speak about "socially disjunctive experiences" as catalysts for decisions to quit offending. Robins (2005: 61) noted that for the offenders she studied "the most frequent explanation offered for desistance was that "I just wasn't up to that kind of hassle anymore".

reader to "[i]magine a young man walking down the street at night with nothing on his mind but a desire for good times and high living," he was describing a young man with a preference—"a desire for a good time and high living." Since preferences provide a source of and direction for motivation, they are inextricably linked with a person's self-identity (Akerlof and Kranton 2000; Frederick 2003; Loewenstein and Angner 2003). One way I can express who and what I am is in terms of my tastes.[3] So an important component of this new identity is a set of different preferences that are hostile to the previous identity of criminal and compatible with the changing identity. However, changes in identity and preferences are not enough maintain a change in one's identity if the person does not "walk the walk" and behave in ways compatible with the new identity—this means stepping into conventional roles like work and marriage and moving into more conformist social networks.

Offenders seeking to break from crime, a type of "high-risk" activism, slowly begin to "play at" a new identity and make initial and safe forays into a more pro-social life (See also, Warr 1998, 2002). They develop new, noncriminal preferences and slowly begin to realign their social networks to include more and more conventional people. These people are important sources of social capital (Coleman 1988), providing support for their new identity, a normative climate that supports pro-social conduct, and information about jobs, treatment programs, housing, and forms of available financial assistance. The important point is that these changes in preferences and social networks (and the social capital they bring) are unlikely to occur without a *prior change* in the offender's identity. We are not saying that conventional institutions such as legitimate social networks, stable jobs, and emotionally satisfying relationships are not important. However, we believe that they are not important in *initially causing* desistance. Rather, they are the intervening causal mechanisms that link a change in an ex-offender's identity and a change in their behavior—desisting from crime. Although there may be exceptions, we believe the identity change must come first.

4.2   The Identity Theory vs. Other Theories of Desistance

Though similar in ways to Giordano et al.'s (2002, 2007), Maruna's (2001), and Farrall's work (see also, Maruna 2004; Farrall and Maruna 2004; Maruna and Roy 2007), our theory is a decidedly different perspective. Giordano's symbolic interactionist approach stresses the social context over the individual's own personal agentic actions. In her theory, social interactions, social experiences, socially derived

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[3] Akerlof and Kranton (2000) provide as an example the giving of charitable contributions. Most persons do not give to those charitable organizations with the highest marginal rate of return which would maximize the economic impact of the gift, but organizations that reflect their identity— "green" organizations, peace organizations, organizations for AIDS patients, the homeless, the Republican Party, or *their own* alma mater.

emotions (see particularly Giordano et al. 2007), and social influences are crucial for developing both the motive to change via self-improvement and self-modification and the means to do it. Relationships with conventional others, primarily romantic partners, plays a prominent role in Giordano et al.'s theory, a theory which they admit "steers us away from a view of cognitive transformations as deriving from individualistic mental processes" (Giordano et al. 2007:1607). In contrast, in the identity theory developed here intentional self-change is understood to be more cognitive, internal, and individualist, at least initially, with new social networks approached and mobilized subsequent to the emergence of the new, conventional identity.[4] While we think that the social relationships and role-taking described in Giordano et al. (2002, 2007) are an important and necessary part of the desistance process, we think that these are not accessed until offenders first decide to change, and begin to change their sense of who they are. In addition, we place a greater role on the notion of the "feared self"—an image of what the person *does not want to become* as an initial source of motivation for intentional self-change among those with a "spoiled identity" (Goffman 1963).

There is one other important difference between the identity theory we have espoused and Giordano et al.'s. We have argued that a change in identity from a criminal offender to a non-offender is a process that everyone who successfully desists from crime must generally undergo. Unless there is a change in identity, an understanding of a possible self as a non-offender, then the kinds of structural supports for change (a conventional job and a new social network) are unlikely to be created, and ultimately desistance from crime will not occur. Giordano et al. (2002:1026–1027) have argued that the cognitive transformations they talk about are only applicable within a limited range. Their position is that cognitive transformations only play an important role in criminal desistance in the mid-range of structural opportunities for change. When the offender lives in a social environment of extreme disadvantage they have argued that the cognitive transformations they describe are unlikely to be enough for change. In addition, these cognitive shifts are not necessary when there are abundant structural advantages. We respectfully disagree. We believe that identity change is still necessary and possible, regardless of the environment. Whether social supports for a change in one's behavior from criminal to non-offender are meager or abundant, they will not likely be perceived nor successfully taken advantage of unless the foundation of social identity change we have described has first occurred. In addition, we believe that a person in true fear of the self he has become can, as an expression of the incipient identity, aggressively pursue opportunities to manifest a new self.

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[4] We are not implying that identity forms without social interaction, for the shift toward a new identity is a social product as persons "try out" their new role on others. Here we are arguing that whole scale shifts in social networks and some opportunities for new social roles such as marriage partner or employee must be based at least in part on new identities that are both projected by self and at least tentatively validated or accepted by others.

As a result, our view is compatible with Farrall's (2005) and Maruna's (2001: 17) position that "sustained desistance most likely requires a fundamental and *intentional* shift in a person's sense of self" (emphasis added). We agree wholeheartedly both that desistance requires a fundamental change in how a person views herself and her world, and that it is intentional. Desistance, when it occurs, generally involves a deliberate act of self-change (Kiecolt 1994; Kiecolt and Mabry 2000). In Maruna's view, however, offenders who "make good" do not craft different, more conventional identities that provides both the motivation and direction for change. Rather, offenders who already have pro-social views of themselves in the present deliberately distort their past in such a way so as to make their past criminal actions both explicable and consistent with the current favorable views of who they are and what they are "really like." For Maruna (2001: 154), offenders frame desisting "as just another adventure consistent with their lifelong personality, not as a change of heart. Again, this allows the individual to frame his or her desistance as a case of personality continuity rather than change." The "upfront" work that the desisting offenders described in Maruna's theory do, then, is to change their understanding/ interpretation of their criminal past, so that it is consistent with their current views of themselves as a "good person." This reinterpretation of their past involves a "willful cognitive distortion" (2001:9) of the past to align it with the present and is the cognitive work described as "making good." Desistance does not seem to require, as it does in our theory, the notion that the offender casts off their old identity in favor of a new one.

Our theory is most at odds with the theory that we acknowledged at the beginning of this chapter as being the current dominant theory of criminal desistance—Laub and Sampson's. The backbone of their original life-course theory of desistance is the assertion that offenders quit crime when they establish strong bonds with conventional roles like marriage, military service, and jobs [the legacy from their original 1993 theory; (Sampson and Laub 1993)]. In later modifications, they add to this "the interplay of human agency and choice, situational influences, routine activities, local culture, and historical context" (Laub and Sampson 2003: 9). Essentially, this life-course theory of desistance hypothesizes that exogenously generated turning points such as finding the right partner, landing a stable satisfying job, or a having successful stint in the military can each serve to produce a downward deflection in an offender's criminal offense trajectory because it strengthens a previously weak social bond and gives offenders what Toby (1957) long ago called "a stake in conformity." Entering pro-social roles, then, *initiates* and is a necessary part of the desistance process for Laub and Sampson (2003: 148–149) although there are "multiple pathways to desistance," each of which "creates new situations that (1) knife off the past from the present; (2) provide not only supervision and monitoring but opportunities for social support and growth; (3) bring change and structure to routine activities; and (4) provide an opportunity for identity transformation." Although turning points can seemingly have diverse effects such as "identity transformation," it is clear from their work over the years that Sampson and Laub place their eggs in the structural basket—movement into pro-social roles are

what compels other kinds of changes in desisting offenders' lives, such as a change in their identity and preferences.[5]

Over the years we have had several anonymous reviewers contend that our assertion that Sampson and Laub heavily emphasize structure at the expense of identity change and agency is not consistent with their theory, particularly its latter incarnations. Therefore, we will spend some effort to explicitly document support for this position from their work. We believe that Laub and Sampson assert that former criminal offenders who desist do not become better persons (a change in identity or criminality) but that crime only became much more difficult for them to do (a change in opportunity for crime). There are many passages we can use to illustrate this point but a few will suffice. With respect to the inhibiting effect of marriage, they noted that: "[w]hat has not received enough attention is the role that marriage plays in restructuring routine activities and the *direct social control* that spouses provide." (p. 135; emphasis added) … "[p]erhaps the most unexpected finding emerging from the life histories is that marriage may lead to desistance because of the direct social control effects by spouses…along with providing a base of social support, wives took primary control of the planning and management of the household and acted as informal 'guardians' of their husband's activities" (2003: 136). Employment, too, had its greatest effect not so much on changing who the Glueck boys were as men, but in limiting the opportunities they had to act out: "Work restricts criminal opportunities and thus reduces the probability that criminal propensities will be translated into action … employers, like wives, can provide direct social control…[i]n other words, employers can keep their employees in line" (2003: 47).

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[5] Perhaps because their theory has been described in many places over a 15-year time span, we sometimes struggle to reliably identify what Sampson and Laub believe is the most important part of their theory. We believe they originally argued, based upon their quantitative findings in their 1993 book and other papers (Laub et al. 1998), that turning points like a good marriage and stable employment are the prime drivers of real change. Yet, in their second book, *Shared Beginnings,* they seem to at times call into question the primacy of a good job as an initiator of desistance. For example, they state that: "… none of [the men] pointed to work as a majoring turning point in his life. This suggests that *stable work may not trigger a change in an antisocial trajectory in the way that marriage or serving in the military does*, even though employment may play an important role in *sustaining* the process of desistance" (2003: 129; emphasis added). Even the desistance potential of marriage appears to be questioned in this latter work when they write that "(a) central element in the desistance process is the 'knifing off' of individual offenders from their immediate environment and offering them a new script for the future… Institutions like the military and reform school have this knifing-off potential, as does marriage, although *the knifing-off effect of marriage may not be as dramatic*" (2003: 145; emphasis added). Nor is it quite clear what role human agency plays in the 2003 version of their theory. Although they state that "the men who desisted are 'active' players in the desistance process" 2003: 141), it is difficult to reconcile this view with the prominence given to desistance by default. For example, they conclude by stating that: "(w)e believe that most offenders desist in response to structural turning points that serve as the catalyst for long-term behavioral change. The image of *'desistance by default' best fits* the desistance process we found in our data. Desistance for our subjects was not necessarily a conscious or deliberate process… many men made a commitment to go straight without even realizing it" (2003: 278, emphasis added).

These ideas about structural agents then lead directly to a theory dominated by structural change. For example, in their second book, they state that "(t)he image of 'desistance by default' best fits the desistance process we found in our data. Desistance for our subjects was not necessarily a conscious or deliberate process… many men made a commitment to go straight without even realizing it" (2003: 278, emphasis added). This passive view of offenders in the desistance process is carried over into recent revisions of the theory. In 2005 they argued that: "The idea is that commitments were not necessarily made with great forethought, but rather were 'by default'—the result of 'side bets'. The men made a commitment (or choice) to go straight without much realizing it." To us, these quotes and others like it make it clear that the assertion that structural roles directly cause desistance, mostly without the offender's direct participation or conscious awareness is a central claim of Sampson and Laub's theory.

To be completely fair, they also at times forcefully argue for the role of identity change and agency in the desistance process. In their 2003 text (2003: 146) they asserted that: "(a) vital feature that emerged from our qualitative data is that personal conceptions about the past and future are apparently transformed as men maneuver through the transition from adolescence to adulthood. The men engaged in what can be called 'transformative action'… Projective actions in the transition from adolescence to adulthood advance a new sense of self and a new identity as a desister from crime or, more aptly, as a family man, hard worker, and good provider." However, at other times, Laub and Sampson sharply digress from this argument. For example, they state that "the developmental phase of cognitive transformation or making good is not a necessary pathway to desistance" (2003: 279) and "our main point is than many of the desisters did not seek to make good—they simply desisted with little if any cognitive reflection on the matter" (2003: 279).

In spite of this ambiguity, we do think that two things are clear about the Sampson and Laub theory of desistance. First, turning points like marriage and jobs fundamentally alter the routine activities of these men's lives, subjecting them to greater supervision and control, and it is this reduction in the opportunities to offend that is the most important component of their desistance. Secondly, identities do not need to change in order for desistance to happen. For example, they state that "(o)ur stance on the distance process contrasts with emerging theories of desistance that emphasize cognitive transformations or identity shifts as necessary for desistance to occur…" (Laub and Sampson 2003: 278).

4.3   Why Must Identity Change Come First?

With perhaps the exception of the importance of social agency in the respective theories, the most important difference between the identity theory of desistance and the age-graded theory of informal social control concerns the *causal role* of identity change in the process of desistance. We will presume for the moment that Sampson and Laub acknowledge that there frequently is a change in identity among

those who desist from crime. They clearly argue, however, that even if there is an identity change it occurs *only after* institutions like jobs and marriages have had their effect.[6] Our understanding of their theory is that role changes like entering stable jobs and satisfying marriages arrive exogenously, opportunities to commit crime are reduced, desistance from crime occurs and then there may be cognitive changes including an alteration of offenders' identity. To repeat an assertion made earlier, in our theory of desistance identity change must come first and it is only when the offender begins to think of herself as sufficiently dissatisfied with their offender identity that they begin to think about and take initial steps to change.

There are two closely related reasons why we think identity change must precede entrance into more conventional roles like jobs and marriages for those wanting to quit crime. First, unlike Sampson and Laub, we do not believe that opportunities to land things like stable jobs and satisfying marriages with conventional partners arrive by chance. This claim is not consistent with a great deal of research on either assortative mating or job recruitment (Granovetter 1995; Holzer 1996). Assortative mating is a nonrandom selection process in which those with similar attitudes, values, environments, cultural attributes, and educational credentials behaviors are selectively attracted to those similar to them (Mare 1991; Sprecher 1998). In particular, there is assortative mating with respect to behavior, both conventional and unconventional. Krueger et al. (1998) found that while assortative mating with respect to antisocial personality attributes was low, there was substantial mutual attraction on the basis of self-reported behavior. Rhule-Louie and McMahon (2007) argued that people nonrandomly select themselves into particular environments where they are most likely to find people like themselves. Consistent with other literature, they too found considerable assortative mating with respect to antisocial behavior and drug use (see also Caspi and Herbener 1990). The point is that without prior identity change ex-offenders will not likely find themselves in environments where they will come across conventional partners to marry, employment, or even pro-social peers.

If one reason why identity change must come before entrance into conventional social roles is that these conventional opportunities do not arrive randomly, a second reason is that without substantial identity change those wanting to be ex-offenders will likely misplay the opportunities that they do come across. It is doubtful, we suggest, that an offender who has not felt the dissatisfaction of the crystallization of

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[6] It is likely, then, that we also disagree with Giordano's position about the causal ordering in the desistance process. They distinguish between social/cognitive types of transformations and "hooks for change" or events that Sampson and Laub would describe as turning points—a stable job or good marriage. Although Giordano et al. seem to argue that cognitive transformations, including identity change, constitute the "upfront" work of desistance, they also clear indicate that changes in social bonds and social roles initiate identity shifts. For example, they (p. 1001) posit that: "We emphasize … variations in the transformative potential of the hooks themselves. Thus, as we discuss each catalyst or hook for change, and important consideration is the degree to which such a hook enables the actor to craft a satisfying *replacement self* and one that is seen as incompatible with continued criminal behavior" (emphasis in original). Further, in the causal diagram of their theory (their Fig. 1), identity transformation is a function of hooks such as children, a spouse, and employment.

discontent, and who has not decided that they are going to change who they are will be unlikely to respond favorably to the direct social control efforts of a partner, and unlikely to be effective employees even if they should be hired. The best chance for desistance to take place is if offenders decide they would like to change their life around, including who they are, take initial steps on their own to send signals that they have changed, successfully handle the small opportunities to reveal that new identity until better opportunities (like conventional partners, and good jobs) are provided. As Giordano et al. (2002: 1001) argued, "both exposure to a hook *and one's attitude toward* it are important elements of successful change" (emphasis added).[7]

4.3.1 Empirical Support for Identity Theories of Desistance

While there has not been nearly the amount of empirical research conducted on identity theory as there has been on the age-graded informal theory of desistance, the research that has been done is promising. In the Liverpool Desistance Study, Maruna (2001:28) interviewed a group of offenders who had quit crime with a "carefully matched" group of still active offenders. The group of desisters consisted of 30 former offenders who stated that they would not commit crimes in the future and had substantiated that commitment by being crime-free for 2–3 years. Among these desisting former offenders, Maruna found a substantial re-writing or "rebiographing" of their past in which they altered the events and actions in their past to make them both a necessary prelude to and more consistent with their currently conventional, non-offending identity and ambition. It was this deliberate distortion of the past by desisters, not to glorify it, but more as to reinterpret it so that it is more consistent with the present and future, that Maruna referred to as "making good." Maruna (2001:10) describes this "I had to be bad then in order to be good now" narrative as essential to those who were criminal in the past but wished to now go straight: "By 'making good', not only is the desisting ex-offender 'changed', but he or she is also reconstituted…Creating this order out of disorderly lives may be of particular importance to those who are trying to maintain an important life change such as desisting from crime".

In a study of desistance with a sample of Ohio adolescents whom they followed into adulthood, Giordano et al. (2002) found that adult social bonds such as job stability or attachment to one's spouse or children had no significant effect on adult criminal involvement. Their findings from a more recent cohort of offenders

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[7] One possible read of this section is that we are being unnecessarily argumentative or combative with respect to the differences between our theory and others. We will admit to a natural and playful argumentative streak, but we also believe that clear delineation between theories is essential for progress in this area. Without a "stake in the ground," all theories are equally wrong/right. We are willing to be wrong—and we believe that by making it clear how our theory varies from others, we have also made it clearer to others how to test these different theoretical ideas. We believe this type of differentiation also makes it clearer why the theoretical differences should matter to policymakers interested in "causing" or at least, encouraging, desistance.

(1980s–1990s) than the Glueck sample who came of age during the 1950s failed to corroborate Sampson and Laub's (1993; Laub and Sampson 2003) findings about the importance of adult social bonds in dropping out of crime. Giordano et al. (2002) also noted that unlike the Glueck sample, only a very small percentage of their more contemporary Ohio youths ended up having what they called a complete "respectability package" consisting of both a marriage and a full-time job. Although those with the full respectability package were more likely than others to desist from crime as adults, there were too few of them in this Ohio sample to make much of a difference in the full sample.

In their analysis of their qualitative data, Giordano, Cernkovich, and Rudolph found support for their view that desistance from crime must be preceded by some kind of "cognitive transformation." This cognitive change is described as the requisite "up-front" work involving an orientation to change, a new initial identity, changes in preferences and social networks that can lead to changes in social roles like jobs and marriages. Other positive factors involved in the cognitive transformation involve a greater appreciation for and attention to one's children and almost a religious conversion or belief that God is deeply involved with the person in changing their behavior.

Although there are important points of convergence between our views and those of Giordano et al., she and her colleagues appear to have taken a different direction in their more recent work. In their 2007 paper, Giordano et al. presented a somewhat revised/expanded theory of desistance which seems to move clearly away from the cognitive and individualist position taken in the earlier theory toward one which places great weight on social processes, particularly the social origins of emotional states and the way a revisiting of emotional issues can lead to desistance from crime. As we noted earlier in this chapter, they admit that their revised desistance theory now "steers us away from a view of cognitive transformations as deriving from individualistic mental processes" (Giordano et al. 2007: 1607).

LeBel et al.'s (2008) analysis of interview data from 130 male offenders in the Oxford Recidivism Study attempted to temporally distinguish between the structural and subjective influences of desistance from crime. This group of repeat property offenders was first interviewed in prison about what they expected upon release and their understanding of possible sources of trouble. The interview material at this point consisted mainly of subjective factors. They were re-interviewed about 4–6 months after their release from prison, where the interview focused more on the specific problems they were facing in the community. The interview material in this wave consisted of mainly social/structural factors. An official record check was then conducted 10 years after this interview and two binary offending measures were created: (1) whether or not the offender had a new conviction in the time since release and (2) if the offender was re-imprisoned at any time. They found that subjective variables such as the offender's expressed expectation that they will avoid crime or criminal opportunities in the future, they expected to be discriminated against because they were an ex-convict, and they had an identity as a family man were related to the probability of a new conviction and the probability of going back to prison. With respect to the structural factors, offenders who stated at the second

interview that they were having problems with jobs, housing, finances, and other factors since their release from prison were significantly more likely to be reconvicted and re-imprisoned. In a final analysis, they found that the effect of the subjective factors was largely indirect, through the offenders' re-entry problems. The authors concluded that the kinds of structural events and roles that Laub and Sampson refer to in their age-graded structural theory of desistance do not arrive randomly, but are instead related to previous subjective factors such as offender's expectations and identity. These results are consistent with the position that while both subjective and objective factors matter for desistance, subjective changes come first.

4.4   Conclusion

In this chapter we have outlined a theory of criminal desistance that is anchored in notions of personal identity and human agency and we have tried to illustrate where this theory diverges from other theories of desistance. In the identity theory of criminal desistance, what we think about ourselves—our identity—is an important source of our motivation, including the motivation to do crime and to desist from crime. The self is a complex entity, however, made up of multiple identities arranged in a hierarchy, and includes different temporal orientations. The self that both links us to the past and guides our conduct in the present is our working self—who we are now. In addition to this present self, we have in our self-knowledge a representation of ourselves in the future—both who we would like to be and who we fear we might become—our possible selves. The possible self contains not only our hopes, aspirations, fear, and anxieties but also a detailed and realistic strategy or roadmap to reach that goal. Possible selves are constructed in large part when the benefits and satisfactions of our old selves are outweighed by the dissatisfactions, a consequence hastened when difficulties and failures in life become linked through a crystallization of discontent.

   We speculate that at some point in their "careers" criminal offenders realize that the benefits of being a criminal offender are outweighed by the costs. For those who have a positive possible self in their schema or self knowledge, a new, more conventional life can be created. This possible self should provide a detailed and realistic plan for attaining the conventional future self. Initially, an important dimension of the possible self is the "feared self"—the self that one fears they may become which serves as a source of "avoidant motives" and motivation to change who one is. We would like to be absolutely clear that possessing a feared self and having the motivation to change one's identity and get out of crime does in no measure guarantee success. There simply are too many points at which things can go wrong for someone trying to create a new identity and desist from crime, including (1) they have only have a self-enhancing possible self and not one that includes self-regulation, (2) the discontent in their life as offender does not get crystallized or linked to their identity but remains isolated and part of the present and not a projection into the future as well, (3) the alternatives to a criminal identity are found to be insufficient

to create a desire for change, and (4) social supports to maintain and bolster an identity change are either not available or are misplayed.

What distinguishes this identity theory of desistance from other desistance theories is that it unambiguously asserts that identity change must occur *before* one can successfully quit crime. A change in one's identity, implying both a throwing off of the old offender self and the adoption of a new, non-offender self, is necessary before conventional roles and opportunities like good jobs and marriages are available. Further, the identity change brings with it a change in preferences which put the one trying to be an ex-offender in a new more accommodating frame of mind with respect to informal social controls. Future theoretical development and empirical research must be focused on assessing, with both quantitative and qualitative data, the precise causal sequence in the criminal desistance process.

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Part III
Situated Choice

Chapter 5
Recent Research on Disengaging from Gangs: Implications for Practice

David C. Pyrooz and Scott H. Decker

Abstract Once inside a gang, can people leave? If so, what steps are taken to exit a gang, and at what costs? This chapter examines a range of issues related to disengaging from gangs, reviewing the current state of knowledge on a topic that has begun to garner attention in the research community that matches the interests of the practitioner community. Disengaging from gangs is conceptualized within a life-course framework. This chapter details findings from studies examining changes in criminal offending and the motives and methods for leaving gangs. Based on these studies, along with preliminary findings from an ongoing study of gang disengagement, this chapter offers several key conclusions for practice.

5.1 Introduction

In 1983 Hedy Bookin-Weiner and Ruth Horowitz (1983) published an article titled *The End of the Youth Gang Fad.* They held that political shifts to the right in the 1980s would correspond with "interest in the individual and control agencies" that would make "fieldwork with gangs less necessary, and surveys, psychological instruments,

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and police reports or observations more useful" (p. 599). Bookin-Weiner and Horowitz were largely right in their prediction about the impact of political changes on the methods and focus of gang research. While several influential field studies on gangs emerged in the 1980s and 1990s, gang ethnography in the USA has largely been moribund, even as it has flowered in Europe (Decker and Pyrooz 2013). The last two decades have witnessed rapid growth in the study of the causes and consequences of gang membership. This research is concentrated on identifying risk factors for gang membership and the causal effect of gang membership on delinquency (Howell and Egley 2005; Klein and Maxson 2006; Krohn and Thornberry 2008; Thornberry et al. 2003). Even a cursory review of the criminological journals reveals that research on gangs largely focuses on individuals and relies on longitudinal survey data, is heavily quantitative and predictive, and oriented around variables rather than context (Decker et al. 2013; Hughes 2005; McGloin 2007). A consequence of the shift in research on gangs is an increased premium on the effects of gang membership rather than gang processes. As a result, we know a great deal about the "front end" of gang membership (i.e., risk factors, joining, consequences), but this has come at the expense of the "back end" of gang membership particularly the processes associated with getting out of gangs.

To be sure, youth and young adults who join gangs also leave gangs—generally not through incapacitation or as consequence of violence, but on their own. Longitudinal studies demonstrate that gang membership is a transitional stage of adolescent development and typically lasts for 2 years or less, with fewer than 10 % of gang members reporting involvement for periods of 4 or more years (Krohn and Thornberry 2008; Curry et al. 2013). Based on 2010 surveys of police agencies, the National Gang Center (Egley and Howell 2012) reported that there are 756,000 gang members in the USA. If the majority of gang members move out of their gangs in less than 2 years, this means that there are a large number of individuals churning in and out of gangs on a yearly basis. Our back-of-the-envelope estimate based on survey data derived from the National Longitudinal Survey of Youth 1997 (Pyrooz 2013) is that there are roughly 400,000 individuals entering gangs on an annual basis in the USA and that 90 % of these individuals will be former gang members within 5 years.

Klein and Maxson (2006:154) remarked in their review of gang research: "Surprisingly little research has been conducted on gang desistance and the processes of leaving gangs." The lack of attention to gang exits is surprising not just because of the number of individuals leaving but also because of the important consequences of gang membership for increased involvement in crime. In the last several years, however, we have learned a great deal about disengaging from gangs. Much of this progress is due to the recent reorientation of gang research into a life-course framework, which has made prominent the contours—joining, persisting, and leaving—of membership in a gang (Pyrooz et al. 2010; Thornberry et al. 2003), specifically drawing attention to the latter parameter: desistance. Indeed, there has been a concerted focus on examining the processes associated with leaving gangs.

This chapter reviews recent research on disengaging from gangs and uses what we have learned about leaving gangs to inform programming and practice. We draw heavily from our own research on gang desistance (Decker and Lauritsen 2002; Decker and Pyrooz 2011; Decker et al. 2013a; Decker and Van Winkle 1996; Pyrooz

and Decker 2011; Pyrooz et al. 2010, 2012; Sweeten et al. 2013). This chapter begins by discussing the life-course perspective, its roots in criminology and theoretical perspectives, and its application to gang membership. We discuss key concepts of gang membership in the life course with an eye toward the "back end" of gang membership or disengaging from gangs. Next, we review the most rigorous studies that examine the relationship between disengaging from gangs and desistance from crime. If exiting a gang does not produce reductions in delinquency, then resources for individual-level gang programming should be redirected to gang prevention, not intervention. As Klein and Maxson (2006) remind us, gangs are a primary concern to communities because of the magnitude and seriousness of their delinquency. If leaving the gang makes no difference for crime, we should turn our attention to prevention and suppression efforts. However, if reductions in involvement in crime are associated with gang exits, then there is a role for gang intervention efforts that enhance those exits. We then focus on research that has examined the gang disengagement process. We ask: why do people leave a group they have been a part of? And, how do they leave the group? Research on the motives and methods for leaving the gang serves as the basis for practical implications. We then integrate what we have learned about disengaging from gangs with implications for practice, identifying several key areas and points of intervention for stakeholders.

5.2   Gang Membership in Life-Course Perspective

The emergence of a life-course perspective in criminology has brought increased attention to three key processes in criminal involvement: onset, persistence, and desistance. The life-course perspective has a long history in the study of crime. Beginning with the Chicago School, Clifford Shaw (*The Jack Roller*) and Edwin Sutherland (*The White Collar Offender*) used a life-course orientation to their work, examining transitions during the maturational process. The Glueck's longitudinal study of 500 delinquents in Boston laid the groundwork for much of the work that has followed in the life-course tradition. Indeed, the work of Sampson and Laub (Sampson and Laub 1993; Laub and Sampson 2003) is based on follow-up analyses of the Glueck data. Farrington (2003) has traced a cohort of Cambridge offenders for 40 years which has generated a great deal of knowledge on crime in the life course (Piquero et al. 2003, 2007). Despite this historic research activity, the life-course perspective lost traction within the discipline until the 1980s. After all, such research was expensive and had a long investment time before findings were available. The perfect storm for life-course research in criminology occurred with the "discovery" of the Glueck data by Sampson and Laub. Their two major works—Sampson and Laub (1993); Laub and Sampson (2003)—revived both theoretical and methodological approaches that moved the discipline of criminology forward in important ways.

The core of the life-course argument rests with interpreting the age crime curve. Hirschi and Gottfredson (1983) and Gottfredson and Hirschi (1990) argued that crime is invariant across the life course, such that the relationship between age and crime mediates our understanding of continuity and desistance in offending over

time. The age–crime curve demonstrates that offending peaks in the late teens and declines precipitously thereafter. This lays the groundwork for the desistance argument generally. The challenge for criminology is to account for the residual volume of crime not accounted for by age and maturational reform—in other words, identifying variable factors that facilitate reductions in offending. These reductions that are not attributable to maturational reform are the opportunities for programs and interventions to reduce crime.

Researchers such as Reiss (1988), Sarnecki (2001) and Warr (2002) held that the changing group nature of offending by age is crucial to understanding desistance. Warr's (1993, 1996, 1998) work focused on the group aspect of offending and interpreted the meaning of turning points in the process of crime desistance differently than Sampson and Laub. Instead, Warr held that changing peer relations, rather than informal social control mechanisms, are responsible for understanding delinquency and crime desistance. This is the place for gang research to receive particular attention, given the role of groups and peers in gang offending. Employment and marriage change peer group relationships, and peer changes in turn affect desistance (see also, Giordano et al. 2003; Schroeder et al. 2007).

Factors that affect desistance from crime, such as age-graded informal social control, cognitive transformation, identity reformulation, peer relationships, and role sets have broad relevance and apply to a variety of groups. This means that reductions in criminal involvement can lead to leaving a group, as well as the reverse. An important difference between desistance research based on career criminals and research on desisting from delinquent or criminal groups is that "group involvement" is often negatively associated with age. Younger offenders are more likely to belong to groups and groups offending is the norm for younger offenders, and they are less entrenched in their ways and less likely to benefit from the gradual benefits of stable relationships and employment. For many young offenders their age prevents them from the meaningful work and marital relationships that effectively reduce criminal involvement on the part of their older counterparts. These younger offenders would seem more subject to sudden changes in offending patterns that lead to desistance rather than the gradual processes involved with employment and marriage. Petersilia (2003) provided support for the role of stable relationships and employment in the re-entry process, citing them as key factors in the transition from lives of crime to lives of (relative) conformity. But juveniles and younger offenders—the age of most gang members—rarely benefit from these more gradual life-course corrections, as they typically are below the modal age at which Americans marry, and many of them are not eligible to work being below the age of 16. Thus it would not be surprising if more sudden departures from lives of crime and gang involvement characterize younger individuals who desist from crime.

Figure 5.1 integrates gang membership into a life-course framework. Such a framework can be applied constructively because gang membership follows patterns comparable to crime in the life course: individual join (onset), persist (continuity), and leave (desistance) gangs (Pyrooz et al. 2010). In the hypothetical example of the intercept and slope in Fig. 5.1, age runs along the *x*-axis and the probability of gang membership along the *y*-axis. Onset and termination, the points
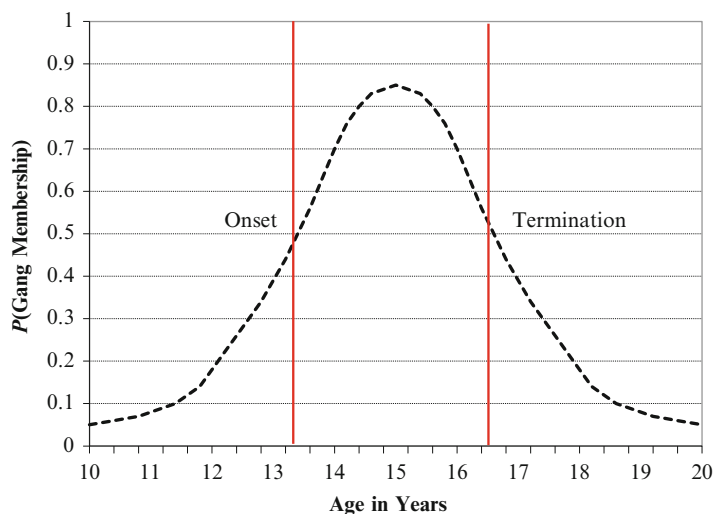
Fig. 5.1 The contours of gang membership

where an individual identifies and de-identifies with their gang, shape the contours of gang membership. These are points that elevate (or reduce) the probability of gang membership above or below the threshold that is used to determine gang membership. In relation to life-course theory and research (Elder 1985; Sampson and Laub 1993), onset and termination of gang membership take on added significance because these processes act as life-course *transitions*. Transitions are important events dotted throughout the life course that bring meaning to lives; examples include graduating high school, moving away to college, or having a baby. Joining and leaving a gang are transitions because they are likely to constitute an important event in the life course. Moreover, as we discuss below, these events are often formalized with getting "jumped into" or "blessed out" of the gang. Life events known as turning points, though, are key to understanding larger changes in the life course (Laub et al. 2006:314) and are events that changes live in significant ways—redirecting the life course—and gang membership is widely believed to qualify as a turning point (Melde and Esbensen 2011; Thornberry et al. 2003).

Gang membership is a trajectory because it is a "pathway or line of development over the life span" Sampson and Laub (1993:8). The time period between onset and termination marks the duration of gang membership trajectories, but it is important to recognize that individuals do not stumble randomly into and out of gangs; there is an evolving process that is found within the trajectory of gang membership. There are antecedent and ensuing connections or ties to gangs where the probability of gang membership is nonzero. A useful way to conceptualize nonzero levels of gang membership is found within the concept of *gang embeddedness*, which refers to "individual immersion in enduring deviant network … reflecting varying degrees of involvement identification, and status among gang members" (Pyrooz et al. 2013:243). Gang embeddedness is a construct comprised of five items, including contact or time spent with the gang, the importance an individual affords to the gang, the

number of out-group or non-gang friendships, individual position within the gang, and participation in gang activities such as assaults. Prior to identifying as a gang member or subsequent to de-identifying as a gang member, one might anticipate nonzero levels of gang embeddedness. Any adhesion to the gang in the form of gang embeddedness will likely have criminological consequences, likely entangling individuals who have nonzero levels of embeddedness within gang-related group processes. These individuals will be "pushed" into gang activities on the "front end" and "pulled" back into gang activities on the "back end" of the curve presented in Fig. 5.1. Given our focus on the "back end" of gang membership, the remaining portion this chapter concentrates on desistance from gangs.

Gang desistance refers to the declining probability of gang membership—the reduction from peak to trivial levels of gang membership that is observed across the life course as shown in Fig. 5.1. The components of this definition are derived from the criminal desistance literature, which decomposes desistance from crime into (1) a reduction in the severity or frequency of criminal activity and (2) a permanent end or true desistance (Bushway et al. 2001; Kazemian 2007; Maruna 2001; Massolgia 2006). The gang desistance process begins prior to de-identifying as a gang member, but true desistance from gangs does not occur until the probability of gang membership is indistinguishable from zero. This underscores that desistance from gang membership is a process, one that we often liken to a teeter-totter, moving up and down, but ultimately leading to no involvement. Based on semi-structured interviews with 24 former gang members in St. Louis, Decker and Lauritsen (2002) found that the process of leaving the gang occurred in two different manners: either gang members left the gang abruptly or they gradually desisted from the group. In relation to Fig. 5.1, one can anticipate the variation in the slope of the curve as more vertical for the abrupt departures and more horizontal for the gradual departures.

The variability in gang desistance reflects life-course desistance concepts such as "knifing off" and desistance as a "developmental process" (Bushway et al. 2001; Jacques and Wright 2008; Maruna 2001). The knifing-off pattern has been detailed by Maruna and Roy (2007) and involves eliminating previous manners, social roles including associates, disadvantage, stigma, and opportunities. For gang members, knifing off applies to the process of severing ties with gang associates and thus eliminating (or reducing) criminal opportunities. The abrupt changes found by Decker and Lauritsen (2002) often involved physically leaving the neighborhood and/or moving to another city. Neighborhood ties are particularly important in this process, as these influences can be particularly troubling to those interested in leaving the gang (see also Horowitz 1983; Vigil 1988). The second pattern of desisting from their gang is what Decker and Lauritsen (2002:66) described as developing beliefs and commitments that ran counter to those held by the gang. Similarly, Vigil (1988) described a succession quality that characterized the gang desistance process, where an accumulation of reasons or events that work together to de-identify a gang member with his or her gang, resulting in the decision to leave. Over time, the departure is officially sealed as the individual spends less time with fellow gang members and becomes more involved in conventional activities (Decker and Lauritsen 2002; Vigil 1988; see also, Spergel 1995:105). We focus on both the behaviors and the processes associated with disengaging from gangs in the next section.

5.3 What Do We Know About Leaving Gangs?

5.3.1 Changes in Criminal Offending

We noted earlier the importance of establishing that leaving the gang is associated with reductions in criminal involvement. There is now solid empirical evidence to support such an assertion. Thornberry et al. (1993) developed a tripartite framework for understanding the contribution of gang membership to delinquent behavior. The *selection* explanation is a "kinds of persons" model, implying that gangs simply choose individuals with high criminal propensities; therefore gang membership does little to exacerbate criminal involvement. The *facilitation* explanation is a "kinds of contexts" model, contending that there is a black box of processes that elevate levels of criminal activity. Finally, the *enhancement* explanation is a blend of the selection and facilitation models. In Krohn and Thornberry's (2008:147) review of the literature, they held that there is a "minor selection effect, a major facilitation effect, and no evidence consistent with a pure selection model." As we mentioned at the outset of this chapter, most of the research on these models has focused on the "front end" of gang membership, yet we can learn just as much by concentrating on the "back end." Indeed, for Krohn and Thornberry's conclusions to hold weight, facilitation and enhancement must also be supported when individuals leave gangs. Fortunately, the several studies have emerged in the last several years to provide evidence of whether leaving gangs reduces criminal involvement.

We review six studies with rigorous research designs that include multiple waves of panel data, controls for rival or alternative explanations, and similar self-report methodology (Bjerk 2009; Melde and Esbensen 2011, 2012; Gordon et al. 2004; Sweeten et al. 2013; Thornberry et al. 2003). Of the six studies, one adjusted for selection biases using propensity score matching, while the remaining five studies used random and fixed-effects strategies to control for unobserved individual heterogeneity. Using data from school-attending youth in several cities, Melde and Esbensen (2011) sought to statistically match individuals based on their propensity to leave a gang and compare rates of delinquency between those who persisted with those who desisted from gangs. They observed no differences in delinquency between the groups, but this could have been due to limited statistical power or the lack of equivalence between the groups because they were unable to match roughly one-third of their sample.

Fixed- and random-effect strategies were used by the remaining studies. The Bjerk (2009), Gordon et al. (2004) and Melde and Esbensen (2012) studies were able to decompose the effects of gang membership in future, current, and former categories. Importantly, these analyses are within individuals; therefore the control group is an individual's delinquent activity before or after gang membership. Using national data, Bjerk found that delinquency peaked during active periods of gang membership. While delinquency declined after leaving the gang, it remained higher than pre-gang levels. Using data from Pittsburgh youth, Gordon et al. observed similar findings, although post-gang levels of delinquency were indistinguishable from

pre-gang levels. What is most compelling about Gordon et al.'s findings is that the effects of gang membership existed even after accounting for peer delinquency.

Melde and Esbensen (2012) also examined intra-individual change using school data associated with the national evaluation of Gang Resistance Education and Training. They found, in relation to pre-gang levels of delinquency, higher levels of delinquency during active and former gang membership. Importantly, the effect of active gang membership on delinquency was about three times greater than the effect of former gang membership. They also explored violence specialization—the balance of violent to nonviolent offending—in relation to the patterning of gang membership, finding that violence specialization increased while in a gang and that it returned to pre-gang levels after leaving.

Thornberry et al.'s (2003) study used data from youth in Rochester, New York and a random-effects strategy that not only controlled for time-stable unobserved heterogeneity but also factors such as family poverty, parental supervision, commitment to school, delinquent peers, negative life events, and prior deviance—all of which help address the endogeneity of gang membership. Thornberry et al. found that levels of delinquency were over twice as great during active periods of gang membership. The remaining question, however, is whether dynamic sources of selection might threaten the effects of gang membership on delinquency. In other words, whether there is some factor that occurs simultaneous with gang membership that could render spurious the criminogenic effect of being in a gang—Gordon et al.'s (2004) findings allow us to rule out peer delinquency.

Sweeten et al. (2013) addressed this issue by using fixed-effects strategies while accounting for time-varying risk factors for gang membership and delinquency. Sweeten et al.'s study was based on adjudicated youth in Philadelphia and Phoenix who were in a gang at the first interview. They sought to put a "boundary" around the effects of gang membership on delinquency. Their least conservative estimates were similar to the Bjerk, Gordon et al., and Melde and Esbensen studies, where they only accounted for time-stable selection (e.g., constitutional or other unchanging factors). In their most conservative estimates, they also controlled for 13 time-varying factors derived from social bond, strain, social learning, and self-control theories. Gang membership increased rates of offending between 55 % in the most conservative estimate to 15 % in the least conservative estimate for contemporaneous delinquency, but they observed no statistical differences for future delinquency. They also found that leaving a gang corresponded with reductions in total number of peers, antisocial peers, socializing in unstructured settings, and rates of victimization, along with increases in levels of temperance or self-restraint. Importantly, they observed similar findings—for delinquency and desistance mechanisms—when modeling changes in gang embeddedness, which was conceptualized as the process of disengaging from gangs.

From these studies, we can reach several important conclusions, the first of which is that delinquency peaks during active periods of gang membership, which is inconsistent with the selection model. This finding is consistent across a set of studies with different research designs in diverse geographic and demographic settings.

Second, neither stable forms of unobserved heterogeneity nor dynamic forms of observable heterogeneity threaten the validity of these findings. It is important to emphasize that disengaging from gangs corresponds with measureable decreases in offending.

Third, while the evidence is mixed, it appears that leaving the gang does not result in delinquency changes that are symmetric to joining a gang. Indeed, there is good reason to believe that sociogenic forces associated with criminal involvement continue to influence behavior and that these do not decay quickly (see Maruna 2001; Sampson and Laub 1993). There are wide-ranging negative effects associated with gang membership, often preventing or inhibiting a smooth return to a previously "unblemished" state. Thornberry et al. (2003) and Krohn et al. (2011) held that adolescent gang membership results in precocious transitions—e.g., high school dropout, cohabitation, and teenage parenthood—many of which are at odds with developmental advances, which in turn correspond to continued involvement in delinquency. An alternative explanation for the continued consequences of gang membership is that residual social and emotional ties to the gang remain despite having left the gang (i.e., nonzero levels of gang embeddedness). This is what Decker and Lauritsen (2002) referred to as the "gray area" of former gang membership. Pyrooz et al. (2010) referred to these as the "ties that bind" because despite having left the gang, individuals with more residual connections to their former gang had higher rates of victimization. This research supports the conclusions that individuals do leave their gang and that such exits are associated with reductions in crime, but that these are hardly smooth or neat processes.

Finally, this should be made abundantly clear: shortening the duration of gang membership will pay dividends in reducing crime. In other words, while preventive efforts may offer greater returns, interventions will also yield returns in the form of less crime. For this reason, we turn to existing research that explores the processes associated with disengaging from gangs.

5.3.2 Gang Disengagement Processes

There are two fundamental questions about disengagement: Why do people leave a group that they have been a member of? What do they do to leave their group? These are the two central questions that motivate an interest in not only disengaging from gangs but also exiting from both deviant and nondeviant groups. We refer to these two questions as the **motives** and **methods** for leaving gangs, both of which are distinct processes but not orthogonal to one another or mutually exclusive. Both processes emerge during gang desistance—i.e., the declining probability of gang membership—but are more highly concentrated at the period of termination, i.e., toward the very end of membership when someone declares that they no longer identify as a gang member. We should note that such a declarative statement begins with the individual, but eventually spreads to the gang, the neighborhood, the family,

other/rival gangs, and the criminal justice system, typically in that order. Because of delayed awareness or notification, other "players" can positively or negatively impact decisions to leave, which is why we often observe "teeter-totter" disengagement patterns, much like others observe with regard to crime desistance (e.g., Healey 2010). What follows is a discussion of the motives and methods for terminating gang membership during the period when an individual drops below the 50 % mark to indicate that the probability of *not being* in a gang is greater than the probability of *being* in a gang.

Motives for leaving the gang refer to reasons that influenced a gang member to exit the gang. This dimension is a subjective component of the exit process. Decker and Van Winkle (1996) contended that gang membership can be conceived as a series of pushes and pulls to and from conformity. Bjorgo (2002); Bjorgo and Horgan (2009) applied this conceptualization to exiting racist groups in Europe. Factors that pushed individuals away from racist groups included such things as a loss of belief in the ideology, social sanctions for belonging or believing (the "racist" stigma), disillusionment with inner group workings, status changes within the group, exhaustion from persistent pressure and threat, and acts that were deemed too radical or extreme. Factors that pulled individual away from such groups included a desire for a conventional life, maturation, mitigated career opportunities, and family responsibilities (see also Bovenkerk 2011; Cronin 2009). It is therefore instructive to think of the gang desistance process—and the motives associated with it—as competing pushes and pulls. It is also important to note that the processes of exiting deviant groups have much in common.

On the front end of gang membership, pushes and pulls are external and internal to the gang, respectively. Most research on gang entry has focused on the risk factors that push individuals into the gang rather than pull factors that make gangs attractive (Decker et al. 2013b). On the back end of gang membership, however, push factors are internal to the gang, while pull factors are external to the gang. When a former gang member references push factors as a motivation for leaving the gang, they are referring to factors internal to the gang that makes the persistence of membership undesirable. Typical push motives include "getting tired of the gang lifestyle," "wanting to avoid trouble and violence," and "getting tired of always having to watch my back." These are the factors that "push" an individual away from their gang to seek out alternative social settings. A former gang member in Los Angeles stated:

> The crazy stuff wasn't for me no more. I saw other guys go down and I knew it was just a matter of time before I paid the price, you know. I met my girlfriend and she was always on me about getting out of the gang. She gave me a reason, but I was already tired. I was tired of fighting all the time, running around all the time (Vigil 2002:63).

This individual was searching for what Giordano et al. (2002) referred to as "hooks for change" or structural arrangements outside of the gang. Pull motives are factors external to the gang that steer or "yank" an individual away from the gang. These motives are primary, as opposed to secondary reasons for leaving the gang (e.g., the Los Angeles gang member above). Pull motives usually take on turning point-like

features in that they are of extreme significance in the life of the gang member and may include experiencing violent events, getting a job, or a having a child. For example, as a gang member in the San Francisco Bay Area stated in response to his girlfriend's pregnancy:

> I didn't even wanna be out there. I wanted to get a legal job…Instead of being out on the street, I was in the house or the hospital…I wasn't smoking weed or doin' drugs…Bein' more responsible, more disciplined. And stopped chillin' outside as much…I stopped rob- bin' people, stealin' cars (Moloney et al. 2009:312).

It wasn't that this individual was seeking out new social structures, but instead that social structures found him *and* that he was amenable to change at that particu- lar time. Thus it was the intersection of a number of processes and opportunities that enabled his exit from the gang.

Pushes are the modal responses gang members give for the motivation to leave the gang. In data from Arizona juvenile arrestees (Pyrooz and Decker 2011) and our multisite data in Los Angeles and St. Louis (Decker and Pyrooz 2011), roughly two out of three former gang members reported exiting gangs to avoid the violence and trouble associated with gang membership, with the remaining former gang mem- bers reporting having left because of important factors external to the gang lifestyle, such as family or employment. As we noted above, leaving the gang occurs prior to the introduction of important informal social controls. Most gang members are teen- agers; therefore, they rarely have the opportunity for meaningful or full-time employment, cannot get married and cohabitation and pregnancy are rare, and other opportunities such as college and the military are beyond reach for several years. Thus, our findings are not meant to promote subjective factors over control factors; to the contrary, the implication of our finding is that youth leave for their own moti- vations and do not have to be coerced or persuaded to exit. This means that some of the factors that might make gangs qualitatively unique, such as their group pro- cesses and propensity for violence, may also be contributing to turnover in the ranks. We return to this point below when discussing implications for practice.

Methods for leaving the gang refers to the specific techniques employed to exit the gang. We believe it is important to know both how a former gang member left the gang as well as whether the exit was met with resistance. Leaving may trigger hard feelings among members of the gang leading to hostile "breakups," or the process may involve ritual acts to make separation official. To be sure, leaving the gang is rarely the product of the acts of a single person, as the gang may influence this process. There is popular perception that "blood in, blood out" marks the onset and termination of gang mem- bership. In fact, it is not uncommon to hear reports from gang members that the only way to leave the gang is to (1) get "beaten out," where one endures a flurry of punches, kicks, and other forms of violence for a period of time; (2) commit a crime against a rival gang member, which typically involves an aggravate assault; or (3) shoot a family member, typically one's mother. After these ceremonial actions, the individual is free from gang obligations having paid their debt to the gang.

In our multicity data, we found no support for hostile departures 2 and 3 and limited support for hostile departure 1. In the Arizona juvenile data, less than one of

five former gang members reported a hostile departure. Our characterization of this process was found in the remarks of several former gang members: "it happens, but just not for me." When pressed why this would occur for others but not for the interviewee, the standard response was that he or she either "put in work" (i.e., invested time and energy into gang activities) or "that was my family" (i.e., he or she had parents, siblings, or cousins in the gang). Based on our view of the methods for leaving the gang, while hostile departures are rare, the prevalence of these methods is large enough to prevent a blanket statement that ritualized gang exit is a legitimate gang myth (Howell 2007).

In the Arizona study, we cross-classified motives and methods for leaving the gang to provide a deeper understanding of the desistance process. The null hypothesis was that the way a person leaves (method) should not be related to why a person leaves (motive). The results of this study were not consistent with the null hypothesis. None of the individuals who reported leaving the gang because of pull factors external to the gang reported that their method of leaving involved hostile actions. In other words, *individuals leaving the gang due to family or job obligations were not met with resistance from their fellow gang members*. On the other hand, those leaving the gang due to push factors did experience some ritual violence in leaving the gang. These results indicate that the level of control over individual behavior by the gang may be more limited than some analyses suggest. Also, it appears that gang members "understand" when important life events arise and do not respond to the potential rejection of the gang or reductions in time spent with fellow gang members in a hostile manner. That same understanding does not extend to those who tire of the gang lifestyle and seek to "walk away." Nevertheless, the modal category in the method of leaving the gang was to essentially "walk away" and the modal category for leaving the gang was to be turned off from the internal characteristics of the gang.

5.4   Implications for Practice

We believe that responding to gang membership should be built on a solid understanding of how individuals exit from their gangs. That understanding must be built both with theoretical and empirical bricks. The life-course perspective has proven to be useful for organizing the understanding of joining, acting in, and leaving the gang. In addition, much of the empirical work on gangs in the last 10 years has provided support for key concepts in life-course theory. The age-graded nature of involvement in crime overlaps with that of involvement in gangs and underscores several important lessons for responding to gang membership.

First, intervening in the lives of active gang members will yield positive social returns. While a good deal of research and practice has focused on preventing gang membership (Esbensen et al. 2012; Centers for Disease Control and National Institute of Justice 2013; Maxson 2011), there are substantial dividends in crime reduction to be achieved by getting people out of gangs. Reducing the time an individual belongs to their gang will reduce the number of offenses they commit, thereby

providing collateral benefits in the form or reduced criminal justice expenses, improved community control, and improved life chances for the individuals who exit their gang more quickly. While prevention does pay greater returns, prevention efforts suffer from the difficulty in identifying the right targets for prevention efforts and are consequently less dose specific than are efforts to target current gang members. While risk factors associated with gang membership (Esbensen et al. 2009; Klein and Maxson 2006; Maxson 2011) have been identified, there is considerable overlap between these risk factors and those for involvement in delinquency. The lack of specificity for gang risk factors as well as the inability to better understand the role of intensity, duration, priority, and salience make these less useful in directing prevention efforts. In short, prevention efforts spread a broad dose over a large population and include many individuals at low risk for gang involvement. Such is not the case in efforts that attempt to speed the exit from gangs on the part of current gang members.

Second, exiting the gang is not the reverse of entry into the gang. It is important to understand that exiting the gang appears to be a distinctive process. That is, the risk factors and processes associated with joining the gang appear to be different from those associated with leaving the gang. As we noted in 2011 (422), "the forces that propel individuals to join their gang (respect, protection, opportunities for drug sales) are different than the motives for leaving the gang." This means that intervention programs designed for current gang members cannot be expected to be effective if they are built on prevention programs; a unique approach is necessary. Uggen and Piliavin (1998) refer to this as "asymmetrical causation" with respect to criminal desistance. In the context of gangs, we would note that if the chance to make money was a motive for joining the gang, replacing it with other money generating activities may not comprise a reason to leave the gang. While numerous intervention frameworks pay homage to "opportunities provisions," that alone may not spur gang disengagement. Criminal desistance researchers often note that structure (i.e., controls such as work, family) and agency (i.e., personal resolve, capacity for decision making) must be compatible. If there is a mismatch between the two (structure and agency), we see little reason to be optimistic about gang disengagement. Such alignments are often difficult, but tend to be naturally occurring. This leads to our next point.

Third, policy and practice to facilitate gang disengagement should be built on a combination of pushes and pulls. An additional finding from this review is the role of both social opportunities as a means to pull gang members from their gang as well as the role of suppression activities to push them out of the gang. Both can play a role, but it must be noted that suppression rarely works in a vacuum (Decker 2007) and is most effective in the face of alternatives that may include jobs, job training, and opportunities to engage in prosocial activities.

Fourth, interventions must be cautious to avoid labels and controls that stifle natural gang disengagement processes. We observed that in many instances, individuals left their gang largely of their own accord and as a consequence of normal socializing processes. Indeed, our own research shows that "programs" rarely have an impact on a gang member's decision to exit from their gang. A large part of our advice to

those who would speed the process of desistance from gangs is to avoid getting in the way of such normal social processes. This can be done by recognizing the signs of gang leaving early in the process and not reinforcing gang membership through stigmatizing individuals in the process of getting out of their gang, putting up unnecessary roadblocks to the exit process or continuing to treat an exiting gang member as if they were still fully embedded in their gang. Indeed, the research describes the exit process as just that, a process that can occur over a period of several months, with individuals recalibrating their levels of embeddedness in their gang.

Many gang members fluctuate in their level of commitment to the gang as they exit, and the process of being fully disengaged from the gang may see a series of steps forward and backward. Precipitating events may serve to push them back toward the gang (threats from rival gangs, being identified as a gang member by police) as their identity as a gang member is reinforced. Similarly, there are precipitating events that may push them further from the gang (the death of a parent, pregnancy, a job opportunity). It is important to reinforce those events that serve to distance them from their gang, events that can serve as "hooks" (Giordano et al. 2002) for change. It should also be recognized in this process that many gang members have "damaged" social capital. The period of gang membership is a time of declining ties with prosocial peers and institutions. The more isolated a gang member becomes from such individuals and institutions, the more difficult it will be for them to re-engage as they leave their gang. This may in part account for the "fits and starts" in attempting to leave the gang, as many of those relationships have been "broken" and take time to reinitiate.

Fifth, think outside the box. Gangs and gang members alienate themselves from most of the key institutions that could play a role in aiding their exit from the gang and reintegration into society. Families, employment, religion, school, and civic life all get left behind during periods of gang membership. There is one social institution, however, that gang members remain engaged with during periods of gang membership: the Internet (Pyrooz et al. 2013). This points to the power that the Internet can have in the promotion of prosocial and noncriminal relationships and opportunities. There is a body of work that argues that the way to use the link between the Internet and gangs is to exploit the "digital trail" of evidence left behind to solve cases (e.g., Knox 2011). Others, such as Google Ideas' *Strategies Against Violent Extremism* (http://www.againstviolentextremism.org), are promulgating alternative views that the Internet can be used as a means to facilitate disengagement and to expand the outlook of individuals enmeshed in deviant underworlds. As gang members and social life continues to move online, we anticipate digital responses to street-based social problems to grow and offer a means to engage individual gang members outside of the critical eyes of the gang.

Sixth, intervention without rigorous evaluation will only result in lost opportunities to deal effectively with gang disengagement. There is a debate in the gang literature about what, if anything works in gang intervention. Howell's review (2011) provides a more optimistic view about the efficacy of gang intervention programs than does the Klein and Maxson (2006) review. Difficulties in implementation have plagued many of the large-scale interventions (Decker and Curry 2002) that make

assessing their outcomes more difficult. Regardless of the efficacy of gang intervention activities, it is clear that the overwhelming majority of gang members who leave their gang each year do so not primarily as a consequence of a specific program, but largely as a consequence of the normal socializing processes associated with maturation. Reinforcing these processes and not interfering with their influence should be at the top of the list for those who seek to reduce the length of time individuals remain in their gangs.

5.5   Conclusion

Policy and practice on gang desistance has largely been disconnected from research on the topic. This disconnect is unfortunate for many reasons, primarily as it has allowed "hunches" and the self-interested proclamations of "interventionists" to pass for knowledge-based efforts. A growing body of research on gang desistance provides several important conclusions.

First, the gang desistance process is asymmetrical from the process of joining the gangs. The factors that lead an individual to join a gang do not work in reverse; a different set of factors lead people into and out of gangs. Second, while gang prevention remains important, gang intervention needs similar attention and funding. Getting individuals out of their gangs pays substantial dividends in terms of crime reductions and the collateral community support associated with reductions in crime. Third, a large number of individuals cycle in and out of gangs every year. Given resource and program constraints, most of those who get out of their gang do not have the benefit of participation in programming. It appears that normal socializing processes (jobs, family, maturational reform) play the key role in the process of getting out of gangs. Finally, exiting from the gang is often a precarious process in which gang members bounce back and forth from their established status as a gang member to a new status as a "former" gang member. Clearly we need to better understand the specific processes in such transitions.

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Part IV
Cross-Cultural Interventions

Chapter 6
The Effectiveness of Marriage as an "Intervention" in the Life Course: Evidence from the Netherlands

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Abstract Twenty years ago, Sampson and Laub (1993: *Crime in the making: Pathways and turning points through life*. Cambridge, MA: Harvard University Press) formally presented their age-graded theory of informal social control highlighting the importance of social bonds across the entire life course in understanding pathways into and out of crime. Since then, a large body of research has appeared testing key facets of their theory. One particularly important and well-studied tenet is the notion that key life events hold the potential to redirect lives and foster desistance from crime. In this chapter, we focus on the role of marriage in the life course and review the empirical body of work examining the generalizability of the marriage effect in understanding patterns of persistence and desistance from crime in the Netherlands. For a number of substantive and analytic reasons, the Netherlands provides an interesting context to test the generalizability of the marriage effect cross-culturally including its progressive social and political climate. Despite notable differences when compared to the USA, overall results demonstrate that the "good marriage effect" holds in the Netherlands. Men and women, across sociohistorical context and crime type, are less likely to offend when married compared to when not married. The effect is especially pronounced for men who marry a noncriminal spouse though interestingly marriage, irrespective of spousal criminality, is beneficial for female offenders. In short, marriage is an important factor when thinking about pathways out of crime. We conclude this chapter by identifying how

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the marriage effect can inform criminal justice policy and practice as well as offering up what we see as fruitful avenues for future research.

6.1 Introduction

By definition an intervention is an event, act, or person that comes between two events or people. This term is often used in reference to attempts made by people to counsel those suffering from a serious addiction or traumatic experience. Can marriage be thought of as an intervention for those involved in crime? A significant body of scholarship has emerged in recent decades documenting the potential of marriage to redirect the lives of offenders by promoting desistance from crime (see Bersani and Doherty 2013; Rhule-Louie and McMahon 2007). Even more persuasive are the recent findings indicating that marriage has a causal effect on desistance from crime over the life course (King et al. 2007; Sampson et al. 2006). In this vein, marriage, or emergent qualities of marriage, may *intervene* in the life of an offender altering his/her behavioral trajectory.

Notably, while much evidence shows that the event of getting married is related statistically to criminal behavior, the theoretical reasons explaining this marriage–desistance relationship point to the changes that take place alongside or as a product of marriage (see Bersani and Doherty 2013; Laub and Sampson 2003). As Laub et al. (1998:226) note "a change in criminal trajectory does not necessarily result from marriage or work alone. Rather, it is a response to an enduring attachment that emerges from entering into a marriage or job." Others have also posited that marriage is a proxy for or a part of the identity change that results from the process of desisting from crime (see e.g., Giordano et al. 2002; Maruna 2001). The effects of marriage may also be situational in nature increasing levels of supervision (Gottfredson 2005), severing connections to deviant peers and places (Kirk 2012; Warr 1998), or altering routine activities (Osgood and Lee 1993). Therefore, efforts aimed at strengthening and sustaining "good" marriages may hold potential to promote desistance from crime. With this in mind, significant research effort has been directed at understanding the generalizability of the marriage effect. In what follows we briefly review the origins of the "good marriage effect" in criminology before reviewing the extent to which the relationship between marriage and crime holds cross-culturally by focusing on the growing body of scholarship conducted in the Netherlands.

6.2 Origins of the "Good Marriage Effect"

The salience of marriage as a pivotal event in the life course has long been recognized. Today, a significant body of research demonstrates that when married, people tend to be happier, healthier, and better off financially (Waite and Gallagher 2000). Evidence that the benefits of marriage extend to criminal behavior received prominence with the formal presentation of Sampson and Laub's age-graded theory

of informal social control in *Crime in the Making*: *Pathways and Turning Points through Life* (1993). Their pioneering research is based on a reanalysis of the Unraveling Juvenile Delinquency data (Glueck and Glueck 1950), containing detailed information on the delinquent development of 500 boys remanded to Massachusetts's reform schools and a matched control group of 500 non-delinquent boys followed from childhood to adulthood. Integrating the life-course paradigm (Elder 1985) with social control theory (Hirschi 1969), Sampson and Laub posited that variation in age-graded informal social controls explained variation in offending over the life course. In support of this thesis, the authors found that turning points—especially being in a quality marriage with strong attachments between spouses—were associated with reductions in criminal offending controlling for a host of socio-demographic background factors and prior criminal involvement.

A decade later, armed with supplemental quantitative and qualitative life history data following the original UJD boys up to 70 years of age, Laub and Sampson (2003) present robust evidence of the change potential linked to turning points in the life course. More recently, using a counterfactual approach to better control for selection effects (Sampson et al. 2006), marriage was found to causally inhibit crime over the life course. Specifically, being married was associated with an average reduction of 35 % in the odds of crime compared to non-married states.

In recent years, an increasing number of studies have investigated the impact of marriage on criminal offending. The results are quite consistent: marriage reduces criminal offending—even in the short term—and endures despite increases in methodological and statistical sophistication. The so-called good marriage effect appears to be robust and is found in high-risk and general population samples, across official and self-report data and across gender and race (see Bersani and Doherty 2013).

6.2.1 Assessing the Generalizability of the Marriage Effect in a Cross-Cultural Context

The bulk of the research on turning points and desistance from crime in general, and marriage in particular, has been conducted using samples drawn from the US population. The wide heterogeneity found within the general US population has allowed for an assessment of the extent to which the marriage effect exists beyond the "white" male sample that formed the foundation of Sampson and Laub's life-course theory, with much evidence pointing to a generalized good marriage effect. Yet, to a certain extent, the research conducted within the USA is linked by a commonality regarding the meaning of marriage (although see Bersani and Dipietro 2013). Is the marriage effect observed in the USA a product of the individualist yet compassionate relationship structure that characterizes many American relationships (see Amato et al. 2007)? Despite important cultural and social differences in the meaning of marriage across countries, there is some evidence to suggest that the benefits of marriage for offending extend beyond the USA. Briefly, marriage has been associated with less offending in the UK (Farrington and West 1995; Knight et al. 1977; Theobald and Farrington 2009), Canada (Ouimet and Le Blanc 1996), and the Netherlands (Blokland and Nieuwbeerta 2005).

6.3   Marriage and Offending in the Netherlands

For a number of substantive and analytic reasons, the Netherlands provides an interesting context to test the generalizability of the marriage effect cross-culturally. Substantively, like the USA, the Netherlands is a highly economically developed country and a long-standing democracy. Additionally, the Dutch hold progressive ideals regarding definitions of the family and its formation. From the 1970s onwards, it has become more and more common to cohabit, and cohabitation has even become a substitute for marriage in the Netherlands (Liefbroer and Dykstra 2000). The current increase in cohabitation rates is not unique to the Netherlands and has taken place in other countries as well (Kalmijn 2002).

Analytically, data generated in the Netherlands provide one of the only sources of information in which researchers are able to partially replicate the quantitative analysis undertaken by Laub and Sampson (2003). Specifically, Sampson and Laub's formal introduction of the life-course paradigm to criminology was not only a significant theoretical contribution, but a data contribution as well. Their data contain a wealth of socio-demographic and individual characteristics with detailed offending and life history event experiences from childhood to old age for nearly 500 men who are defined as serious offenders in adolescence. Only with the passage of time will another comparable dataset be available for criminological inquiry. Because the availability of data for conducting an investigation similar to the one undertaken by Laub and Sampson (2003) is rare, requiring data covering the vast majority of an individual's life course as well as a large sample size with a sufficient number of serious offenders, few studies have been able to fully replicate their work.

In the year 2000 Paul Nieuwbeerta, who then started working as senior researcher at the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR), realized the growing importance of understanding criminal offending in the Netherlands and realized that it was important to aim to replicate Sampson and Laub's study in Europe. With Arjan Blokland and Paul Nieuwbeerta as Principal Investigators and Marieke van de Rakt and Marieke van Schellen as main collaborators, the Criminal Career and Life-Course Study (CCLS) was developed. Though lacking in the depth of data on childhood, family, and environmental characteristics, the unique design of the Criminal Career and Life-Course Study (CCLS) provides criminologists with an opportunity to conduct a test of the underlying ideas presented by Sampson and Laub in a cross-cultural context. The sample contains over 5,000 convicted offenders (4,187 men and 428 women) with data spanning a large portion of the life course (i.e., adolescence, young adulthood, and later adulthood) (see Nieuwbeerta and Blokland 2003 for details). The CCLS offenders were selected by taking a four-percent sample of all cases of criminal offenses tried in the Netherlands in 1977; detailed offending information documents the exact time/date of the offense disaggregated by crime type. Information gleaned from population registration records indicates that the overwhelming majority of CCLS subjects (74.9 %; $n = 3,456$) married on at least one occasion. Notably, the CCLS was recently supplemented with data on the complete criminal careers (from age 12 to calendar year 2007) of all of the marriage partners of the original CCLS sample

subjects (van Schellen 2012). As a result, the CCLS data offer a rare opportunity to study the relationship between marriage and crime, because it allows for the determination of the exact timing of marriage as well as criminal offenses for all sample subjects and their marriage partners controlling for periods of prison confinement.

The level of detail found in the CCLS, coupled with the larger social and political shifts in views toward marriage and punishment, results in a unique opportunity to test the robustness of the good marriage effect. First, related to marriage, although nowadays the Netherlands is known for its high cohabitation rate, marriage patterns in the CCLS were comparable to other countries (e.g., the USA) during most of the period under study. Importantly, while the largest share of the persons in the CCLS reached marriageable age before 1977 (the year in which all sample respondents were drawn from), some individuals were young (minimum age 12 in 1977) and would have matured during a time of shifting family formation ideals. Second, though criminal sanctions have become increasingly severe since the 1990s, in 1977 offenders were less easily convicted compared to today. As a result, offenders captured in the CCLS dataset represent relatively serious offenders.

Overall, the growing body of scholarship based on the CCLS data has examined the relationship between marriage and offending testing for gender differences, the influence of sociohistorical context, and the impact of spousal criminality. Results of this research demonstrate important points of variation in the strength and salience of the marriage effect in understanding desistance from crime. We briefly summarize the literature conducted in the Netherlands in Table 6.1 before reporting the main results of research utilizing the CCLS data below.

6.3.1 The Impact of Marriage on Offending

One of the first studies to use the CCLS data and examine the marriage–crime association was conducted by Blokland and Nieuwbeerta (2005) who examined the relationship between changes in life circumstances, including marriage and trajectories of offending. Similar to previous research, their results revealed that marriage was associated with a reduction in offending for the vast majority of individuals in the data; however, they also noted that there was no observed marriage effect among a small group of high-rate offenders. Specifically, they found that being married was associated with a 27 % decrease in conviction rates for low-rate offenders and a 55 % decrease for moderate-rate offenders. Marriage, however, did not change conviction rates for sporadic and high-rate offenders. With this research, a foundation was laid documenting a marriage effect among a sample of Dutch offenders. Despite a growing consensus regarding the beneficial nature of marriage when considering involvement in crime, important questions remained regarding the generality of this finding.

Much of the motivation for the work completed by one of the authors of this chapter was not only to test the extent to which marriage influences crime outside the USA, but also to attend to the challenges voiced by scholars suggesting that the marriage effect may be bound by historical period and/or by demographic subgroup (see

Table 6.1 Summary of studies examining the marriage effect in the Netherlands

Authors and year	Data	Core research focus	Key findings
Apel et al. (2010)	CCLS	Incarceration effect on marriage	Incarceration has a weak, short-lived effect on the likelihood of marriage; however, the effect of incarceration was much more pronounced when assessing the risk of divorce among offenders who were married when they entered prison.
Beijers et al. (2012)	198 high-risk, institutionalized adolescent males	Marriage effect: period effect	Marriage is associated with desistance from crime for males married after 1970. No effect of marriage on offending was found for males married prior to 1970.
Bersani et al. (2009)	CCLS	Marriage effect: gender and sociohistorical context	Marriage is associated with desistance from crime for males and females, albeit a weaker effect for females. Marriage is associated with desistance from crime across sociohistorical context with evidence indicating a strengthening of the effect of marriage among more contemporary cohorts.
Blokland and Nieuwbeerta (2005)	CCLS and Dutch National Crime Survey	Marriage effect: offender trajectory	Variable effects of marriage. Marriage is associated with a decrease in offending among low-rate and moderate-rate offenders. Marriage was not associated with offending among sporadic or high-rate offenders.
McGloin et al. (2011)	CCLS	Marriage effect: offending variety and specialization	Marriage is associated associated with a decrease in the variety of criminal offenses committed.
Petras et al. (2010)	CCLS	Marriage effect: prevalence and frequency of offending	When married, individuals have a lower probability of conviction and if convicted a lower frequency of conviction. Pattern of effects is similar for males and females.
van Schellen et al. (2012)	CCLS	Spousal criminality effect on marriage	Marriage reduces the rate of criminal convictions among males, but only if one marries a noncriminal spouse. The beneficial crime-reducing effects of marriage are felt for women regardless of the criminal history of the spouse.

Table 6.1 (continued)

Authors and year	Data	Core research focus	Key findings
van Schellen et al. (2012)	CCLS	Offending effect on marriage	Seriousness and proximity of criminal convictions decreases the probability of marriage and, among those who do marry, increases the chances of marrying a criminal spouse.
Zoutewelle-Terovan et al. (forthcoming)	540 high-risk, institutionalized youth	Marriage effect: gender	Marriage, parenthood, and their interaction (full family package) reduced offending for men. No effect of marital status or parenthood was found for women.

Abbreviation: *CCLS* Criminal career and life-course study

e.g., Giordano et al. 2002; King et al. 2007). In brief, critiques were levied at the fact that not only may the benefits of marriage not be felt among females who are more likely to "marry down", but the onset of the divorce revolution and delays in marriage found today may have affected the extent to which marriage remains a salient force in the life course. To be sure, the social context of the Netherlands is quite different from that of the USA or to Boston specifically, but it was proposed that this differentness offered an ideal test of the generalizability of the theory and particularly the "good marriage effect." By looking at patterns within a sample of Dutch male and female offenders born between 1907 and 1965, Bersani et al. (2009) could assess the lasting relevance of the institution of marriage on offending in three distinct historical periods. Specifically, Bersani et al. (2009) tested the extent to which the finding of a good marriage effect was observed across gender and sociohistorical context in the Netherlands. We revisit here the arguments presented in that article that initially led to the expectation of differences in the effect of marriage on offending when the data were disaggregated by gender and sociohistorical context.[1]

6.3.2 Gender and the Marriage Effect

Most longitudinal studies examining desistance from crime have been limited to looking at samples comprised solely of male offenders. Studies that do include females often "do not include sufficiently large numbers of seriously delinquent girls to provide for a comprehensive analysis." (Giordano et al. 2002:994). In general, however, the few studies that have examined the relationship between gender and desistance find more similarities in the desistance process across gender than differences (Baskin and Sommers 1998; Giordano et al. 2002; Leverentz 2006; Uggen

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[1]Much of the information that follows was published in Bersani et al. 2009. Marriage and Desistance from Crime in the Netherlands: Do Gender and Socio-Historical Context Matter? *Journal of Quantitative Criminology*, 25: 3–24.

and Kruttschnitt 1998). For example, Giordano et al. (2002) employ a mixed method approach to investigate desistance from crime with a sample of 101 serious male and 109 serious female adolescent delinquents. Although the findings indicate potential areas of gender differences, there is remarkable similarity in the narratives of men and women regarding their change processes. Specifically, desistance appears to be largely a non-gendered process. Additionally, using qualitative interviews with 49 female ex-offenders in Chicago, Leverentz (2006) finds that benefits from intimate relationships (e.g., marriage, cohabitation) develop even when the partner would be described as antisocial (defined as having a history of offending and/or drug use). Therefore, regardless of whether women "marry down" or not, relationships may be as beneficial for women as they are for men.

A more recent study, however, found evidence of important differences in the marriage effect across gender. King et al. (2007) examined gender differences in the influence of marriage on desistance for a sample of 1,725 young adults from the National Youth Survey. The findings evidenced complexities in the marriage effect when examined across gender. To illustrate, initial estimates demonstrated that marriage was negatively associated with offending for both males and females. However, once the sample was conditioned upon the propensity to marry, marriage maintained a small, significant effect on desistance for males, but had no effect on desistance for females. The authors investigated this finding further by disaggregating their sample into groups with low, medium, and high propensity to marry. The results of this analysis indicated that the effect of marriage on desistance varied depending on one's level of propensity to marry. For males, marriage seems to be the most beneficial for those who are least likely to marry—a finding consistent with Laub and Sampson's (2003) statement that men almost invariably marry up. Conversely, for females, the marriage effect on desistance was significant only for those with a moderate propensity to marry. Overall, the findings from this research question the non-gendered characterization of the desistance process.

Despite expectations of gender differences in the marriage effect, Bersani et al. (2009) found that marriage was related to declines in offending for both men and women. Notably, the effect of marriage was stronger for men which may be due to the tendency of men to "marry up" and women to "marry down" (Laub and Sampson 2003; Sampson et al. 2006). That is, because men are disproportionately more criminally active than women there is a greater likelihood that women will marry criminal men which could deflect some of the desistance potential of marriage for women. The greater salience of marriage for men could also potentially be driven by the role of parenthood whereby motherhood appears to be more consequential for women than men (Giordano et al. 2002; Graham and Bowling 1996; Uggen and Kruttschnitt 1998) and may account for a share of the decline in offending for women.

6.3.3   Sociohistorical Context and the Marriage Effect

Members of particular cohorts share a social history which includes the occurrence and aftermath of historical events and the opportunities and constraints posed by

society at a given time (Alwin and McCammon 2004; see also Mannheim 1952). Understanding the context of development allows one to gain an appreciation for how lives develop in time and space in distinctive or contingent ways (Laub and Sampson 1995). Moreover, because historical events have the ability to significantly alter individual lives and life-course patterns, scholars have stressed the importance of taking into account historical context when examining individual life histories (Elder 1975; Laub and Sampson 2003).

Research investigating the influence of salient life events on criminal behavior has been criticized for being bound by its historical context. For instance, in their seminal work on crime and the life course, Laub and Sampson (2003) tracked the life histories of a group of male offenders born between 1925 and 1932. These men matured during a period characterized by great economic opportunity and traditional sex role ideologies (Laub and Sampson 1995). This research found strong support for the effect of marriage, employment, and military service on desistance from crime. Questions arise, however, concerning whether the influence of salient life events such as marriage holds for "offenders coming of age within the context of a more contemporary social and economic landscape." (Giordano et al. 2002:991). Laub and Sampson themselves take note of the fact that their sample is set within a particular sociohistorical context and comment that the "[p]rospects for current cohorts may not be as promising." (Laub and Sampson 1995:137).

A cursory glance at the developments that have taken place over the past century in the Netherlands reveals dramatic changes in the opportunity structure. We discuss two particularly influential changes that have occurred in the twenty-first century. First, relationship patterns have changed substantially resulting in increasing levels of cohabitation and later ages at first marriage (Mensch et al. 2005; Smock 2000; Waite 1995). Similar to the USA, in the latter half of the century, the age at first marriage has been increasingly delayed in the Netherlands (Liefbroer and Dykstra 2000). Whereas the median age of first marriage in the Netherlands following the Second World War (WWII) was on average 24 years of age for men and 23 years of age for women, by the1960s the median age of first marriage increased to 30 years of age for men and almost 27 years of age for women (Liefbroer and Dykstra 2000). These changing relationship patterns are repeated when examining rates of cohabitation as they have dramatically increased since the 1960s in the Netherlands. That is, whereas close to 100 % of the population married rather than cohabited in the first half of the century, by the 1960s approximately 70 % of the population reported cohabiting prior to marriage (Liefbroer and Dykstra 2000). Today, cohabitation in the Netherlands is deemed a normative phase in the life cycle (Manting 1996).

Second, in most developed countries the economy changed dramatically during the mid-part of the century following WWII. In the Netherlands, although the economy was physically devastated by the war (Hagestad and Call 2007), the period from 1950 to 1973 marked the "Golden Years" characterized by a fast and stable economic performance (van Zanden 1998). However, beginning in 1973, the economy took a dramatic turn for the worse as unemployment rates increased and the number of hours worked decreased (van Zanden 1998). This downturn persisted until 1987, when the economy once again experienced a sharp increase in performance. The literature is replete with studies documenting the interdependencies among family

and work (see, e.g., Bianchi et al. 2005). That is, employment affects an individual's marriageability as it symbolizes one's ability to be a good provider (Oppenheimer 1994; Wilson 1987). Hence, as economic opportunities diminish, so too do marriage opportunities. The importance of these changes in the opportunity structure over time has even greater salience for certain segments of society—including the offender population (Laub 1999). Currently, we do not know what effect these changes may have had on the relationship between marriage and offending.

Therefore, although the research to date contributes to our understanding of the influence of marriage on desistance, generalizations concerning the marriage effect may be misleading as they are prone to "cohort centrism" (Riley 1973). That is, because "the life course of any particular cohort reflects its own unique historical background, the numbers and kinds of people involved, and the special sociocultural and environmental events to which these people are exposed" (Riley 1973:42), we are limited in making generalizations about observed life-course patterns from analyses conducted on a single group of individuals born in a particular sociohistorical context. Alternatively, a more informative strategy would be to analyze individuals across multiple historical contexts which would allow for comparisons across contexts and therefore an assessment of generalities and/or anomalies in life patterns (Elder 1975; Farrington and Maughan 1999; Hogan and Astone 1986; Riley 1973).

Disaggregating the CCLS sample into three mutually exclusive cohorts based on birth–years (1907–1945, 1946–1955, and 1956–1965), Bersani et al. (2009) examined the extent to which differences in sociohistorical context may affect the findings regarding the desistance potential of marriage. Not only did the authors find evidence of a beneficial crime-suppressing effect of marriage on offending, they also found that the marriage effect was strongest in the most contemporary context, among offenders born between 1956 and 1965. That is, marriage had a stronger statistical effect among those in the *youngest* cohort. Combining dual foci on gender and sociohistorical context, the authors examine whether changes across sociohistorical context may have differentially influenced females who experienced the most dramatic shifts in their familial and social roles over the past century. They also tested the robustness of the findings across crime type and plotted the percent reduction in the odds of a conviction for gender, historical context, and conviction type shown here in Fig. 6.1.[2] In short, the results failed to demonstrate significant differences in the effect of marriage across gender and historical context combinations. These findings led to the conclusion that "at least with respect to crime, marriage seems to be anything but old-fashioned, "retro," or no longer relevant." (Bersani et al. 2009:23).

In sum, Bersani et al. (2009) find strong evidence for the generalizability of the "good marriage effect" investigating for differences across gender, sociohistorical context, crime type, and the intersection of gender and sociohistorical context. Notably, since the publication of that work, a growing body of research has continued to test and tease out the conditions in which marriage fosters desistance from crime in the Netherlands. A particularly influential aspect of this work is the consideration of partner criminality.

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[2] Figure 2 in Bersani et al. (2009), reprinted with permission.
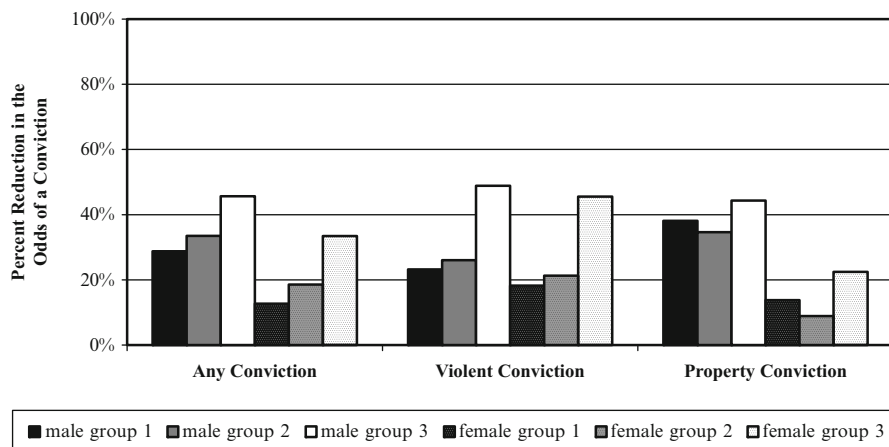
Fig. 6.1 Percent reduction in the odds of a conviction due to marriage by gender, sociohistorical context, and conviction type (criminal career and life-course study)

6.3.4 Spousal Criminality and the Marriage Effect[3]

Despite a growth in longitudinal data with detailed information on offending histories, absent from most studies is the inclusion of detailed information on the criminality of romantic partners. This limitation is particularly consequential for studies assessing the effects of marriage on offending patterns. Recall, theoretically, emergent qualities that arise alongside marriage should be of greater consequence than simply getting married (Laub and Sampson 2003; Sampson and Laub 1993). Moreover, the concept of "linked lives" takes a prominent place within life-course criminology. Individuals do not live in isolation but rather are influenced by significant others (Elder 1998). While empirical studies of marriage effects on individual criminal careers have been accumulating, remarkably, until now, almost no attention has been paid to the criminal careers of offenders' spouses (Rhule-Louie and McMahon 2007). This is especially surprising because attachments to unconventional individuals are considered to be among the most important predictors of delinquent behavior during adolescence. Adolescents who have delinquent friends are more likely to become delinquent and commit more crimes than adolescents without deviant connections (Haynie et al. 2005; Simons et al. 2002). In a similar vein, the protective effects of marriage may very well depend on the criminal history of the partner to whom one is attached. If like marries like—if criminal individuals disproportionately marry criminal partners—then the crime-reducing effects of marriage may be limited or even absent in these relationships. For example, offenders may have similar views on the appropriateness of criminal offending,

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[3] Much of the information that follows was published in van Schellen et al. (2012).

"Because You're Mine I Walk the Line?" Marriage, Spousal Criminality, and Changes in Criminal Offending over the Life Course. *Journal of Quantitative Criminology* 28 (4), 701–723.

may learn from each other, and may pass on their criminal skills (Giordano et al. 2007; Leverentz 2006; Simons et al. 2002). At the very least, marriage to a criminal spouse could result in persistence in criminal offending and, at worst, escalation.

Earlier studies on partner criminality are scarce and show mixed results. Most of them find that partners' delinquency is related to an increase in offending. In some cases this relationship is stronger for women (Capaldi et al. 2008; Haynie et al. 2005; Moffitt et al. 2001; Simons et al. 2002). In addition, singles would be even better off than those involved with a delinquent partner: they display lower crime rates (Woodward et al. 2002). However, there is also some evidence that marriage has protective effects irrespective of the criminal behavior of the spouse (Sampson et al. 2006). Although these earlier studies have made important contributions to the marriage–crime literature, they are characterized by several limitations. The main shortcoming is the lack of longitudinal information on partners' criminal history. As relationship status and partner criminality are measured at the same time, this limits the causal inferences that can be made. The association between partners' criminal behavior can also result from selection processes that take place before relationship formation. Second, most earlier studies limited their focus to adolescence and early adulthood. This is remarkable because partner relationships are especially salient during adulthood. Moreover, the long-term effects of relationships are hard to establish. Third, earlier studies investigated relationships of varying durations at various stages of attachment (e.g., married, cohabiting, unmarried but committed relationship). In addition, the (marital) relationships under study might be the first relationship but also the second or even the third. Although these different types of relationships might very well have different effects, they are not analyzed separately (partly because of small sample sizes).

Using the CCLS data, which contains longitudinal data on the lifelong criminal careers of both offenders and their spouses, one of the authors of this chapter and colleagues (2012) address the shortcomings of earlier studies by investigating whether the effect of marriage is conditioned by the criminality of one's spouse; that is, what effect does marriage to a non-convicted versus a convicted spouse have on an individual's post-marriage conviction frequency. One difficulty to overcome is that marriage and partner selection are not randomly determined. Individuals who marry are likely to have different characteristics than persons who do not marry, and individuals who marry convicted spouses are likely to have different characteristics than offenders who marry non-convicted spouses. The most rigorous way to account for (un)observed heterogeneity would be to use an experimental setting in which persons are randomly assigned to the "treatment" of marriage. By means of this design all differences between persons in the experimental group and the control group are eliminated. Obviously individuals cannot be randomly assigned to marriage or to noncriminal or criminal partners. A unique strength of the CCLS data, with lifetime conviction histories on all offenders, is the ability to estimate the effect of marriage and spousal criminality on conviction frequency in the presence of "selection on unobservables" (Heckman and Hotz 1989).

The results of a fixed-effects model show that marriage is indeed a salient transition in the criminal career, but there are several qualifications to this conclusion related to characteristics of the offenders (gender and criminal history),

characteristics of the spouse (criminal history), and characteristics of the marriage (duration). Among men, being married to a non-convicted spouse uniformly reduces criminal involvement. On the other hand, being married to a convicted spouse is indistinguishable from being unmarried and thus sustains criminal involvement. Although "criminal" marriages were not protective in nature, there was also no evidence that marrying a criminal spouse increased criminal behavior—a finding that runs counter to results of an earlier study (Woodward et al. 2002). One explanation might be that previous research had no longitudinal information on spouses' criminal behavior and were not able to clearly distinguish partner selection from partner influences during the relationship. Similarity in criminal behavior could also result from the fact that partners already resemble each other before relationship formation. In addition, van Schellen et al. (2012) also found that the effect of being married to a non-convicted spouse was especially pronounced for men with extensive criminal involvement prior to marriage. This finding aligns with research suggesting that the crime-reducing effects of relationships would be stronger for individuals with a higher propensity to commit crimes, simply because they have more potential criminal behavior in need of deterrence (Wright et al. 2001). Finally, the findings of a "good marriage effect" among those marrying a non-convicted spouse were found to be stronger among males in more stable (i.e., of longer duration) marriages.

The women in the CCLS who marry also tend to benefit from their union, and interestingly, this relationship holds up irrespective of the conviction history of the spouse. Thus, the institution of marriage per se tends to promote desistance among high-risk female subjects. Remarkably, no support is found for the idea that women are more strongly influenced by the criminal behavior of their partners than men. The fact that no detrimental effect is found of having detrimental effect of having a convicted spouse might be partly attributed to the birth of children during marriage which might have a more pronounced impact on females' lives (both practical and emotional) and reduce the preferences and opportunities to commit crimes more than for men (Giordano et al. 2002; Uggen and Kruttschnitt 1998). The crime-reducing effect of childbearing might outweigh the crime-stimulating effect of a convicted husband. In addition, it has been suggested that less contact with peers might explain the finding that marriage reduces women's criminal behavior irrespective of the criminal background of the spouse. Married women would prioritize family responsibilities over friends—more so than men (Giordano et al. 2002).

6.4 Translation of Marriage Effect Research into Public Policy Initiatives

The bulk of the extant empirical research from work conducted in the Netherlands demonstrates a beneficial effect of marriage though the strength of this effect varies depending upon characteristics of the offender (gender), their spouse (criminality), and sociohistorical context. In short, marriage continues to be an important factor

when thinking about pathways out of crime. Translating this finding into practice is particularly challenging and has recently formed an important point of contention in the literature (see Lyngstad and Skardhamar 2010; Theobald and Farrington 2009, 2010). Individuals cannot be mandated to marry or to stay married nor can the criminal justice system seek out quality mates for individuals; these are private decisions in which it is difficult and undesirable to intervene. However, in light of the consistency in findings suggesting that marriage matters and that it tends to matter in a good way, a better understanding of why marriage matters or the mechanisms underlying the association between relationship transitions and crime may provide practitioners with information on how to best promote desistance from crime. In line with the findings detailed above, we formulate several suggestions for policy in the field of crime and justice. Notably, these suggestions echo statements made by others who have long observed the importance of social ties in curbing involvement in crime and the potential for collateral consequences stemming from incarceration (see e.g., Laub et al. 1995; Petersilia 2003).

First, given that incarceration has been found to sever ties to one's spouse increasing the risk of marital dissolution (Apel et al. 2010) and thereby remove an important factor linked to reductions in offending, the use of alternative, community-based sanctions may serve as a less disruptive sanction allowing offenders to maintain contact with conventional others or refrain from the stigmatizing label that comes from being imprisoned (Laub et al. 1995). The use of alternative sanctions may be particularly advantageous for nonviolent, first-time offenders (Wakefield and Wildeman 2011). Second, and relatedly, efforts should be aimed at maintaining contact between offenders and their spouse/family among those imprisoned (e.g., close geographic location of imprisonment, flexible visitation hours, and adequate provision of phones) (see Bales and Mears 2008; Petersilia 2003). For instance, a large geographic distance between partners may hinder visitation and this decrease in contact between partners might undermine the relationship quality. Research has revealed that offenders released from prison who remained married have a reduced likelihood of recidivism compared to their non-married or divorced/separated counterparts (Visher et al. 2009). Recidivism risk appears to be lower among inmates with stronger (and strengthening) bonds (Rocque et al 2013). Efforts such as the *Marriage and Family Strengthening* initiative in the USA (see aspe.hhs.gov) that work to maintain and strengthen family bonds when one partner is incarcerated or being released may hold potential to maintain and build quality relationships.

Third and finally, when convicts are released from prison in many countries—including the USA and the Netherlands—they receive aftercare to help them readjust to society and prevent them from recidivating. Aftercare has traditionally focused on work and housing; however, partner relationships seem to be forgotten. Given the findings documenting the salience of marriage, aftercare efforts may be strengthened by the inclusion of efforts aimed at the monitoring and mediation between offenders and their (potential) partners after release encouraging the maintenance of quality partner relationships. The interactive nature of work, housing, and social bonds via romantic relationships may prove to be the stronger ally of change. Moreover, a greater recognition that efforts aimed at reintegrating offenders into the community should begin before the day of release (Massoglia and Warner

2011) and continue as offenders transition out of prison and into the community (see, for example, a seamless system of care model; Taxman 1998).

6.5 Areas of Future Inquiry

Despite a substantial growth in research aimed at testing the generalizability and contingencies of the marriage effect, a number of critical questions remain unanswered. We end this chapter by highlighting what we see as five of the most pressing issues here.

First, while accumulating evidence reveals the transformative potential of marriage in redirecting lives, an understanding of the mechanisms promoting desistance from crime is limited. Stated simply, why does marriage matter? Recently, Bersani and Doherty (2013) present a framework for testing one particular facet of mechanisms, namely their enduring and situational nature, and begin to pry open the mechanism "black box." Understanding how, why, and for whom marriage promotes desistance from crime is critical to advancing knowledge about the process of change and, in doing so, better crafting efforts and "interventions" that will promote and sustain desistance from crime.

Second, and relatedly, evidence to date has largely focused on testing the effect of getting or being married on offending trajectories. Importantly, Laub and Sampson's (2003) theory does not indicate that the event of marriage per se fosters desistance; rather, it is the growth in bonds and reinvestment in conventional society that occurs alongside good marriages that hold the potential to function as a turning point and redirect lives. Research is needed that incorporates elements of the characteristics of marriages, particularly marital quality and commitment, the timing and normative ordering of marriage and life events, as well as the influence of multiple relationship transitions (marriage, marital dissolution, remarriage) to better understand situational contingencies in the marriage effect. Unfortunately, the availability of data with detailed information on the characteristics of marriage and romantic relationships lags behind theoretical advancements.

Third, despite recent advances made in disentangling the effects of partner selection from partner influences, research is needed to test the mutual influences in criminal behavior between partners *during* marriage. Previous research has examined the influence of spouses' criminality prior to marriage, but has yet to examine patterns of offending during periods of marriage. It could be the case that spouses do not commit any crimes during their marital relationship or it may be that their offending is limited and more opportunistic during periods of marriage compared to periods of non-marriage. Focusing on the period during marriage would help to disentangle processes of mutual influence between offenders and their spouses.

Fourth, from the 1970s onward, it has become more and more common to cohabit, and cohabitation has even become a substitute for marriage (Liefbroer and Dykstra 2000). The trend towards cohabitation not only took place in the Netherlands but also in other countries (e.g. the US) (Kalmijn 2002). It has been suggested that other

relationship types may be less protective because the bonds between partners would be less strong (Rhule-Louie and McMahon 2007). Empirical research in this area is scarce and the available results are inconclusive (Horney et al. 1995; Sampson et al. 2006; Warr 1998). Research efforts must keep pace with societal changes by examining the influence of other relationship types (e.g., committed relationships, same-sex relationships) on criminal behavior and vice versa (see also Bersani et al. 2009:22).

Fifth and finally, much of the extant literature examines the impact of turning points in isolation: marriage, employment, military service, religion, and parenthood. Future research should aim to take a more holistic approach to studying lives by examining the cumulative and interactive nature of life events. Are the effects of marriage limited to those who also find themselves in stable financial positions? Is the finding of a good marriage effect masking parenting effects? Untangling the complex interactions between salient life events including relationship transitions, parenthood, employment, religion, military service, etc. is an important albeit challenging task for future research.

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Chapter 7
Reintegration as a Right and the Rites of Reintegration: A Comparative Review of De-Stigmatization Practices

Shadd Maruna

Abstract Ex-prisoners routinely list the stigma they face from mainstream society and the criminal justice system as being a chief obstacle in the process of desistance from crime and this is strongly supported by criminological research on labeling theory. Surprisingly, therefore, relatively little research on offender rehabilitation focuses on strategies for reducing stigmatization and the processes of status degradation individuals experience in the criminal justice system. This chapter reviews some recent ideas regarding de-labeling strategies and some practices in this regard internationally.

When agents of criminal justice and other experts on offender rehabilitation list the primary "risk factors" predicting recidivism of prisoners, the focus is often on deficits in human capital (e.g., cognitive or educational shortcomings) or social capital (e.g., criminally minded associates or lack of prosocial social bonds) or occasionally even just plain old capital (e.g., poverty and lack of means of self-support). However, when ex-prisoners are asked about the biggest obstacles they face to leading a crime-free life, they will often list a factor that is studiously ignored by criminal justice agencies (for obvious reasons): the stigmatization of having been processed through the criminal justice system (see LeBel 2008, 2012). According to one such individual: "No matter how much time we do, everyone always thinks it's like once a criminal always a criminal and that is how people see me and it's very hard to deal with" (Dodge and Pogrebin 2001:49). Another former prisoner stated: "You are labeled as a felon, and you're always gonna be assumed and known to have contact with that criminal activity and them ethics. And even when I get off parole, I'm still gonna have an 'F' on my record" (Uggen et al. 2004:283). Moreover, formerly incarcerated persons often have multiple stigmatized

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identities and suffer from double or triple stigma as a former prisoner and because of their race (Pager 2007), past substance use (van Olphen et al. 2009), or a mental disorder (Hartwell 2004; Visher and Mallik-Kane 2007). One formerly incarcerated person summarizes this bluntly in research by Wynn (2001:17): "I am an outcast four times over….Ex-con, ex-junkie, black, and HIV-positive. I'd be lyin' if I told you I had any dreams" (Wynn 2001:17).

Of course, the dangers of such self-fulfilling prophecies are at the heart of the labeling theory tradition in criminology (Becker 1963; Lemert 1951). Outlined eloquently by Frank Tannenbaum in 1938, the idea behind labeling theory is that: "The process of making the criminal is a process of tagging, defining, identifying, segregating, describing, emphasising, making conscious and self-conscious; it becomes a way of stimulating, suggesting, emphasising and evoking the very traits that are complained of… He is made conscious of himself as a different human being than he was before his arrest. The person becomes the thing he is described as being" (Tannenbaum 1938:19–20). As original as this theory was at the time, it also corresponded with common sense. These are the words from the Governor of Sing Sing Prison in upstate New York that same year: "We know now why men 'come back to prison a second, third or fourth time.' … It is because the prisoner, on his discharge from prison, is conscious of invisible stripes fastened upon him by tradition and prejudice" (Lawes 1938:298).

Despite suffering some unfair criticism in the 1980s (see Paternoster and Iovanni 1989; Petrunik 1980), labeling theory has seen a resurgence in recent years both as a key element of important new theoretical developments (see e.g., Braithwaite 1989; Bushway and Apel 2012; Sampson and Laub 1997) as its central premises have received substantial empirical support in recent research (e.g., Bales and Piquero 2012; Fagan et al. 2003; Hagan and Palloni 1990; McAra and McVie 2011; Taxman and Piquero 1998). For instance, in a study of 95,919 men and women who were either adjudicated or had adjudication withheld, Chiricos et al. (2007) found that those who were formally labeled were significantly more likely to recidivate within 2 years than those who were not. Interestingly, Bernburg et al. (2006) found that the process worked in much the same way as theorized by Braithwaite—intervention by the juvenile justice system predicted involvement with deviant gangs, which then led to increased offending. LeBel et al. (2008) also found that individual perceptions of being stigmatized are an important mediating mechanism in the return to criminality. Research participants in the LeBel study who reported feeling stigmatized and socially excluded during a prison-based interview were more likely to be reconvicted and reimprisoned in a 10-year follow-up study, even after controlling for the number of social problems the individual experienced after release.

The mechanics of the labeling process are also well known and explored in criminological research. There is first and foremost a formal *credentialing* on the commission of an act deemed deviant or illegal. Drawing on Randall Collins (1979) classic, *The Credential Society*, Pager (2007:4) argues that the "criminal credential" of a conviction record "constitutes a formal and enduring classification of social status, which can be used to regulate access and opportunity across numerous social, economic and political domains" and is therefore "an official and legitimate means of evaluating and classifying individuals" (p. 5). Second, there is a process of

renaming. When one commits a crime, they are given a new title ("offender" or "criminal" or "delinquent") and the remarkable thing about this title is that it is interpreted as signifying both what a person has done in the past and what they are likely to do in the future. The label becomes who they "are" at an important level.

Third, there is a process of *ritualization* best described by Garfinkel (1956) as a "status degradation ceremony" imbued with authority and legitimacy. Courtroom rites and institutional de-individuatation ceremonies mark out the individual as a deviant (see Maruna 2011). At the end of such rituals, the person becomes "literally a different and new person. It is not that the new attributes are added to the old 'nucleus.' He is not changed, he is reconstituted. … The former identity stands as accidental; the new identity is the 'basic reality.' What he is now is what, 'after all,' he was all along" (Garfinkel 1956:421–422). The fourth key aspect, well described in subcultural theories of criminality, is one of *social exclusion*. The stigmatized person is kept isolated from the mainstream of society and simultaneously welcomed into subcultures of the fellow stigmatized (Braithwaite 1989). Fifth and last, there is an *internalization* of the deviant identity or what Lemert (1951) called "secondary deviation".

As Kai Erikson (1961:311) pointed out, a key feature of these degradation processes is that they "are almost irreversible":

> [The individual] is ushered into the special position by a decisive and dramatic ceremony, yet is returned from it with hardly a word of public notice. … From a ritual point of view, nothing has happened to cancel out the stigmas imposed upon him by earlier commitment ceremonies. … A circularity is thus set into motion which has all of the earmarks of a "self-fulfilling prophecy".

In recent years, criminologists interested in desistance from crime and offender rehabilitation have sought to explore whether there are ways of reversing or nullifying the effects of these labeling processes by directly focusing research on the dynamics of credentialing, renaming, ritualization, social exclusion/inclusion, and internalization in the spirit of de-labeling or un-labeling (see esp. Maruna 2001, 2011). In this chapter, I will review this research on reintegration rituals with particular attention to actual implementation of such policies internationally. For comparative purposes, I will look not just at the USA, but will focus on policies in comparable democracies like the Netherlands, Spain, Germany, Australia, and especially France.

7.1 Obstacles to Success for Ex-Prisoners

Although ex-prisoners in every country face substantial collateral consequences after completing their sentences, few face the same level of obstacles that ex-prisoners must overcome in the USA, where anyone with access to a computer and the Internet can download a remarkable amount of information about neighbors, friends, and strangers who might have been arrested or convicted of a crime in most states. Christopher Uggen (2000) and Uggen et al. (2004) estimates that as many as

47 million Americans have a criminal history file on record and could therefore be impacted by these various disclosures. Additionally, individuals with criminal records can also be restricted from gaining licenses for a remarkable range of jobs, including work as embalmers, billiard room employees, septic tank cleaners, plumbers, eyeglass dispensers, barbers, and real estate agents (Pager 2007).

Discrimination against ex-prisoners is not only facilitated *de facto* but officially sanctioned, and these *de jure* consequences have increased "in number scope and severity since the 1980s" (Pinard 2010). Indeed, in the past three decades, the US Congress "took collateral consequences to a new level of irrationality, making a single criminal conviction grounds for automatic exclusion from a whole range of welfare benefits" at the Federal level (Love 2003:112). American citizens with even a single conviction for drug offenses and other charges can be denied housing assistance, food stamps, education loans, and the right to vote (see e.g., Allard 2002).

Former prisoners in the USA also have much more difficulty obtaining relief from those consequences.

> In addition to imposing fewer and less severe collateral consequences up front other countries are also more forgiving than the United States with individuals with criminal records on the back end: They more fully allow individuals to recover from their legal transgressions… [by providing] meaningful legal opportunities for individuals with criminal records to reintegrate into society (Pinard 2010:506).

Around a dozen American states do offer "a hodge-podge of inaccessible and overlapping provisions" for expungement of criminal records, but these are "riddled with qualifications and exceptions, and of uncertain effect (Love 2003:113). Typically these are for first offenders however, and "there is no central source that describes the policies in these states or the steps that an ex-offender has to take to expunge his or her criminal records" (Ruddell and Winfree 2006:463).

Pinard's (2010:463) argues that these policies are "extensions of historic and contemporary criminal justice policies that target racial minorities or that systematically ignore the disproportionate impact of these policies on racial minorities" in the USA. That is, they are part of a long history in the country of using allegedly color-blind techniques such as poll taxes, literacy tests, and grandfather clauses as means of prohibiting the full civic, economic, and social participation of African Americans in the post-slavery era (Alexander 2010; Waquant 2005).

Laurrari (2011) develops this further with a point-by-point comparison between the USA and Europe. One crucial difference between the two is the issue of free speech and privacy. Whereas countries like Spain have considerable protections for those people convicted of crimes (even journalists typically report criminal cases using only a person's initials to protect the privacy of the person and his or her family), the USA has a long history of freedom of information.

Unfortunately, across the world, "public policy seems to be moving inexorably toward making criminal records more widely available" (Jacobs 2006:419). In Germany, more than nine million disclosures are issued every year (Morgenstern 2011). Criminal Records Bureau checks in the UK have soared from 1.4 million in 2002–2003 to over 3.8 million in 2008–2009 (Padfield 2011). Applications for

"conduct certificates" in the Netherlands jumped from around 255,000 in 2005 to 460,000 in 2009 (Boone 2011). In Australia, the national criminal record-providing agency processed around 2.7 million criminal history checks in 2009–2010—"a particularly striking number given that the total population of Australia is only around 20 million people" (Naylor 2011). As Freeman (2008:408) argues, even with European privacy protections, once this information starts to be made available in this way, it may not be "a genie that can be readily put back into Aladdin's lamp".

7.2 Putting the "Rehabilitation" Back into the Rehabilitation Movement

In German, "rehabilitation" (Rehabilitierung) typically refers to individuals who, for political reasons, have been wrongfully convicted or otherwise suffered from injustices in the legal process (Morgenstern 2011). The word "rehabilitation," in English, has in recent years become synonymous with cognitive therapy, changing offenders' thinking, something bizarre called "treatment" with set levels of "dosage" tested in random control trials, and something that comes in a "program." This is an unfortunate misuse of the term and is not consistent to the original meaning of the word in English. Writing 25 years ago, for instance, Forsyth (1987) was careful to distinguish "rehabilitation" from "reform." He argued that the latter concept involves efforts to change an individual's character or values, whereas the former refers to the restoration of the person's reputation and full citizenship.

The two need not be in competition. Indeed, one might think that reform and rehabilitation should logically go hand in hand. Yet, as Boone (2011) insightfully points out in her discussion of the rehabilitation movement in the Netherlands, this hardly seems to be the case. Consider the following examples: Thirty five years ago, Aryeh Neier argued that computer systems were become "record prisons" and acting as "leper's bells" on people with criminal convictions:

> Arrest and conviction records often create social lepers who must exist as best they can on the fringes of society. The dissemination of records places a series of obstacles in the path of persons who wish to enter society's mainstream and end the half-life of the world of crimes. Is it any wonder, then, that recidivism rates should be so high? How can we seriously hope to reduce crime if we disseminate records which have the unintended effect of making it impossible for people to stop being criminals?

The following year, Neier published *Crime and Punishment: A Radical Solution* (1976), in which he argued for the abandonment of rehabilitation as a penal goal and the end of parole! Indeed, it is a distinct irony that some of the loudest opponents of the "rehabilitative ideal" (e.g., reform efforts) characterized by a commitment to offender treatment in prison and probation (e.g., von Hirsch 1993; Irwin 1974) were at the same time some among the most vocal supporters of strategies for ending the collateral consequences of criminal records (see Von Hirsch and Wasik 1997; Irwin 2009).

Yet, if that combination of positions is slightly inconsistent, then the position of contemporary rehabilitation proponents is utterly incoherent. What is the point of "challenging criminal thinking" or providing prisoners with suitable job training if upon their release they will be prohibited from finding legitimate employment because of their criminal records? Yet, the contemporary rehabilitation movement appears primarily concerned with reform and is remarkably silent on this issue of "restoration of reputation." There has been remarkably little empirical literature, internationally, about the effects (either in terms of recidivism or else softer identity measures such as self-esteem or self-efficacy) of sealing or expunging criminal convictions (but see Ruddell and Winfree 2006) on recidivism.[1] Admittedly, estimating the effects of such policies is fraught with methodological difficulties. It is far easier to measure the effects of a 12-week, modular program. Yet, deciding to evaluate the latter rather than the former on grounds of ease is a bit like the drunk who looked for his car keys under the lamppost not because he thought they were there, but because that was the spot with the best light. This imbalance in research focus appears to be a tremendous blind spot for a movement that claims to be motivated purely by research evidence ("what works") and utilitarian goals.

This has not always been the case. For most of the twentieth century, the movement for "rehabilitation" centered around stigma removal processes that could facilitate reintegration. In 1919, Morgenstern (2011) tells us that the reform-oriented government of the Weimar Republic adopted something called "Straftilgungsgesetz" or the Conviction Redemption Act. She translates the legislation as follows:

> Who, after completion of a sentence, precisely *because* of this completion only finds closed doors; who, despite honest efforts, is over and again punished with public disregard and is hampered in his struggle for life because he once failed and has been punished, finally must lose hope and motivation to find his way into reputable civil life and will be recoiled to the path to crime (Morgenstern 2011).

In 1950, the US Congress likewise passed the Federal Youth Corrections Act, a law that would be almost unthinkable today. Under the Act, overturned in the 1980s, if a young adult (18–26 years old) was released from a federal prison or probation sentence prior to the expiration of the maximum sentence (i.e., is deemed "rehabilitated" by the authorities), his or her conviction was "automatically set aside" and the young person was provided "a certificate to that effect" to allow the person to move on with the rest of his or her life. The UK's Rehabilitation of Offenders Act clearly understood this definition of "rehabilitation" when it was drafted in 1974 too (see Padfield 2011). The Act provided that after specified periods of time, criminal records would become "spent" and the individual shall "be treated as a *rehabilitated* person" (emphasis mine).

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[1] Because the interest in expungement policies has primarily been from lawyers and legal scholars, most of the analysis on the issue has taken the form of normative, rights-based argumentation, and there is a remarkable dearth of information about the empirical effects of expungement policy on recidivism and public safety (but see, e.g., Bushway 2004). On the other hand, offender treatment programs primarily interest psychologists and other empirical social scientists, so we have mountains of evaluation work on their effectiveness, but very little on their normative justification (but see Ward and Maruna 2007).

The need for this sort of redemption in society is obvious from a utilitarian standpoint: "There has to be a way to restore people to good standing so that they'll be motivated to return to cooperation with all of the other cooperators in the population" (McCullough 2008:109). Without the chance of redemption, "every failure results in guilt from which there is no exit." (Smith 1971:206). Hannah Arendt (1958:213) talks about this as the "burden of irreversibility" in *The Human Condition*:

> Without being forgiven, released from the consequences of what we have done, our capacity to act would, as it were, be confined to one single deed from which we could never recover; we would remain the victim of its consequences forever, not unlike the sorcerer's apprentice who lacked the magic formula to break the spell.

Econometric modeling research suggests that imprisonment is associated with a 10 % drop in wages and a flatter earnings trajectory than those of individuals with similar skills and backgrounds (Western 2002). In the first few years after prison, released prisoners in the USA tend to earn around $6,000 to $10,000 US in legitimate income (see Bushway et al. 2007)—far from a living wage. Indeed, two-thirds of ex-prisoners will likely remain unemployed for up to 3 years after their release from prison (Saxonhouse 2004). As criminological research has long established the commonsensical link between successful employment and desistance from crime (e.g., Sampson and Laub 1993; Uggen 2000)—and between higher wages and the reduced likelihood of criminality (Western and Petit 2000)—such findings suggest that high rates of criminal recidivism are something of a self-fulfilling prophecy. Jacobs (2006) captures this nicely, when he writes "The criminal justice system feeds on itself. The more people who are arrested, prosecuted, convicted, and especially incarcerated, the larger is the criminally stigmatized underclass screened out of legitimate opportunities" (387).

In addition to these practical/instrumental concerns, there are also clear normative justifications for ending punishment. Von Hirsch and Wasik (1997:605) argue that "A fair system of punishment is one in which the offender is subjected to specified penal restrictions, which bear a reasonable relation to the gravity of the crime, and which are operative only for a specified time." Dostoevsky famously remarked that the "degree of civilization in a society can be judged by entering its prisons." Devah Pager (2007:144) builds on this insight arguing that "In an era of mass incarceration, an equally relevant measure may be the success rate of those returning home". Fletcher (1999:1907) writes:

> There is no point to the metaphor of paying one's debt to society unless the serving of punishment actually cancels out the fact of having committed the crime. The idea that you pay the debt and be treated as a debtor (felon) forever verges on the macabre (Fletcher 1999:1907).

In other words, ex-prisoners require more than just cognitive skills, and real rehabilitation requires more than better "programs." We need a "rehabilitation credential" to counter their criminal stigma.

7.3   Active, Not Passive Redemption

Most international expungement policies for sealing or erasing criminal records tend to be "automatic" rather than "merit-based" (see Herzog-Evans 2011). In an 'automatic' model, a person is "rehabilitated by the mere passage of time" (Boone 2011). After 7–10 years without a further offense, or perhaps by turning a certain age (e.g., one's 80th birthday in the Netherlands), a person's criminal record is automatically expunged. There are advantages and disadvantages to this. The advantage is that one need not go through a burdensome or difficult application process to earn this privilege in an automatic system. The disadvantage is that the automatic policies described are far too slow to promote rehabilitation in any mean-ingful way (see discussion below). As Herzog-Evans (2011) argues, policies like the French "Hundred Years Rule" (expunging the criminal records of those individuals over 100 years old) or the "Forty Years Rule" (allowing but not requiring files to be cleared after 40 years or more) obviously do very little to promote rehabilitation or public safety and are more a matter of administrative convenience and perhaps respect for the elderly.

A merit-based policy, on the other hand, considers claims for rehabilitation on their merits. Whereas in "passive" models, a person is redeemed through the passive avoidance of crime, in "active" models, redemption is "earned" through positive actions (Bazemore 1998). To better understand this distinction, imagine, for instance, that you get drunk and publicly insult someone at a meeting. You could redeem yourself by not insulting the person in the next seven or eight times you see them. Eventually, by behaving professionally over a long period of time, you can disabuse even those with very thin skin that you are a complete jerk. That is the passive model. On the other hand, you could also expedite this whole process con-siderably by apologizing and making some gesture of reparation (offering to help edit a manuscript, buying them a drink). This would be the "active" approach. Both processes get to the same result (proving to others that you are not an irredeemable bully), but the passive strategy takes a good deal longer than the active strategy.

As has long been recognized, reintegration is a "two-way street" involving not just changes and adjustments on the part of the person returning from prison, but also on the part of the community and society welcoming him or her. As such, there is something of a "catch-22" in such models requiring an individual to successfully desist from crime for a substantial period of time before being forgiven. After all, it can be awfully difficult to successfully desist if a person cannot get a decent, straight job, qualify for loans or housing assistance, or even rent accommodation because of a criminal conviction (see e.g., Archer and Williams 2006; Gerlach 2006; Holzer et al. 2006; Lucken and Ponte 2008; Thacher 2008; Travis 2002). Although former prisoners no longer face "civil death," it is difficult to avoid the conclusion that with the growing number of obstacles before them the "released offender confronts a situation at release that virtually ensures his failure" (McArthur 1974:1).

Likewise, if someone already *has* managed to desist from crime for a half-decade or more, they most likely have already been fully reintegrated and are comfortably employed. In such cases, the opportunity to expunge one's criminal conviction may

be symbolically meaningful, but have little impact on recidivism. In fact, recent criminological research (e.g., Blumstein and Nakamura 2009; Kurlychek et al. 2006) shows compellingly that a person who has been crime free for 7 or 8 years has about the same chances of committing a new crime that the ordinary person who has never offended has. It is difficult, then, to see why policy makers should focus on this population if the goal is crime reduction.

In France, however, Herzog-Evans (2011) writes, it is possible for an ex-offender to "speed up" the redemption process and apply for an earlier deletion of convictions from the register. To qualify for this, the key question, according to Herzog-Evans (2011), is "Does the claimant deserve it?" As the laws do not require the individual to a decade or more of successful desistance, they provide a "goal" for individuals in the early stages of release, who want to reintegrate into society (want to find employment, be given a second chance) to strive for. One of the key findings in the desistance literature is that in order to go to the considerable efforts required to desist, a person needs a modicum of hope (see esp. LeBel et al. 2008), a sense of an alternative future with different possibilities (Paternoster and Bushway 2009). Holding out the carrot of expungement or pardon for every ex-prisoner would act as this "carrot" or incentive. Moreover, as Herzog-Evans (2011) shows in her discussion of French initiatives in this regard, expungement can be "utilitarian" if the bar is set high but not unreasonably so. Herzog-Evans says that former prisoners in France need not be "perfect citizens" so long as they can demonstrate that they have complied with their sentence, pay the necessary damages, acknowledge and apologize for the offense, and made efforts to stop offending. The French system, then, both encourages and rewards rehabilitation (Gough 1966).

7.4 Rituals of Reintegration

The other problem with passive redemption processes is that they lack the symbolic power and impact of the stigmatizing processes of arrest and conviction (see Maruna 2011). Therefore, although they may effectively conceal or expunge the criminal conviction from an official database, they may do little to reduce the social and psychological effects of the criminal stigmatization. For instance, in Spain, not only are there are no rituals to signify the indivdual's successful reintegration back into civil society, but "worryingly, in all likelihood, the offender may not even be aware that his conviction record has been—or could have been—cancelled," according to Laurrari (2011). This is a great shame and a missed opportunity for meeting "the community's need for a ritual of reconciliation" (Love 2003:129). As Demleitner (1999:162) writes:

> While the effect of such [expungement] measures would be crucial, the process by which an ex-offender is welcomed back into the larger community also may be of consequence. Like many applicants for citizenship who prefer the official swearing-in ceremony conducted by a federal judge over the quicker but less ceremonious administrative naturalization process, ex-offenders should have access to a ceremony marking their official reintegration into the community and the end of their exclusion and degradation.

In France, such rituals can and do take place in the same courtrooms that sentence individuals to prison. This judicial role "carries with it a certain imprimatur of official respectability that automatic restoration and administrative procedures do not have" (Love 2003:127). As Herzog-Evans (2011) astutely points out, courts have a distinct advantage over almost any other institution in society: "they can state what the truth is." This "judicial truth" ("vérité judiciaire") or "legal magic" carries real weight. Only courts have the ability to deliver the lifelong stigma of the criminal conviction and transform a person into a "felon," and only courts have the ability to remove or replace that label with a new one. Moreover, in France, Herzog-Evans (2011) suggests that judicial rehabilitation in France is not intended for the erasing of single sanctions, but rather concerns a person's entire criminal history. "Judicial rehabilitation must concern their entire life and behaviour, and all their past offences must be put on the table." Just as a degradation ceremony succeeds in condemning the whole self of the person (Garfinkel 1956), the reintegration ritual acts to restore the person's reputation as ultimately good (Braithwaite and Mugford 1994).

Herzog-Evans (2011) argues that "The criminological and emotional effects of judicial rehabilitation may be just as powerful as its legal consequences". The rituals certainly appear to be highly emotive occasions as demonstrated in previous research (Herzog-Evans 2010). Judges and lawyers report that participants in the process often "have a trembling voice and cry when the ruling is voiced" with an effect that "resembles citizenship ceremonies": "There is a shared feeling of extreme satisfaction, elation even, both for the Court (which is also 'making good' on such occasions) and the ex-offender" (Herzog-Evans 2010).

There are, of course, real risks to such processes. Larrauri (2011), for instance, sees the potential value of certification for some individuals, recognizing the symbolic value of a "piece of paper" guaranteeing that one's offenses have been legally forgiven; however, she remains (rightly) skeptical of the role of ritual in this certification process. Spain has a strong tradition of valuing privacy and downplaying the free speech in regard to criminal convictions. Even journalists typically report criminal cases in the newspapers with only the accused's initials, rather than full name, except in high-profile cases. A reintegration ritual would threaten this state of privacy and needlessly risk the individual's hard-won anonymity. She concludes that "silence" may prove a "more discreet and effective practice".

It is hard to argue with the value of discretion and "silence" in light of the strong findings regarding stigma and labeling in the criminological literature. Nonetheless, it is hard to see how reintegration rituals would threaten anonymity any more than conviction rituals in societies where both coexist. If journalists are barred from publicizing individual names during criminal trials, then similar protections would surely be available for reintegration processes. After all, presumably, the former would be of much greater curiosity to the media than the latter anyhow, unless the Spanish press is somehow radically different to the media elsewhere. In English-speaking jurisdictions, newspapers love scandal, falls from grace, and human failings—the nastier, the better (Sparks 1992). "Good news" stories about recovery and reconciliation, on the other hand, are popular for the endings of Hollywood

films (Nellis 2009), but are too complicated for headline news (see also Naylor 2011, on problem-solving courts in Australia).

In countries like Spain where criminal records are not made public, presumably reintegration rituals could also be held in confidence without any public glare. On the other hand, in England, not only are all criminal court decisions in the public domain, the police and prosecution "may try to ensure that journalists are in court so that convictions and sentences get the maximum publicity" (Padfield 2011). In such jurisdictions, justice is said to need "not only to be done, but to be seen to be done" (Naylor 2011), and it is in such situations, and particularly with high-profile individuals, that reintegration rituals may need a "public" component in order to be effective.

Ritualism exists in all aspects of human society (weddings, funerals, parties, academic conferences) and exists for a reason. Research on former prisoners suggests that desistance requires an ongoing process of "care and feeding." Ritualized and symbolic recognition of this process can make it "real" in the eyes of the person working to desist and, crucially, those around him or her. Although of course removing the stigma of a criminal conviction is not "a cure-all to the social and economic barriers of reentry," Ruddell and Winfree (2006:454) argue that "the ability to grant offenders a pardon may be an important step in restoring a person's self-perceptions as a nonoffender and, in turn, may actually increase public safety…by reducing recidivism within this population." They write:

> Although being pardoned does not erase all the stigma of a criminal conviction, the act of pardoning provides a symbolic amends for one's criminal behavior: recognition from the state that one has 'reformed' and gives the offender something to lose (his or her law-abiding status)" by re-offending (465).

Additionally, Ruddell and Winfree (2006:465) argue that "these distinctions may lead to new and presumably more positive perceptions about the self."

In France, Herzog-Evans (2011) writes, the courts are used "to reinforce the importance, solemnity, and seriousness of judicial rehabilitation." Outside of the remarkable French examples identified by Herzog-Evans, however, there are relatively few examples of contemporary practices that might meet the criteria for being "reintegration rituals" as outlined in Maruna (2011), and those examples that do exist were not widely utilized. Even in France, the rituals that Herzog-Evans (2011) describes are exceedingly rare with little more than a dozen rituals per year that would meet the full criteria for "judicial rehabilitation." As a result, some of the contributors understandably conclude that there is little or no hope for anything like the proposal in Maruna (2011) catching on in the current, increasingly punitive and risk-averse climate. Padfield (2011), for instance, points out that judges in England currently have no power to hasten the time required for the (passive) "Rehabilitation of Offenders Act," and concludes therefore that "any likelihood of a formal form of judicial rehabilitation in the sense of record erasure seems inconceivable."

Nonetheless, most countries (including England) do have practices that meet many if not all of the characteristics of what I have called "reintegration rituals" (Maruna 2001, 2011) even when they only occur by default. Naylor (2011), for

instance, finds that in Australia, if a person with a criminal conviction is seeking work in an occupation that involves working with children, she or he is required to go through an adversarial tribunal process through the Department of Justice involving witness evidence, statements of support, psychological assessment, issues of remorse, subsequent good works, and community involvement (Naylor 2011). Although this process is limited to those individuals with criminal convictions applying to work in settings involving children, its "defending your life" format contains many of the elements of what might be considered a full-scale redemption ritual. That is, the successful appeal involves an unmistakably formal and ritualized recognition of the person's new-found rehabilitation.

In the Netherlands, likewise, individuals who are denied a good conduct certificate (the awarding of which is itself a process that meets many of the elements of the reintegrative ritual) can challenge the decision directly in the courts (Boone 2011). In doing so, they seek to make a case to a judge that they are desisting from crime and worthy of a fresh start. Even in jurisdictions where no such judicial rehabilitation is possible, like Britain, there are often ritual-like practices that routinely serve a similar function. Padfield (2011) for instance argues that it is likely that judges and magistrates "regularly commend offenders for the steps they have taken to desist from crime in the time since arrest and before sentence." This may be especially true in cases of deferred or suspended sentencing. [Unfortunately, when a sentence is suspended in the UK, and the defendant does not reoffend, he or she is not called back before the court, and so never receives an official or ritualized "congratulations" or "keep up the good work."] In addition, the UK does have a number of problem-solving courts based on therapeutic jurisprudence principles that feature sentencer involvement in monitoring steps toward desistance, but the proposal in the Halliday (2001) report and elsewhere to expand this practice more widely (see esp. Maruna and LeBel 2002) has not been heeded. Finally, contributors also noted the growth in restorative justice processes and ideology (see esp. Naylor 2011) as holding the potential for future reintegrative rituals.

7.5   Conclusion: Forgiving, But Not Forgetting

The current policy in most European contexts and Australia is also passive in the sense that it is primarily privacy based—the "right to be forgotten" (or *droit à l'oubli* in French) (Herzog-Evans 2011). It tries to promote reintegration by protecting ex-prisoners from having to reveal their criminal histories. In this way, the approach is somewhat parallel to the (in)famous American military policy on homosexual soldiers: "Don't ask, don't tell." If employers do not have access to criminal records information and individuals are not legally obligated to disclose it, they will likely fare better after imprisonment.

The most dramatic form of this "don't tell" policy, of course, are the policies, like the UK's Rehabilitation of Offenders Act that allow an individual with a criminal past to answer the question "have you ever been convicted of a crime?" by saying

"no" even when it is a lie. The conviction is meant to be buried "in the graveyard of the forgotten past" (*In re Gault*, 387 U.S. 1 [1967]), and the individual is in some cases legally "deemed not to have been convicted" (Love 2003:104). For instance, under the British Rehabilitation of Offenders Act, once a conviction becomes "spent," even "police or court officers cannot disclose it" (Padfield 2011).

Previously, I referred to such policies as a form of "re-biographing" or an opportunity for a desisting former offender to "rewrite his or her history to make it more in line with his or her present, reformed identity" (Maruna 2001:164). I found this a fascinating policy solution to a deeply difficult problem of labeling and stigma. Others, however, have found this idea more than a little dangerous. By far, the loudest critic of expungement laws, outside of employers' lobby groups, has been the legal scholar and practitioner T. Markus Funk (1996). Citing Lord Coke's dictum of "peona mori protest, culpa perennis erit" (although punishment ends, guilt endures forever), Funk argues that laws that conceal previous convictions from the courts and wider public are dangerously misleading attempts to rewrite the truth. Beyond the usual conservative "apples and oranges" view of the world, Funk even describes individuals with criminal records as "lemons" (drawing on a phrase used to describe faulty used vehicles) and argues that society needs all the information possible to protect themselves from such people. Likewise, a conservative US judge once wrote "If Hispanics do not wish to be discriminated against because they have been convicted of theft, then they stop stealing" (cited in Pager 2007:34).

Even criminologists who are highly critical of the collateral consequences that ex-prisoners face, however, frequently have difficulty with this notion of re-biographing the past. Jacobs (2006:411), for instance, writes:

> Expungement is a highly problematic policy. In effect, it seeks to rewrite history, establishing that something did not happen although it really did. The problem is compounded if the expungement policy allows or requires lying to support the false history. Should the previously convicted defendant be told to lie if he is asked whether he had ever een convicted of crime? Even if he is asked by a federal agent or under oath? (411).

According to Jacobs (2006), licensing boards, employers, and even landlords in the USA often request disclosure of those convictions that have been expunged. Remarkably, he reports that the New York State judicial committee that oversees bar admissions (to become a lawyer in the state) requires applicants to divulge both arrests and convictions "even if expunged." "If the bar committee feels no compunction about requiring would-be lawyers to reveal expunged convictions, it is likely that other regulators and employers would ask" (411–412). Moreover, as Jacobs points out, expungement procedures cannot help explain the sometimes long gaps in an ex-prisoner's work history when asked "What have you been doing the last 3 years?" As Jacobs argues, "It's hard to believe that the law of expungement would permit or encourage the job-seeker to tell a lie or fabricate a curriculum vitae." (412).

Love (2003:103) also struggles with the "ticklish problem of candor" and worries about policies that "indulge the fiction that the conviction had somehow never taken place" (Love 2003:108), yet her concerns are based on more than ethical and

practical concerns. Because it is premised on a fiction, she argues, "expungement fails to afford an opportunity for the offender to be reconciled to the community" (Love 2003:121) and "helps society to evade its obligation to change its views toward former offenders" (Kogon and Loughery 1970:378). Kogon and Loughery (1970:391) are particularly strong in making this point in their remarkable 40 year-old article referring to criminal record expungement as "the Big Lie":

> It is a profound mistake to mix in with redemptive legislation any provision concealing [criminal] records. To help the ex-offender by restoring rights and removing disabilities is an absolute necessity. Alteration or destruction of the record, however, only protects the body politic from confrontation regarding its own aberrant attitudes and the necessity to change. It basically corrupts the fundamental correctional objective of rehabilitating offenders.

For these reasons, I have also started to believe that a "certificate of rehabilitation" is probably preferable (in legal cultures like the USA and UK at least) than legal re-biographing. Rather than having one's criminal past buried or "knifed off," such policies instead formally and legally declare the person to be "rehabilitated," whilst still providing relief from all legal penalties and disqualifications. The certificate would function as a "letter of recommendation" (Lucken and Ponte 2008) that can be used with licensing agencies, employers, and state officials. When asked if he or she has ever been convicted of a crime, the individual does not respond "no," but rather "yes, but the conviction has been expunged and I have received a certificate of rehabilitation." The policy, therefore, works "not by trying to conceal the fact of conviction, but by advertising the evidence of rehabilitation" (Love 2003:103).

The Harvard labor economist Richard Freeman (2008)—writing from the fortunate vantage point of someone who is not steeped in the pessimism and failure of criminal justice efforts to rehabilitate prisoners – argues in favor of a sort of "honor roll" system for prisoners similar to what was advocated in Maruna (2001). Rather than "serving solely as a negative signal" this information would provide "a positive signal to employers about those likely to have been rehabilitated" (Freeman 2008:411):

> [Under the current system] an employer finds out if X was incarcerated for a crime but not if X was a model prisoner, viewed by the prison authorities and others as 'rehabilitated' and unlikely to recidivate. If public records on inmates included information on their behavior in jail or prison—for instance, whether they broke rules or engaged in violence or took programs to raise their skills—this would help some prisoners surmount the negative information about their criminal behavior and incarceration. Specifically, using objective data and judgment, prison authorities could develop a scoring system for the extent to which they viewed inmates as successfully rehabilitated and provide the scores over the Internet as part of the publicly available information on the individual. A prisoner given a score of, say, 10 would be regarded as having a high likelihood of remaining out of trouble on release. … Combining statistical modeling with the expertise of prison authorities could produce better predictors of likely reoffending… [and] differentiate those on a rehabilitative track from others. … [This would give prisoners] an incentive to invest in good behavior and activities that would gain them a high score and a better chance of legitimate employment after release (Freeman 2008:410).

In some ways, only someone outside of criminology and the world of criminal justice could come up with an idea that is this brilliant, but also this naïve.[2] The problem, of course, is that few inside our outside the criminal justice system trust the ability of experts to determine who is or is not "rehabilitated" or at least less likely to stay out of trouble on release. In a risk-averse culture (and every contemporary criminal justice system has become, by nature, highly risk averse) who wants to take the responsibility for declaring a prisoner to have a "clean bill of health"? Parole boards and prison administrators fear letting anyone out of prison except under the strictest conditions, and the idea of publicly putting one's reputation to a prediction of a person as a "good risk" appears unlikely.

Yet, without this vote of confidence, where would the ex-prisoner's own confidence come from? If employers assume she or he will fail, if "society" assumes it, and even the criminal justice system itself presumes it, then it is asking a great deal for the individual to somehow overcome all such expectations. Surely, this is the ultimate in self-fulfilling prophecies. The great irony then, of the "risk society," is that it makes society less safe by not only failing to encourage and promote rehabilitation but by positively discouraging it.

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[2] Jacobs (2006) has advocated a "credible government-run work program" that could "certify that a particular ex-offender had performed successfully for a period, say a year." This way the individual could build a "positive curriculum vitae" that might counter his or her criminal credential.

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Chapter 8
Epilogue

Peter Cordella and John A. Humphrey

*Exploring the Moral Dimension of Human Agency and Social
Regulation Across the Life Course*

Despite the implicit recognition of the moral dimension of human agency within the theoretical traditions of sociology and criminology, little has been done to isolate and explain the socio-moral mechanisms that influence individual decision making and shape social regulation (Bottoms 2002). In his call to fellow criminologists to consider the moral dimension of crime, Steven Messner (2012) justified his view of the critical importance of morality to a comprehensive understanding of legal compliance—or its antithesis, legal transgression—by suggesting the use of a situational action theory as the instrument of analysis for explaining both the persistence and desistance of criminal behavior. Within the framework of situational action theory "morality and moral considerations are at the forefront of inquiry into the causes of crime" (Messner 2012:7). From a situational action perspective, crime is at its core a "breach of the moral rules of conduct that have been codified into criminal law" and consequently "any theory of crime causation can be regarded as a special case of a more general theory of moral action" (Wikstrom 2010:211). In the context of situational action "crime is perceived to be an outcome of the interaction between a person's criminal propensity and the person's exposure to criminogenic settings" (Messner 2012:8). As such, situational action theory may be uniquely capable of addressing the divide among life-course criminologists concerning the relative preeminence of structural factors versus human agency in the initiation of turning points in the life course.

Situational action theory with its socio-moral framework has the potential to bridge the theoretical gap between those who believe that the social regulation demanded by institutions such as family, work, and church is the primary impetus toward desistance and those who contend that the first step toward desistance originates in human agency, given that these variations of life-course analysis both rest on an underlying moral foundation. On the one hand, social regulation by its very

nature is legitimated by some overarching set of moral beliefs and values, while human agency is referenced to the same set of beliefs and values. Situational action theory is predicated on the premise that behavior is guided by a set of rules agreed upon by a group, community, or society to which an individual desires to belong. In order to understand the intersection of agency and regulation, any theory of crime—including life course—must examine the moral dimension that links them. This moral examination must begin by addressing the fundamental question of willing conformity, namely: why do people obey? The preliminary answer is that they obey because they believe it is the right thing to do. "The right thing to do" represents the moral dimension of peoples' lives.

8.1   Life-Course Analysis: The Case for Social Regulation <u>and</u> Human Agency

The origins of life-course analysis can be traced back more than 50 years ago to C. Wright Mills' challenge to social science researchers to examine social problems in terms of the intersection of human agency and social structure over the life span. The concept of life course as we now know it, however, does not start to regularly appear in the social scientific literature until the early 1990s. Over the past quarter century, life-course analysis has become widely diffused within and across the boundaries of psychology and sociology. Within sociology the life-course perspective has increasingly been utilized in the subfields of population, medical sociology, family studies, stratification, and most prominently criminology. The evolution of life-course theory and research represents a fundamental shift in how we study human lives (Elder 1994). In comparison to earlier more static approaches to the study of human lives, the life-course perspective has introduced the dimensions of time, context, and social process to the theory and analysis of social problems. The life course itself is viewed as the intersection of the structural pathways through various social institutions and the social trajectories and developmental pathways of individuals as they navigate and negotiate through this social landscape. Although these social trajectories and developmental pathways are also affected by the interplay of historical change and life experience, the primary focal point of life-course analysis is the intersection of the determinism associated with social institutions and the human agency associated with individual trajectories and development.

Life-course analysis represents the interweave of age-graded trajectories such as family life, work careers, or church membership. The life-course perspective offers two distinct advantages over earlier approaches to the study of social problems. First, it provides a framework that allows for the exploration of multiple, interdependent pathways (Elder 1994). For example, in the relationship between religion and crime, the absence of a faith tradition during one's formative years may make it more difficult for an individual later in life to understand why s/he should adhere to the normative standards of society. Secondly, life-course analysis enables us to see how choices made early in one's adult life have lasting impacts on the pathways available

to individuals deep into adulthood. A felony conviction and subsequent incarceration dramatically reduce the number of potential pathways to legitimate and gainful employment. At various points in an individual's life they are confronted with behavioral choices that are circumscribed by changing conditions that define their social space and perceived options that frame the parameters of future social and economic possibilities (Bushway and Apel 2008). The potential for an individual to change their life course—such as moving toward crime desistance—is determined by the nature and strength of these conditions and options relative to the social process variables that Glen Elder described as social timing and linked lives. Social timing involves the incidence, duration, and sequence of social roles related to relevant behavioral expectations and beliefs based on age. The connection between behavioral expectations and the corresponding belief system that underlies them is clearly evident in the understanding of personal responsibility that an individual often develops during late adolescence and early adulthood. Linked lives describe the ways in which human lives are embedded in relations—with family, friends, and associates—across the life span. It is within the context of these relations that the interplay between social support and social regulation occurs (Rosenfeld 2011).

The relative balance between support and regulation produces the phenomenon of "willing conformity" which motivates an individual to adhere to the normative standards of the group to which they belong because it is perceived as the right thing to do. Such willingness is produced through a combination of ethics—the intellectualization of a moral ethos—and/or a sense of mutuality—the belief that one's social regulation by others is motivated by a genuine concern for the socio-moral development of the individual (Wikstrom 2010). While both pathways are effective in producing conformity, increasingly it is the mutualistic pathway that defines contemporary social relations. Conformity, of course, can also be achieved through the use of formal mechanisms of social control (imprisonment, probation, shaming, etc.) but given the dismal recidivism picture it is clear that these formal instruments of control have limited deterrent potential except for their immediate incapacitation effect. In terms of the potential for the future desistance of criminal offenders, willing conformity and the informal social control mechanisms that accompany it, represents a much more promising path.

In the context of the life-course analysis it is critical to remember that human lives are embedded within social relations—both intimate and associational—across the life span. The most productive of these relationships in terms of creating willing conformity are those that balance the need of individual for social support (which is characterized by a sense of mutualism) and the need of the group for social regulation (which is characterized by normative expectations). This balance between social support and social regulation can be present or absent in any of three types of social processes, namely socialization, behavioral exchange, and generational succession, that occur across the life span. While all three of these processes are crucial in terms of determining an individual's potential social pathways, the life-course perspective recognizes the possibility for change away from an individual's likely pathway (e.g., criminal persistence) toward an alternative pathway (e.g., criminal desistance) because of its theoretical assumption of the role of human agency in shaping one's social trajectory.

The theme of human agency that informs the life-course vision of social development assumes that people are planful by nature and make choices among options that determine their future life course. In the debate over the factors that lead to criminal desistance, for example, even the life-course theorists who emphasize structure and not human agency as the primary source of desistance recognize a potential albeit limited role for agency in the desistance process (Sampson and Laub 2003). Bushway and Paternoster (2013) in their critique of Sampson and Laub's landmark work on turning points in the life course contend that a change in identity must precede one's entrance into more pro-social roles in family, work, or church. Bushway and Paternoster suggest that this change in identity begins when one becomes sufficiently dissatisfied with their criminal identity. There is, however, an alternative and/or complementary motivation for the identity transformation from antisocial to pro-social member of society, namely, a nascent sense of mutualism such that the criminal offender for the first time can envision the possibility of social support from the social group she is contemplating joining. This perception of mutualism helps to offset the demands of social regulation while at the same time creating a context for understanding why such regulations are necessary and justified. It would appear that the dissatisfaction with one's antisocial identity can move an individual away from their criminogenic identity but what is necessary to move them toward a specific pro-social identity (e.g., as a spouse, coworker, or congregant)? The answer is found in the potential for social support that is derived—to lesser and greater extents—from membership in social institutions and organizations. The greater the potential for support, within the familial context for example, the greater the attraction for individuals who hope to change their identity.

8.2 Developing an Identity Approach to Desistance

An identity approach to desistance would chronologically consist of the following elements: the crystallization of discontent with one's current identity, increased optimism concerning participation in pro-social institutions and organizations, the recognition of the potential for social support in normative social institutions, and the increasing understanding of beliefs and values that inform the regulation of these institutions. The realization of any or all of these elements for an individual depends in part on the nature and scope of particular social institutions (Maruna 1999). Turning toward legitimate employment may provide an individual with a sense of optimism related to the potential for consistent and significant material benefits as well as the possibility for some limited social support. Turning toward a familial commitment, on the other hand, may provide an individual with a sense of optimism related to the possibility for significant social support, along with the possibility for some level of understanding of the underlying beliefs and values of the institution and community. Turning toward religion might provide an individual with a sense of optimism related to the possibility for broad social support as well as a comprehensive context for understanding the beliefs and values that guide the

congregation, the community, and society. The combination of social support and moral understanding forms the basis of willing conformity.

The habituation of moral action is responsible for basic human conformity (etiquette and manners, for example) but willing conformity with its implications for critical behavioral decision making—such as whether to persist or desist from crime—requires some level of moral awareness. Moral awareness assumes an understanding of the societal values and the beliefs from which they emanate. A person's morality—which consists of both moral rules and moral emotions (Wikstrom 2010) is the motivation for the willingness to conform. An individual's level of moral commitment in conjunction with their ability to exercise self control will determine their propensity to commit crime as well as capacity to desist from crime. Given the importance of morality in understanding both crime causation and criminal desistance and its relative absence in the life-course debate to date, the next theoretical and research frontier in life-course analysis should include an examination of the moral dimension of crime over the life span.

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