

CRIMINAL JUSTICE SYSTEM INVOLVEMENT AND GENDER  
STEREOTYPES: CONSEQUENCES AND IMPLICATIONS FOR  
WOMEN'S IMPLICIT AND EXPLICIT CRIMINAL IDENTITIES

*Luis M. Rivera\* & Bonita M. Veysey\*\**

I. INTRODUCTION

In a time of declining incarceration rates, female jail, prison, and probation rates continue to increase.<sup>1</sup> Women currently represent eighteen percent of people under some form of correctional supervision.<sup>2</sup> More specifically, they comprise approximately twenty-five percent of the probation population, fourteen percent of the jail population, twelve percent of parolees, and seven percent of prisoners.<sup>3</sup> Women are less likely than men to serve state prison time for a violent crime, but are more likely than men to serve state prison time for a property or a drug-related crime.<sup>4</sup> Despite these growing rates, women have a low probability of committing crimes, being arrested, and/or being incarcerated relative to men,<sup>5</sup> and this fact is well represented in the memories of society at large, as well as individuals.<sup>6</sup> This expectancy is transmitted via media and daily

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\*\* School of Criminal Justice, Rutgers University—Newark.

<sup>1</sup> See LAUREN E. GLAZE & DANIELLE KAEBLE, U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NCJ 248479, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2013, at 1, 6–7 (2014).

<sup>2</sup> *Id.* at 6.

<sup>3</sup> *See id.*

<sup>4</sup> E. ANN CARSON, U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS, NCJ 247282, PRISONERS IN 2013, at 15 (2014).

<sup>5</sup> See DANA M. BRITTON, THE GENDER OF CRIME 63 (2011); GLAZE & KAEBLE, *supra* note 1, at 6; Darrell Steffensmeier & Emilie Allan, *Gender and Crime: Toward a Gendered Theory of Female Offending*, 22 ANN. REV. SOCIOLOGY 459, 460 (1996).

<sup>6</sup> See Myrna S. Raeder, *Gender and Sentencing: Single Moms, Battered Women, and Other Sex-Based Anomalies in the Gender-Free World of the Federal Sentencing Guidelines*, 20 PEPP.

interactions and has been maintained over time.<sup>7</sup> Further, this expectancy is one explanatory factor of gender stereotypes and has broad implications for the behavioral actions of each gender more generally.<sup>8</sup> Through socialization processes, gender expectancies and social roles have shaped the stereotype that *women are not criminals*.<sup>9</sup> Instead, women are expected to conform to communal-based behaviors characterized by friendliness, unselfishness, and expressiveness, which are traits that inhibit criminality (e.g., aggression in a homicide).<sup>10</sup> This paper asks: What are the cognitive and behavioral consequences when women violate society's gender norms by committing a crime and participate in a criminal justice system that has been designed for male offenders?<sup>11</sup> We argue that one consequence of gender stereotyping within criminal justice processing and supervision is the divergent effect on women's (but not men's) criminal identity—one identity that is relatively explicit and thus governed by women's self-presentation motivations, and one identity that is relatively implicit and thus operates at a basic cognitive level absent of motivations.

## II. SOCIAL IDENTITY THEORY AND CRIMINAL IDENTITY

Social identity<sup>12</sup> is shaped and maintained by a combination of

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L. REV. 905, 909 (1993).

<sup>7</sup> See Pauline K. Brennan & Abby L. Vandenberg, *Depictions of Female Offenders in Front-Page Newspaper Stories: The Importance of Race/Ethnicity*, 2 INT'L J. SOC. INQUIRY 141, 145 (2009); Raeder, *supra* note 6, at 909.

<sup>8</sup> The hypothesis that expectancies of female and male social behaviors shape and maintain gender stereotypes is consistent with social role theory. See generally ALICE H. EAGLY, SEX DIFFERENCES IN SOCIAL BEHAVIOR: A SOCIAL-ROLE INTERPRETATION 14 (1987) (discussing the relationship between gender stereotypes and social roles for men and women).

<sup>9</sup> See Brennan & Vandenberg, *supra* note 7, at 144–45.

<sup>10</sup> See Alice H. Eagly & Valerie J. Steffen, *Gender and Aggressive Behavior: A Meta-Analytic Review of the Social Psychological Literature*, 100 PSYCHOL. BULL. 309, 310 (1986); Alice H. Eagly, *The His and Hers of Prosocial Behavior: An Examination of the Social Psychology of Gender*, 64 AM. PSYCHOLOGIST 644, 645 (2009).

<sup>11</sup> See generally BARBARA BLOOM ET AL., NAT'L INST. OF CORR., GENDER-RESPONSIVE STRATEGIES: RESEARCH, PRACTICE, AND GUIDING PRINCIPLES FOR WOMEN OFFENDERS 19 (2002) (“[T]he criminal justice system often has difficulty applying to women offenders policies and procedures that have been designed for male offenders.”); MERRY MORASH ET AL., U.S. DEP'T OF JUSTICE, NAT'L INST. OF JUSTICE, WOMEN OFFENDERS: PROGRAMMING NEEDS AND PROMISING APPROACHES 2 (1998) (“[W]omen make up just a fraction of the total inmate population. Their needs can easily be overlooked when programs are designed and resources allocated.”).

<sup>12</sup> Social identity is “that part of an individual's self-concept which derives from his [or her] knowledge of his [or her] membership of a social group (or groups) together with the value and emotional significance attached to that membership.” James E. Cameron, *A Three-Factor Model of Social Identity*, 3 SELF & IDENTITY 239, 240 (2004) (alterations in original) (quoting HENRI TAJFEL, DIFFERENTIATION BETWEEN SOCIAL GROUPS: STUDIES IN THE SOCIAL

affective, behavioral, and cognitive variables. Affective factors include a basic human need to belong that leads to developing some level of long-term and significant relationships with others, including groups.<sup>13</sup> The consequence of establishing membership in a group is “*ingroup affect*,” which is the positive feelings associated with a group and is the emotional cornerstone of group identity.<sup>14</sup> Although negative attitudes toward criminals are socially normative because criminality imposes a burden on society, criminals constitute a group that, like other groups, can be a source of ingroup affect.<sup>15</sup> Therefore, it stands to reason that individuals who identify with criminals experience positive feelings of belonging and self-worth because of their group membership. This affective state increases and is maintained due to positive and continuous interactions with criminal peers, an effect evident in many male criminals who report feelings of cohesiveness and belonging.<sup>16</sup>

Because social identity defines an individual's self-concept, it places a value on behaviors that enhance, maintain, and protect a group and its membership.<sup>17</sup> As a result, group members are motivated to act in ways that are consistent with a particular identity.<sup>18</sup> Identity-based behaviors therefore have important implications for understanding criminal identity and related acts. First, the onset of criminal behavior is believed to be a function (at least partly) of frequent childhood exposure to criminality in the home and neighborhood,<sup>19</sup> and the continuation of criminal behavior

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PSYCHOLOGY OF INTERGROUP RELATIONS 63 (1978)) (internal quotation marks omitted); *see also* Daniel Boduszek & Philip Hyland, *The Theoretical Model of Criminal Social Identity: Psycho-Social Perspective*, 4 INT'L J. CRIMINOLOGY & SOC. THEORY 604, 605 (2011) (“[S]ocial identity means self-definition as a similar group member in terms of in-group-out-group differentiations (‘we’ or ‘us’ versus ‘they’ or ‘them’).”).

<sup>13</sup> *See* Roy F. Baumeister & Mark R. Leary, *The Need to Belong: Desire for Interpersonal Attachments as a Fundamental Human Motivation*, 117 PSYCHOL. BULL. 497, 499–500 (1995).

<sup>14</sup> *See* Cameron, *supra* note 12, at 242.

<sup>15</sup> *See* Boduszek & Hyland, *supra* note 12, at 609.

<sup>16</sup> *See id.*

<sup>17</sup> *See id.*; Daniel M. Cable & Theresa M. Welbourne, *Organizational Change and the Identity Cycle: Understanding the Effect of Change on Individual Attitudes and Behaviors Through a Combined Social Identity Theory/Identity Theory Perspective* 6–7, 12 (Cornell Univ. Ctr. for Advanced Human Res. Studies, Working Paper No. 94-01, 1994), available at <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1225&context=cahrswp>.

<sup>18</sup> *See* Ray Paternoster & Shawn Bushway, *Desistance and the “Feared Self”: Toward an Identity Theory of Criminal Desistance*, 99 J. CRIM. L. & CRIMINOLOGY 1103, 1105, 1111–12 (2009).

<sup>19</sup> *See* Deborah Gorman-Smith & Patrick Tolan, *The Role of Exposure to Community Violence and Developmental Problems Among Inner-City Youth*, 10 DEV. & PSYCHOPATHOLOGY 101, 102 (1998).

is due to adult experiences with criminal peers.<sup>20</sup> Second, the more individuals spend time thinking about being a criminal and its centrality to their identity, the more readiness they possess to act according to specific terms of the group.<sup>21</sup>

Finally, the cognitive factors that shape and maintain a social identity include one's knowledge of groups, group membership, and group attributes regardless of their assigned value.<sup>22</sup> This knowledge is partly shaped by individuals' perceptions of others' actions and treatment toward them as a function of their group membership.<sup>23</sup> These cognitive perceptions have important implications for criminal identity and identity-based behaviors. Specifically, the particular expectations of criminals that others possess lead to actions that cause the expectations to come to fruition.<sup>24</sup> For instance, a criminal may be (inaccurately) believed to be a liar and others will treat criminals based on this expectation, such as always doubting what a criminal says or never trusting a criminal. These actions, in turn, may cause the criminal to act in ways that appear to be consistent with the original expectation and thus perpetuate his or her hardships and misfortunes in life.

Criminal identity processes have important implications for female offenders. Individuals strive to meet their identity-based affective needs by knowing how to behave, what to think, and who they are by categorizing themselves in a particular social group.<sup>25</sup> However, when one fails to identify with a social group because one's actions are inconsistent with definitions of self, an increase in negative affect and psychological dissonance are observed.<sup>26</sup> Women who have had a criminal experience, but believe that such behavior is inconsistent with their societal roles, view themselves as having failed in their social roles. For example, while "male" and "criminal" may be reinforcing links to self, "female" and "criminal" result in an imbalance due to the link between self and the outgroup.<sup>27</sup> In the remaining parts of this paper, we posit that

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<sup>20</sup> See Boduszek & Hyland, *supra* note 12, at 608–09.

<sup>21</sup> See *Id.* at 605, 610; Cameron, *supra* note 12, at 241; Paternoster & Bushway, *supra* note 18, at 1112.

<sup>22</sup> See Cameron, *supra* note 12, at 240–41, 253; Anthony G. Greenwald et al., *A Unified Theory of Implicit Attitudes, Stereotypes, Self-Esteem, and Self-Concept*, 109 PSYCHOL. REV. 3, 5 (2002).

<sup>23</sup> See Boduszek & Hyland, *supra* note 12, at 605, 609.

<sup>24</sup> See Robert K. Merton, *The Self-Fulfilling Prophecy*, 8 ANTIOCH REV. 193, 195–96 (1948).

<sup>25</sup> See Boduszek & Hyland, *supra* note 12, at 604–07.

<sup>26</sup> See *id.* at 607.

<sup>27</sup> This is consistent with balanced identity theory. See generally Greenwald et al., *supra* note 22, at 9–10, 15–20 (introducing and articulating balanced identity theory and comparing

female offenders will resist forming these associations in large part because of gender stereotypes and their effect on the self-concept. The downstream consequence is a discrepancy between women's implicit and explicit criminal identities.

### III. GENDER STEREOTYPES AND CRIMINAL IDENTITY

Gender stereotypes are beliefs in a society that most (if not all) women and men should exhibit specific traits and role behaviors.<sup>28</sup> Traits are conceptualized as the characteristics that determine personality and disposition. Men are typically associated with traits related to intellect, power, rationality, achievement, autonomy, and aggression,<sup>29</sup> whereas women are typically associated with traits related to emotions, interpersonal sensitivity, warmth, expressiveness, affiliation, and nurturance.<sup>30</sup> These gendered traits appear to be cross-cultural and transnational (but there is also variability and significant exceptions).<sup>31</sup> In addition to traits, role behaviors characterize gender stereotypes. Gender role behaviors are defined as the behavioral actions associated with the domains of family and employment, among others.<sup>32</sup> At home, for

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it to social identity theory); Konrad Schnabel & Jens B. Asendorpf, *The Self-Concept: New Insights from Implicit Measurement Procedures*, in HANDBOOK OF IMPLICIT SOCIAL COGNITION: MEASUREMENT, THEORY, AND APPLICATIONS 408, 412 (Bertram Gawronski & B. Keith Payne eds., 2010) (explaining the "imbalance-dissonance principle" of balanced identity theory, which posits that when one concept is positively associated with the self and another concept is negatively associated with the self, such an imbalance will inhibit the formation of an association between those two concepts).

<sup>28</sup> See Kay Deaux & Laurie L. Lewis, *Structure of Gender Stereotypes: Interrelationships Among Components and Gender Label*, 46 J. PERSONALITY & SOC. PSYCHOL. 991, 992 (1984); Peter Glick & Laurie A. Rudman, *Sexism*, in THE SAGE HANDBOOK OF PREJUDICE, STEREOTYPING AND DISCRIMINATION 328, 330, 333 (John F. Dovidio et al. eds., 2010); Janet K. Swim & Laurie L. Hyers, *Sexism*, in HANDBOOK OF PREJUDICE, STEREOTYPING, AND DISCRIMINATION 407, 411–12 (Todd D. Nelson ed., 2009).

<sup>29</sup> See Inge K. Broverman et al., *Sex-Role Stereotypes: A Current Appraisal*, 28 J. SOC. ISSUES 59, 61–63, 66 (1972); Kay Deaux & Mary E. Kite, *Thinking About Gender*, in ANALYZING GENDER: A HANDBOOK OF SOCIAL SCIENCE RESEARCH 92, 99 (Beth B. Hess & Myra Marx Ferree eds., 1987); Glick & Rudman, *supra* note 28, at 330; Swim & Hyers, *supra* note 28, at 409, 411.

<sup>30</sup> See Broverman et al., *supra* note 29, at 61–63, 67; Deaux & Kite, *supra* note 29, at 99; Glick & Rudman, *supra* note 28, at 330, 334; Swim & Hyers, *supra* note 28, at 411, 413.

<sup>31</sup> See JOHN E. WILLIAMS & DEBORAH L. BEST, MEASURING SEX STEREOTYPES: A MULTINATION STUDY 15 (rev. ed. 1990); Deaux & Kite, *supra* note 29, at 99; Irene Hanson Frieze et al., *Gender-Role Attitudes in University Students in the United States, Slovenia, and Croatia*, 27 PSYCHOL. WOMEN Q. 256, 259 (2003); Glick & Rudman, *supra* note 28, at 330; see also Alice H. Eagly & Mary E. Kite, *Are Stereotypes of Nationalities Applied to Both Women and Men?*, 53 J. PERSONALITY & SOC. PSYCHOL. 451, 459 (1987) ("The findings of this study show that, as hypothesized, stereotypes of nationalities are more similar to stereotypes of the men than of the women of these nationalities.").

<sup>32</sup> See EAGLY, *supra* note 8, at 12–13.

example, men are strongly associated with being the head of household, financial provider, and the individual responsible for repairs, whereas women are strongly associated with managing the house, taking care of children, and being responsible for decorating the house.<sup>33</sup> Moreover, in the employment domain, men are associated with occupations related to intellect and physical labor such as working as chemists and plumbers,<sup>34</sup> while women are associated with occupations related to service and caretaking such as working as school teachers and nurses.<sup>35</sup> In summary, cultural gender stereotypes promote and maintain the notion that women are relatively communal and men are relatively agentic.<sup>36</sup>

Cultural stereotypes can have a significant but differential impact on women's versus men's self-concepts via social identity and self-categorization processes.<sup>37</sup> Namely, gender self-stereotyping occurs when women and men associate their self-concept with their group's stereotypes, regardless of whether the attributes are positive or negative.<sup>38</sup> They evaluate themselves in terms of their gender capabilities, their social groups, and the way society perceives their gender.<sup>39</sup> Furthermore, women and men tend to behave in a manner consistent with gender stereotypes and their respective categories of "women" and "men."<sup>40</sup> One implication for women who commit a crime is that they will not behave or will resist behaving in a manner inconsistent with expectations of the category of "women" (i.e., men). Because "criminal" is typically associated with

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<sup>33</sup> See Mary E. Kite, *Changing Times, Changing Gender Roles: Who Do We Want Women and Men to Be?*, in HANDBOOK OF THE PSYCHOLOGY OF WOMEN AND GENDER 215, 216 (Rhoda K. Unger ed., 2001); Roos Vonk & Richard D. Ashmore, *Thinking About Gender Types: Cognitive Organization of Female and Male Types*, 42 BRIT. J. SOC. PSYCHOL. 257, 257–58 (2003); see also Deaux & Lewis, *supra* note 28, at 998 (finding that gender role behaviors related to stereotypes about occupations).

<sup>34</sup> Alice H. Eagly et al., *Social Role Theory of Sex Differences and Similarities: A Current Appraisal*, in THE DEVELOPMENTAL SOCIAL PSYCHOLOGY OF GENDER 123, 129 (Thomas Eckes & Hanns M. Trautner eds., 2000); Joan C. Williams, *The Social Psychology of Stereotyping: Using Social Science to Litigate Gender Discrimination Cases and Defang the "Cluelessness" Defense*, 7 EMP. RTS. & EMP. POL'Y J. 401, 407 (2003).

<sup>35</sup> See Eagly et al., *supra* note 34, at 127; Vonk & Ashmore, *supra* note 33, at 264.

<sup>36</sup> See, e.g., Eagly & Kite, *supra* note 31, at 451–52; Glick & Rudman, *supra* note 28, at 330; Swim & Hyers, *supra* note 28, at 411.

<sup>37</sup> See Serge Guimond et al., *Social Comparison, Self-Stereotyping, and Gender Differences in Self-Construals*, 90 J. PERSONALITY & SOC. PSYCHOL. 221, 223–24 (2006).

<sup>38</sup> See *id.* at 237; Debra L. Oswald & Kristine M. Chapleau, *Selective Self-Stereotyping and Women's Self-Esteem Maintenance*, 49 PERSONALITY & INDIVIDUAL DIFFERENCES 918, 918 (2010).

<sup>39</sup> See Guimond et al., *supra* note 37, at 228.

<sup>40</sup> See, e.g., Brian A. Nosek et al., *Math = Male, Me = Female, Therefore Math ≠ Me*, 83 J. PERSONALITY & SOC. PSYCHOL. 44, 56 (2002).

the male gender, female criminals are often seen as aberrations from the norm.<sup>41</sup>

This gender-stereotype violation hypothesis also follows from symbolic interactionism and its basic tenet that an individual's self-perceptions are a function of the ascribed meaning and interpretation of others' actions toward the individual.<sup>42</sup> Female criminals' perceptions of how others view their character and behavior are believed to influence the way they consequently view themselves.<sup>43</sup> However, women primarily view themselves in relation to others, which follows from communal-based stereotypes.<sup>44</sup> Although many female criminals have to psychologically balance between being treated as a deviant because they broke the law and being seen as unfit mothers, bad wives, and disobedient daughters,<sup>45</sup> these same women's self-concepts are strongly rooted in a communal-based identification. Their close relationships may motivate female offenders to self-report a weak identity with criminality. In sum, criminal behavior presents an identity challenge for women. Our research adopts implicit social cognition theory to better understand the identity-based processes underlying women's complicated criminal identities.

#### IV. IMPLICIT SOCIAL COGNITION THEORY

Social psychologists have proposed *implicit social cognition* (ISC) theories as a framework for understanding the cognitive processes underlying attitudes and the self-concept as they relate to conscious awareness and motivational control.<sup>46</sup> ISC theories generally hypothesize that social beliefs are driven (1) by implicit processes that are automatically activated outside of individuals' conscious awareness, inaccessible to introspection, and absent of motivational control, and (2) by explicit processes that are rooted in conscious

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<sup>41</sup> RICHARD COLLIER, MASCULINITIES, CRIME AND CRIMINOLOGY 12 (1998).

<sup>42</sup> See HERBERT BLUMER, SYMBOLIC INTERACTIONISM: PERSPECTIVE AND METHOD 12–13 (1969); GEORGE H. MEAD, MIND, SELF & SOCIETY: FROM THE STANDPOINT OF A SOCIAL BEHAVIORIST 175 (Charles W. Morris ed., 1934).

<sup>43</sup> See Brenda Geiger & Michael Fischer, *Naming Oneself Criminal: Gender Difference in Offenders' Identity Negotiation*, 49 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 194, 194 (2005).

<sup>44</sup> See Guimond et al., *supra* note 37, at 222; *supra* text accompanying notes 30, 36.

<sup>45</sup> See MERRY MORASH & PAMELA J. SCHRAM, THE PRISON EXPERIENCE: SPECIAL ISSUES OF WOMEN IN PRISON 73 (2002); Geiger & Fischer, *supra* note 43, at 203.

<sup>46</sup> Brian A. Nosek et al., *Implicit Social Cognition*, in THE SAGE HANDBOOK OF SOCIAL COGNITION 31, 32 (Susan T. Fiske & C. Neil Macrae eds., 2012).

awareness, introspection, and motivational control.<sup>47</sup> Well-established methods have now demonstrated the structure and processes of implicit social cognition. Most prominent among these findings are implicit prejudice against stigmatized and historically disadvantaged groups (e.g., African Americans and homosexuals),<sup>48</sup> strong implicit favoritism for ingroups and high-status groups,<sup>49</sup> the conditions under which implicit and explicit social cognition are related as well as unassociated,<sup>50</sup> the ability of ISC methods to predict behavioral actions particularly in the area of discrimination,<sup>51</sup> and the malleability of implicit cognition, affect, and behaviors in an array of contexts.<sup>52</sup> Most recently, legal scholarship and judicial opinions have deliberated over the impact of ISC on the law, in particular, challenges to the prevailing assumptions underlying criminal intent (what ISC refers to as voluntary and motivational control) and antidiscrimination laws.<sup>53</sup> Indeed, ISC can affect interview interactions,<sup>54</sup> hiring practices,<sup>55</sup> and even who we shoot with a weapon.<sup>56</sup>

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<sup>47</sup> See *id.*; Brian A. Nosek et al., *Implicit Social Cognition: From Measures to Mechanisms*, 15 *TRENDS COGNITIVE SCI.* 152, 153 (2011).

<sup>48</sup> See Nilanjana Dasgupta & Luis M. Rivera, *From Automatic Antigay Prejudice to Behavior: The Moderating Role of Conscious Beliefs About Gender and Behavioral Control*, 91 *J. PERSONALITY & SOC. PSYCHOL.* 268, 268, 272 (2006) [hereinafter *From Automatic Antigay Prejudice to Behavior*]; Nilanjana Dasgupta & Luis M. Rivera, *When Social Context Matters: The Influence of Long-Term Contact and Short-Term Exposure to Admired Outgroup Members on Implicit Attitudes and Behavioral Intentions*, 26 *SOC. COGNITION* 112, 117 (2008); Anthony G. Greenwald et al., *Measuring Individual Differences in Implicit Cognition: The Implicit Association Test*, 74 *J. PERSONALITY & SOC. PSYCHOL.* 1464, 1474 (1998).

<sup>49</sup> See Nilanjana Dasgupta, *Implicit Ingroup Favoritism, Outgroup Favoritism, and Their Behavioral Manifestations*, 17 *SOC. JUST. RES.* 143, 146–47 (2004).

<sup>50</sup> See Brian A. Nosek, *Moderators of the Relationship Between Implicit and Explicit Evaluation*, 134 *J. EXPERIMENTAL PSYCHOL.: GEN.* 565, 578 (2005).

<sup>51</sup> See Anthony G. Greenwald et al., *Understanding and Using the Implicit Association Test: III. Meta-Analysis of Predictive Validity*, 97 *J. PERSONALITY & SOC. PSYCHOL.* 17, 18, 28, 32 (2009).

<sup>52</sup> See Irene V. Blair, *The Malleability of Automatic Stereotypes and Prejudice*, 6 *PERSONALITY & SOC. PSYCHOL. REV.* 242, 255 (2002).

<sup>53</sup> See Kristin A. Lane et al., *Implicit Social Cognition and Law*, 3 *ANN. REV. L. & SOC. SCI.* 427, 439–44 (2007); see also Jerry Kang & Kristin Lane, *A Future History of Implicit Social Cognition and the Law 2* (UCLA Sch. of Law, Research Paper No. 09-26, 2009), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1458678](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1458678) (“Either the law should change to reflect that more accurate model [of implicit social cognition], or provide reasons why it cannot do so.”).

<sup>54</sup> See *From Automatic Antigay Prejudice to Behavior*, *supra* note 48, at 272–73, 277; John F. Dovidio et al., *Implicit and Explicit Prejudice and Interracial Interaction*, 82 *J. PERSONALITY & SOC. PSYCHOL.* 62, 63 (2002).

<sup>55</sup> See Jonathan C. Ziegert & Paul J. Hanges, *Employment Discrimination: The Role of Implicit Attitudes, Motivation, and a Climate for Racial Bias*, 90 *J. APPLIED PSYCHOL.* 553, 556, 561 (2005).

<sup>56</sup> See Joshua Correll et al., *Across the Thin Blue Line: Police Officers and Racial Bias in*



## V. IMPLICIT CRIMINAL IDENTITY

Our work has adopted ISC theories and methods to test the impact of involvement in the criminal justice system on an individual's self-concept. A central assumption of ISC theories is that past social experiences can trigger implicit process effects on the organization of beliefs in memory.<sup>57</sup> A single significant experience or a series of related experiences can mentally link previously unrelated beliefs.<sup>58</sup> For an individual who commits a crime (or even those who are frequently exposed to criminal behavior in their environment over a period of time), an association in memory is established between the self-concept and the category "criminals"—that is, justice-involved individuals should exhibit an *implicit criminal identity* (ICI). While an ICI is a direct consequence of experience(s), an *explicit criminal identity* (ECI) is shaped by experience combined with self-presentation motivations that underlie impression management goals.<sup>59</sup>

Given the conceptual distinction between implicit versus explicit criminal identities, ISC theories may be particularly useful in understanding a criminal identity because they challenge two assumptions in the criminology literature. First, criminological research relies heavily on self-report measures, so it is assumed that justice-involved individuals are aware of, and thus can introspect on, the effect of past criminal experiences.<sup>60</sup> Second, it is assumed that justice-involved individuals are willing to accurately report their thoughts.<sup>61</sup> However, these assumptions are challenged especially as they relate to identity processes in stigmatized individuals. Stigmatized individuals chronically face negative subtle and overt biases in society.<sup>62</sup> Moreover, exposure to such

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*the Decision to Shoot*, 92 J. PERSONALITY & SOC. PSYCHOL. 1006, 1020 (2007).

<sup>57</sup> See Brian A. Nosek & Jeffrey J. Hansen, *The Associations in Our Heads Belong to Us: Searching for Attitudes and Knowledge in Implicit Evaluation*, 22 COGNITION & EMOTION 553, 586–88 (2008).

<sup>58</sup> See Anthony G. Greenwald & Mahzarin R. Banaji, *Implicit Social Cognition: Attitudes, Self-Esteem, and Stereotypes*, 102 PSYCHOL. REV. 4, 5, 7 (1995).

<sup>59</sup> See generally Nosek, *supra* note 50, at 566 (explaining how self-presentation motivations moderate the relationship between implicit and explicit measures of attitudes).

<sup>60</sup> See Josine Junger-Tas & Ineke Haen Marshall, *The Self-Report Methodology in Crime Research*, 25 CRIME & JUST. 291, 292, 322 (1999); see also Brent Snook et al., *Simply Criminal: Predicting Burglars' Occupancy Decisions with a Simple Heuristic*, 35 LAW & HUM. BEHAV. 316, 318 (2011) (“[S]elf-reports are affected by the limitations of memory, introspection, articulation, and social desirability response bias.”).

<sup>61</sup> Junger-Tas & Marshall, *supra* note 60, at 318, 322.

<sup>62</sup> See Gregory M. Herek, *Sexual Prejudice*, in HANDBOOK OF PREJUDICE, STEREOTYPING, AND DISCRIMINATION, *supra* note 28, at 441, 445; Brenda Major & Laurie T. O'Brien, *The*

attitudes in turn is believed to negatively affect their self-concept and identity as well as impact a host of psychological and health outcomes.<sup>63</sup> Even if justice-involved individuals disavow their stigmatized identities (and thus their self-reported beliefs may reflect a motivational strategy), they may not be aware of the subtle and pernicious ways in which stigma, like a criminal conviction, may shape their identity (and thus they are unable to self-report such effects). Thus, understanding an ICI may reveal previously unknown mechanisms that may help to explain criminal persistence and desistance above and beyond conscious decisions.

Then, how do we measure an ICI? Implicit measures attempt to capture the processes that are inaccessible through introspection or that individuals are unwilling to reveal.<sup>64</sup> Among the inventory of implicit measurement procedures, the most widely used employ reaction times to operationalize the strength (or weakness) of associations in memory.<sup>65</sup> In these computerized tasks, participants rapidly respond to stimuli that represent beliefs in memory.<sup>66</sup> As suggested above, the basic assumption underlying ISC measures is that an identity is a mental association between the self (target) and a group (category).<sup>67</sup> Thus, members of a group are expected to exhibit speeded reactions to self-related stimuli when they are paired with group-related stimuli.<sup>68</sup>

Our research uses the Implicit Association Test (IAT), which is a

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*Social Psychology of Stigma*, 56 ANN. REV. PSYCHOLOGY 393, 394–95 (2005).

<sup>63</sup> See, e.g., GORDON W. ALLPORT, THE NATURE OF PREJUDICE 147–48, 157 (abr. 1958); Christian S. Crandall et al., *Anti-Fat Prejudice*, in HANDBOOK OF PREJUDICE, STEREOTYPING, AND DISCRIMINATION, *supra* note 28, at 469, 469; Jennifer Crocker, *Social Stigma and Self-Esteem: Situational Construction of Self-Worth*, 35 J. EXPERIMENTAL SOC. PSYCHOL. 89, 102 (1999); Brenda Major & Pamela J. Sawyer, *Attributions to Discrimination: Antecedents and Consequences*, in HANDBOOK OF PREJUDICE, STEREOTYPING, AND DISCRIMINATION, *supra* note 28, at 89, 101–02; Major & O'Brien, *supra* note 62, at 394, 398; Luis M. Rivera & Stefanie M. Paredes, *Stereotypes Can “Get Under the Skin”: Testing a Self-Stereotyping and Psychological Resource Model of Overweight and Obesity*, 70 J. SOC. ISSUES 226, 228, 234 (2014).

<sup>64</sup> See B. Keith Payne & Bertram Gawronski, *A History of Implicit Social Cognition: Where Is It Coming From? Where Is It Now? Where Is It Going?*, in HANDBOOK OF IMPLICIT SOCIAL COGNITION: MEASUREMENT, THEORY, AND APPLICATIONS, *supra* note 27, at 1, 1; Sarah Teige-Mocigemba et al., *A Practical Guide to Implicit Association Tests and Related Tasks*, in HANDBOOK OF IMPLICIT SOCIAL COGNITION: MEASUREMENT, THEORY, AND APPLICATIONS, *supra* note 27, at 117, 117.

<sup>65</sup> See Teige-Mocigemba et al., *supra* note 64, at 117–18.

<sup>66</sup> See *id.*

<sup>67</sup> See *supra* text accompanying notes 12–14, 25.

<sup>68</sup> See Dario Cvencek et al., *Balanced Identity Theory: Review of Evidence for Implicit Consistency in Social Cognition*, in COGNITIVE CONSISTENCY: A FUNDAMENTAL PRINCIPLE IN SOCIAL COGNITION 157, 163 (Bertram Gawronski & Fritz Strack eds., 2012); Greenwald et al., *supra* note 48, at 1464.

widely used reaction time measure,<sup>69</sup> to provide an initial test of an ICI in justice-involved individuals. Consistent with the general IAT procedure, participants in our studies are presented with stimuli that represent the self (e.g., *I, myself*), others (e.g., *they, them*), and criminal (e.g., *criminal, lawbreaker*).<sup>70</sup> As a semantic stimulus appears one after the other centered on the computer screen, category labels are simultaneously and appropriately positioned on the top left and top right sides of the screen. For one-half of the task, participants are instructed to use the “A” (left) key to classify “self” and “criminal” words and the “K” (right) key to classify “other” words (self+criminal trials). In the other half of the task, the key assignment is reversed—participants use the “A” key to classify “other” and “criminal” words and the “K” key to classify “self” words (other+criminal trials). A relatively high IAT score means faster reaction times on the self+criminal trials than on the other+criminal trials, suggesting a relatively strong ICI.<sup>71</sup> To measure ECI, individuals self-report the extent to which they associate themselves with the criminal words in the IAT. Using this methodology, the following four basic ICI findings support the reliability and validity of using the IAT to measure an ICI.<sup>72</sup>

#### A. *Implicit and Explicit Criminal Identities Are Unrelated*

The first consistent finding is that there is *no* empirical relation between ICI and ECI. This nonassociation is generally consistent with the ISC literature on the self and identity.<sup>73</sup> Self-report (explicit) measures typically allow individuals to engage self-

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<sup>69</sup> Teige-Mocigemba et al., *supra* note 64, at 118; *see also* Andrew Karpinski & Ross B. Steinman, *The Single Category Implicit Association Test as a Measure of Implicit Social Cognition*, 91 J. PERSONALITY & SOC. PSYCHOL. 16, 16 (2006) (“[T]he Implicit Association Test (IAT) has become the most commonly used among the implicit measurement techniques . . .” (citation omitted)).

<sup>70</sup> *See* Karpinski & Steinman, *supra* note 69, at 16; Teige-Mocigemba et al., *supra* note 64, at 118.

<sup>71</sup> To better understand the general logic of the IAT procedure, *see* PROJECT IMPLICIT, <https://implicit.harvard.edu/implicit/> (last visited Apr. 28, 2014).

<sup>72</sup> These findings were presented at the American Society of Criminology Annual Meeting in 2014. *See* Valerie Laws, Bonita Veysey & Luis M. Rivera, Presentation to the American Society of Criminology Annual Meeting: If Me = Criminal and Criminal = Black, Then Me = Black? A Cognitive Structure of Criminal Implicit Associations (Nov. 21, 2014); Luis M. Rivera & Bonita Veysey, Presentation to the American Society of Criminology Annual Meeting: An Examination of the Implicit Criminal Mind: Priming Criminality Can Strengthen Self and Criminality Associations Outside of Conscious Awareness (Nov. 21, 2014).

<sup>73</sup> *See* Greenwald et al., *supra* note 48, at 1477; Nosek et al., *supra* note 46, at 37–38; Schnabel & Asendorpf, *supra* note 27, at 409.

presentation motives, which is particularly instrumental when reporting on identities that are stigmatized.<sup>74</sup> The stigma associated with being a criminal may motivate justice-involved individuals to present themselves in a certain and favorable way to others (e.g., if they wish to obtain a job, they must convince others that they are worthy of that job in spite of their criminal past). Reaction time (implicit) measures do not provide (or minimize) the opportunity to engage in motivational control.<sup>75</sup> Therefore, when the opportunity and motivation to control one's responses moderate the influence of automatically activated constructs, individuals' performance on implicit versus explicit measures diverge. Consistent with these ideas, across all of our studies we find no statistical correlation between ECI and ICI.

### *B. Implicit Criminal Identity and Stereotypes About Blacks*

A hallmark of ISC research is the empirical demonstration of relations among constructs when explicit measures fail to do so.<sup>76</sup> Knowledge of the self, groups, and their attributes, such as stereotypes, can be represented as a network of cognitive associations.<sup>77</sup> The self, or one's identity, is considered the central and focal point that is connected to other representations of knowledge.<sup>78</sup> Thus, an ICI should be associated to other criminal-related knowledge constructs such as the pervasive stereotype that blacks are criminals.<sup>79</sup> We demonstrate that when nonblacks are reminded of a criminal experience, an ICI is related to an implicit identification with black (i.e., associations between the self-concept and pictures of random black faces) and to implicit associations between blacks and criminality. These associations are nonexistent when nonblacks are not primed with a past criminal experience or when these constructs are assessed with self-report measures. These data suggest that the nonconscious self of individuals who have experienced some type of criminal behavior serves as a central node in a network that links multiple nodes of criminal-related

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<sup>74</sup> See Greenwald et al., *supra* note 48, at 1476; Teige-Mocigemba et al., *supra* note 64, at 117.

<sup>75</sup> Karpinski & Steinman, *supra* note 69, at 26.

<sup>76</sup> See Nosek, *supra* note 50, at 565.

<sup>77</sup> Cvencek et al., *supra* note 68, at 157–58.

<sup>78</sup> *Id.* at 157.

<sup>79</sup> See Kendrick T. Brown, Book Review, 32 J. BLACK PSYCHOL. 243, 243 (2006) (reviewing DENNIS ROME, BLACK DEMONS: THE MEDIA'S DEPICTION OF THE AFRICAN AMERICAN MALE CRIMINAL STEREOTYPE (2004)).

knowledge (i.e., stereotypes) widely held by society.

### *C. Implicit Criminal Identity and Age*

Although crime declines with age,<sup>80</sup> older individuals who have committed crime(s) earlier in life are more likely to have constant subtle and overt contextual cues that remind them of their past.<sup>81</sup> Consistent with a cumulative experience effect, frequent contextual reminders of one's past can maintain and even strengthen the automatic activation of representations and their associations.<sup>82</sup> Furthermore, a third consistent ICI finding is that older justice-involved individuals tend to report stronger ICIs than younger justice-involved individuals, suggesting that older justice-involved individuals are chronically reminded of their criminal past.

### *D. Implicit Criminal Identity Is a Behavioral Marker for Justice System Involvement*

Perhaps the most rigorous test for an ICI is whether it is a behavioral marker for criminal justice system involvement. A Newark, New Jersey, community sample of individuals who were arrested, convicted, and/or imprisoned was recruited to report on a number of demographic and psychological factors empirically related to criminality. The demographic variables were gender, age, and socioeconomic status (i.e., employment and income) variables because they tend to be related to justice involvement.<sup>83</sup> The psychological variables were explicit criminal identity and criminal ideation because they should predict criminal behavior. The main empirical question is whether IAT-measured implicit criminal identity predicts who was involved in the criminal justice system above and beyond the self-reported demographic and psychological factors. Consistent with past findings, male participants were more likely than female participants and lower-income participants were

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<sup>80</sup> See, e.g., ROBERT J. SAMPSON & JOHN H. LAUB, *CRIME IN THE MAKING: PATHWAYS AND TURNING POINTS THROUGH LIFE* 6 (1993); David P. Farrington, *Age and Crime*, 7 *CRIME & JUST.* 189, 189 (1986); Terrie E. Moffitt, *Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy*, 100 *PSYCHOL. REV.* 674, 675 (1993).

<sup>81</sup> See *supra* text accompanying note 62.

<sup>82</sup> See generally B. Keith Payne, *Control, Awareness, and Other Things We Might Learn to Live Without*, in *THE SAGE HANDBOOK OF SOCIAL COGNITION*, *supra* note 46, at 12, 15–16 (discussing automatic activation of attitudes and stereotypes).

<sup>83</sup> See Michele Estrin Gilman, *The Poverty Defense*, 47 *U. RICH. L. REV.* 495, 496–97 (2013); Erica J. Hashimoto, *Class Matters*, 101 *J. CRIM. L. & CRIMINOLOGY* 31, 32 (2011); *supra* text accompanying notes 5, 79.

somewhat more likely than higher-income participants to have involvement with the criminal justice system. Furthermore, after controlling for all demographic variables, participants with stronger explicit criminal identities and who possess conscious criminality thoughts were more likely to be justice-involved than participants with weaker (or no) explicit criminal identities and who do not possess conscious criminal ideation. Most important, after controlling for the above demographic and psychological factors, the IAT-measured implicit criminal identities were related to justice involvement. Specifically, individuals with strong ICIs were associated with an approximately 8.2-fold increase in the odds of being arrested, convicted, and/or incarcerated, and this is above and beyond the justice-involvement odds associated with explicit criminal identity (approximately 3.3 times) and conscious criminal ideation (approximately 3.8 times).

The above summary of our research to date demonstrates the construct and predictive validity of an implicit criminal identity.

#### VI. FEMALE OFFENDERS AND DISCREPANCIES BETWEEN IMPLICIT AND EXPLICIT CRIMINAL IDENTITIES

We propose that ICI is a mechanism that reveals the impact of criminality on the self-concept of women. Rooted in the pervasive gender difference in the criminal justice population, women are not expected to be criminals.<sup>84</sup> Instead, women are expected to conform to communal-based traits and behaviors, which underlie society's stereotypes about women.<sup>85</sup> Because these gender norms might conflict with being a criminal for a woman, there may be important cognitive and behavioral implications for her self-concept. Adopting ISC theory and methodology, our main thesis is that gender norms and stereotypes motivate female offenders to shift their explicit criminal identities but that these same women are unable to rely on these motivational sources to alter their implicit criminal identities. Specifically, female offenders may make light of their explicit criminal identities to maintain a gender-schematic self-concept, but their implicit criminal identities might reflect a gender-aschematic self-concept. As such, the discrepant explicit versus implicit criminal identities can have potentially serious and unique implications for women (relative to men) because of imposed

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<sup>84</sup> See *supra* text accompanying note 9.

<sup>85</sup> See *supra* text accompanying notes 28–36.

cultural gender roles and constraints.

## VII. SUMMARY OF METHODOLOGY AND ANALYSES

We recruited eighty Newark, New Jersey, community members who were involved with the criminal justice system, as defined as having been arrested, convicted, and/or incarcerated. Participants completed an IAT to measure ICI, a self-report survey to measure ECI, and a demographics questionnaire. Table 1 presents the sample's demographics. The most relevant demographic is the offender gender composition—twenty-three (28.8%) women and fifty-seven (71.3%) men. This gender difference is a reflection of the disproportionate gender composition in the offender population.<sup>86</sup> Statistical analyses of these data included analyses of variances and multiple regressions.

## VIII. GENDER DIFFERENCES IN IMPLICIT VERSUS EXPLICIT CRIMINAL IDENTITY

As presented in Figure 1 and consistent with a gender-violation motivation account, justice-involved women were *less* likely to explicitly identify with criminality than justice-involved men. This supports the notion that breaking the law is inconsistent with the female gender norms and stereotypes in society. Because self-report measures provide the opportunity for responders to rely on self-presentation motivations, female offenders can modify their responses to be consistent with gender expectancies. However, reaction time measures tend to eliminate or minimize self-presentation motivations and capture the basic automatically activated association between the self and criminality.<sup>87</sup> Consistent with this idea, female offenders exhibit a *similar* level (statistically speaking) of ICI to male offenders.<sup>88</sup> This suggests that criminal justice involvement is represented in memory, but that the motivations rooted in the psychology of gender of the offender are unable to moderate such effects.

A second implication for justice-involved women is the divergent effect on their implicit and explicit criminal identities. Just as individuals possess inconsistent explicit beliefs, they can also exhibit a discrepancy between their implicit and explicit beliefs.

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<sup>86</sup> See *supra* text accompanying notes 2–5.

<sup>87</sup> See *supra* text accompanying notes 65–68, 75.

<sup>88</sup> See *infra* Figure 1.

Female offenders are expected to possess discrepant implicit and explicit criminal identities. This effect is displayed in Figure 1. Specifically, female offenders have stronger ICIs than ECIs. However, men do not possess this discrepancy—they exhibit similar levels of an ICI and an ECI.

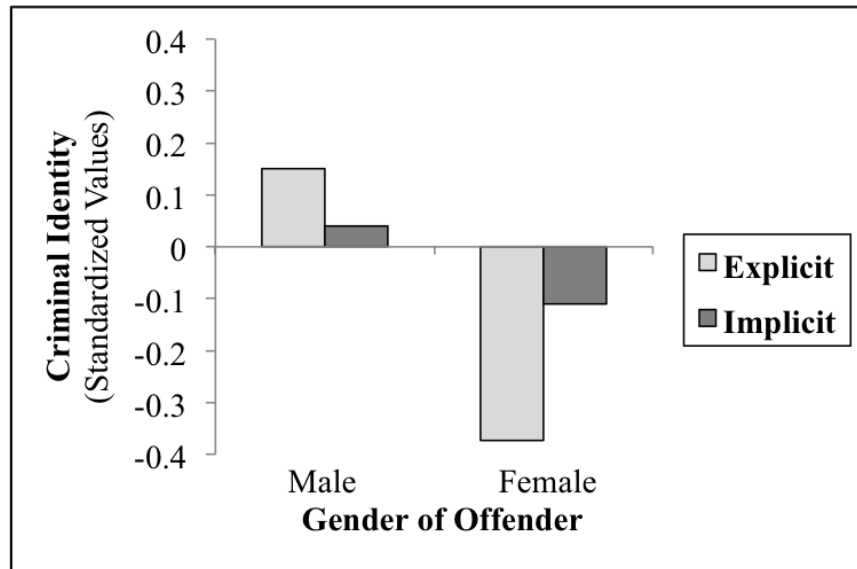
**Table 1: Sample Demographics**

Variable	Gender of Participants	
	Male ( <i>n</i> = 57)	Female ( <i>n</i> = 23)
Age (mean years)	42.4	38.3
Ethnicity/race		
African American/black	78.9	65.2
Asian or Pacific Islander	1.8	8.7
Hispanic/Latino	12.3	21.7
Multi-racial	0.0	4.3
Native American	0.0	0.0
White	3.5	0.0
Other	3.5	0.0
Education		
Grade equivalency diploma (GED)	21.1	8.7
High school	33.3	26.1
Some college	26.3	34.8
College graduate	10.5	0.0
Other education	8.8	30.4
Employment status		
Unemployed	68.4	78.3
20 hours or less	10.5	17.4
21–30 hours	7.0	0.0
31–40 hours	8.8	0.0
41 hours or more	5.3	4.3
Household/family income		
\$0–10,000	47.4	34.8
\$10,001–20,000	19.3	21.7
\$20,001–30,000	17.5	26.1
\$30,001–40,000	0.0	0.0
\$40,001–50,000	1.8	0.0
\$50,001–60,000	5.3	0.0
\$60,001–70,000	1.8	4.3
\$70,001–80,000	3.5	8.7
\$80,001–90,000	1.8	0.0
\$90,001–100,000	0.0	4.3
\$100,001 or more	1.8	0.0

Note: Figures represent percentages, unless otherwise noted in parentheses after variable.



**Figure 1: Effect of Gender of Offender on Explicit and Implicit Criminal Identities**



Note: Higher standardized values indicate stronger criminal identities.

## IX. DISCUSSION

The findings of this study have important implications for women's criminality and desistance and, therefore, also correctional practice. The three primary findings are (1) justice-involved women are less likely to explicitly identify with criminality than justice-involved men, (2) justice-involved women exhibit similar levels of an implicit criminal identity as justice-involved men, and (3) women evidence a significant difference between their explicit and implicit criminal identities. Each finding has different implications for women's behaviors and possible psychological stressors, and the criminal justice system's capacities and resources for reform.

First, it is common knowledge that correctional facilities, supervision practices, and interventions are designed by and for men.<sup>89</sup> As argued earlier, the general public and individual citizens also perceive that crime is a male stereotypic domain, except for a few female-dominated specific crimes, such as prostitution.<sup>90</sup> Yet,

<sup>89</sup> See BLOOM ET AL., *supra* note 11, at 19, 119; MORASH ET AL., *supra* note 11, at 2.

<sup>90</sup> See Steffensmeier & Allan, *supra* note 5, at 460; *supra* text accompanying notes 5–6, 9.

women do commit crimes, are prosecuted, convicted, and incarcerated. One might argue that the “fact” of arrest, conviction, and/or incarceration should be sufficient for individuals to publically acknowledge the labels that have been applied to them *regardless of gender*. However, gender, in fact, does play a role in acknowledging (for men) or resisting (for women) these labels.

As reviewed above, a criminal identity results from persistent associations with criminal peers, self-esteem, and childhood experiences.<sup>91</sup> Group membership provides individuals with positive feelings of belonging and self-worth.<sup>92</sup> This effect is evident in many male criminals, but the effect on female criminals, whose gender self-definition is inconsistent with a criminal identity, tends to be negative.<sup>93</sup> In general, people strive to reduce identity-based uncertainty by knowing how to behave, what to think, and who they are by categorizing themselves in a particular social group.<sup>94</sup> When one fails to identify with a social group because one’s actions are inconsistent with definitions of self, an increase in levels of uncertainty is observed.<sup>95</sup> Because the association between “female” and “criminal” leads to an imbalanced identity, female offenders will resist forming these associations as part of their self-concept.<sup>96</sup>

Our findings also suggest that justice-involved women possess relatively strong implicit criminal identities (and similar to men’s). Thus, while women explicitly deny their labels, they have implicitly linked their sense of self to the category of criminal. This is especially significant because strong ICIs can be maintained throughout adulthood and they appear to be a behavioral marker for involvement in the criminal justice system above and beyond explicit identities and intentionality. This may indicate that there is a persistent, nonconscious vulnerability toward criminality.

The discrepancy between women’s implicit and explicit identities has implications for the presence of resources that can be mobilized for permanent reform. We have posited that justice-involved women self-report a relatively low ECI because they wish to distance themselves from a criminal label and a criminal identity that is inconsistent with pervasive female communal stereotypes of warmth, affiliation, and nurturance. Relational theory suggests

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<sup>91</sup> See *supra* text accompanying notes 15–16, 19–20.

<sup>92</sup> See *supra* text accompanying notes 15–16.

<sup>93</sup> See *supra* text accompanying notes 16, 27.

<sup>94</sup> See *supra* text accompanying note 25.

<sup>95</sup> See *supra* text accompanying note 26.

<sup>96</sup> See *supra* text accompanying note 27.

that interpersonal relationships are the central organizing aspect of women's lives and are tied to women's most salient identities—that is, what is centrally important to all women's (including female offenders) self and identity is their relationships with their friends and family, their spouses and partners, and their children.<sup>97</sup> Thus, it might be argued that justice-involved women's explicit self and identities are primarily shaped by gender stereotypes as opposed to their criminal experience. Ironically, then, gender stereotypes are precisely what give women a clear pathway out of criminality into already established valued social roles and identities.

In addressing strong and persistent implicit criminal identities, a robust line of social psychological research demonstrates that reminding individuals of important parts of their lives can set off a host of psychological and behavioral benefits.<sup>98</sup> Consistent with self-affirmation theory, individuals have numerous sources of self-worth, such as values and traits that are tied to their personal and group identities.<sup>99</sup> When one important life domain is threatened, people may draw from an alternative source of self-worth to restore the integrity of their overall self-image and well-being.<sup>100</sup> These ideas are in line with self-image maintenance theories in general, which posit that self-image mechanisms are interchangeable—an activity in one domain can function in place of an activity in a different domain when addressing the same self-image concerns.<sup>101</sup> In the case of justice-involved women, a self-affirmation can be operationalized by providing them with as many opportunities to build, strengthen, and maintain their relationships with important others such as friends, parents, siblings, and their children. If self-affirmation strategies are incorporated into correctional or other support programs, they have the potential to enhance women's psychological well-being and increase the chances of successful transformation to a prosocial citizen.

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<sup>97</sup> See CAROL GILLIGAN, IN A DIFFERENT VOICE: PSYCHOLOGICAL THEORY AND WOMEN'S DEVELOPMENT 8–9, 167 (1993); JEAN BAKER MILLER, TOWARD A NEW PSYCHOLOGY OF WOMEN 61 (2d ed. 1986).

<sup>98</sup> See, e.g., Amy McQueen & William M. P. Klein, *Experimental Manipulations of Self-Affirmation: A Systematic Review*, 5 SELF & IDENTITY 289, 296, 298–99 (2006).

<sup>99</sup> See David K. Sherman & Geoffrey L. Cohen, *The Psychology of Self-Defense: Self-Affirmation Theory*, 38 ADVANCES EXPERIMENTAL SOC. PSYCHOL. 183, 187 (2006).

<sup>100</sup> See *id.* at 188; Claude M. Steele, *The Psychology of Self-Affirmation: Sustaining the Integrity of the Self*, 21 ADVANCES EXPERIMENTAL SOC. PSYCHOL. 261, 267–68 (1988).

<sup>101</sup> See Abraham Tesser, *On the Confluence of Self-Esteem Maintenance Mechanisms*, 4 PERSONALITY & SOC. PSYCHOL. REV. 290, 291 (2000); Abraham Tesser, *On the Plasticity of Self-Defense*, 10 CURRENT DIRECTIONS PSYCHOL. SCI. 66, 68 (2001).

## X. CONCLUSION

Women represent a small proportion of the offender population. However, when women violate society's gender norms by committing a crime and participate in a criminal justice system designed for male offenders, it can have significant implications for their cognition and behaviors. Our research adopts implicit social cognition theories and methodologies to demonstrate that one consequence of gender stereotyping within criminal justice processing and supervision is the divergent effect on women's (but not men's) conscious versus nonconscious criminal identities. Namely, justice-involved women are less likely to explicitly identify with criminality than justice-involved men. However, justice-involved women exhibit similar levels of an implicit criminal identity when compared to men. Moreover, women (but not men) exhibit a significant discrepancy between their explicit and implicit criminal identities. We posit that such discrepancy is mediated by gender stereotypes related to communal traits and behavioral roles. As such, we suggest that understanding justice-involved women's explicit and implicit criminal identities has important implications for corrections reform. Programs that focus on self-affirmation strategies, especially those that remind women of their important relationship lifelines, might improve the quality of life for justice-involved women and place them on a path from criminal to law-abiding citizen.