2021

Sentencing Length Disparity Across Gender and Race for Drug Offenses

Alexis Griggs
Walden University

Walden University

College of Social and Behavioral Sciences

This is to certify that the doctoral dissertation by

Alexis Griggs

has been found to be complete and satisfactory in all respects,
and that any and all revisions required by
the review committee have been made.

Review Committee
Dr. Robert Spivey, Committee Chairperson,
Criminal Justice Faculty

Dr. Joseph Pascarella, Committee Member,
Criminal Justice Faculty

Dr. Dianne Williams, University Reviewer,
Criminal Justice Faculty

Chief Academic Officer and Provost
Sue Subocz, Ph.D.

Walden University
2021

Abstract

Sentencing Length Disparity Across Gender and Race for Drug Offenses

by

Alexis Griggs

MS, Tiffin University, 2010

BS, The University of Tennessee at Martin, 2004

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

Walden University

May 2021

Abstract

Research on sentencing outcomes have concentrated on disparities between gender and race with a range of influences in legal decision making. This study was an examination of whether the same form of sentencing inconsistency is found with offenders who were convicted of drug offenses. A quantitative method (ANCOVA) was used to analyze the difference in sentencing outcomes. Data from the United States Sentencing Commission from 2016 fiscal year were used to investigate the role of gender and race in sentencing disparity and examine whether an offender's prior sentencing history and drug amount influences sentencing outcomes. The results of this study indicated that there was a statistically significant difference in sentencing disparity among genders for male and female offenders, with a small effect size in a large sample size after controlling for drug amount and criminal history. Female offenders received less severe sentences than male offenders. There was a statistically significant difference in sentencing disparity for race with Black and White offenders, but for only one drug offense, cocaine, and not for marijuana and methamphetamine. Black offenders received lengthier prison terms than White offenders. It was confirmed that there was no significant sentencing disparity for the interaction of gender and race for all drug offenses. These results suggest that gender favoritism continues to impact sentencing, and they support the evidence that female offenders receive greater leniency than male offenders. This study adds to empirical evidence for developing sentencing policies, procedures, and laws to bring about positive social change through greater equity in the sentencing of offenders.

Sentencing Length Disparity Across Gender and Race for Drug Offenses

by

Alexis Griggs

MS, Tiffin University, 2010

BS, The University of Tennessee at Martin, 2004

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

Walden University

[May] 2021

Dedication

This is dedicated to my family and friends for always believing in me. Thank you, so much for always pushing, supporting, and being there for me when I needed to vent, cry, or talk. I could have not done it with without you all.

To my devoted and caring husband, Lemmie. There are no words to express my appreciation for the tolerance and love you have for me. Throughout this process, you have listened to me without judgment, understood and acknowledged my pain, tiredness, and struggles. You spoke without prejudice, gave me guidance, advice, and were my voice of reason. You are my biggest supporter. For that, I am forever thankful for your love, and support during this very difficult and lengthy process. It's never a dull moment with us, and I don't know if I could have not gotten through this without you. You are my rock, and I love You.

Acknowledgments

I would like to say thank you Dr. Robert Spivey, my committee chair, for supporting me and providing me with positive feedback and Dr. Joseph Pascarell, my committee member, for his proficiency and being detail oriented.

I want to recognize and graciously thank Dr. Michael Mackay, who was a consultant during th very challenging process. Without your assistance on how to reduce this massive database into a more manageable sample, my analyses would not have been possible. Words cannot describe how appreciative I am for your support and advice throughout this process. It has been a journey, and you traveled through it with me, and for that I want to say thank you.

Additionally, I would also like to thank Walden University, who gave me this opportunity to conduct scholarly research and allowed me to achieve a dream and goal I sought to obtain.

Lastly, I give thanks to God, who has never left my side and gave me the strength and the breath of life to accomplish this major milestone.

Table of Contents

List of Tables

Chapter 1: Introduction to the Study

Introduction

Sentencing outcomes differ between males and females in the criminal justice

system (Daly, 1995). Previous research was conducted to understand why there is a

gender gap in sentencing outcomes. Daly (1995) suggested that the lack of attention on

gender discrimination has led to a difference of views and opinions (as cited in Hofer et

al., 2004). This causes researchers to disagree regarding the existence of gender disparity

(Hofer et al., 2004). According to Tiede (2009) to manage sentencing discrepancy, the

United States Sentencing Commission (USSC) made a guideline framework that obliged

judges to use a sentencing table and to use for sentencing the accused inside the scope of

conceivable sentences of the offense type, level and the offender's criminal history.

Sarnikar et al. (2007) indicated that sentencing bias occurs because of different situations

and the judge's perception and viewpoint of that individual's circumstance.

There are many concerns regarding gender bias and legal sanctions. Sentencing

criminals differently for similar crimes appears unjust (Nagel & Johnson 1994). Not only

is this type of sentencing unjust, but it is also inconsistent; therefore, research on

inconsistent investigations is imperative. This type of research would help discover,

explain, and identify gaps in research in this area. Research of this magnitude would also

provide the rationale on why punishing men is greater and why punishing women

remains inconsistent.   The problem of inconsistent sentencing is growing, and research is

needed to address the issue. To address this issue, I conducted a research study that

collected data, which generated questions to investigate and/or explain why there is a gap in this type of research.

This chapter provides a preview of the study's problem, purpose, research questions, theoretical framework, nature of the study, definitions, assumptions, scope, delimitations, limitations, and significance of my research.

Background

Awareness of gender bias in sentencing increased in the late 20th century (Sarnikar et al., 2007). The prospect of potential unfairness in the judicial system has triggered a substantial amount of research to probe sentencing disparities (Freiburger, 2011; Freiburger & Hilinski, 2013). These disparities tend to These disparities tend to trouble male offenders compared to female offender (Dorner, 2009). According to Embry and Lyons (2012), although women have overcome obstacles, judges are reluctant to sentence them equally as men. Male and female offenders who have committed the same crimes tend to receive different punishments, and when women criminals are disciplined, it is often not as severe as their male counterparts (Etienne, 2010). Player (2012) indicated fairness in sentencing cannot be accomplished by concentrating merely on the substances of impartial dissemination. This means gender should not play a role in sentencing when males and females have committed the same crime. Bontrager et al.'s (2013) research supports that gender sentencing disparity is a problem in the criminal justice system. Lack of equality in sentencing means lack of equal justice. According to Bixlar (2012), women represent around 7% of the incarcerated population across the country. The low rate of detained women has at least one negative implication. Because

they make up a relatively small percentage of those imprisoned, they don't get sufficient consideration in government programs (re-entry, rehabilitation programs, or in prison care), and public support (activism) as men (2012).

Inequality in sentencing occurs when criminals who commit related crimes and have similar mitigating and aggravating history are not given comparable sentences (Travis, 2012). According to Angelucci (2001), gender discrimination in our legal system is not just a representation of unfairness; it is a terrible disloyalty of the trust of society According to Angelucci (2001), gender discrimination in our legal system is not just a representation of unfairness; it is a terrible disloyalty of the trust of society. To support this claim, Gilbert (2001) argued the legal system and the societies views on female criminals were mostly found on the judgment of how women should conduct themselves. The author also indicated, women who committed crimes that are considered masculine and stray from conventional gender roles are viewed as being nonconforming or different (as cited in Messing and Heeren, 2009). Furthermore, it was shown that women who committed crimes that are considered masculine and stray from conventional gender roles are viewed as being nonconforming or different (Gilbert, 2001, as cited in Messing & Heeren, 2009). Also, Chesney-Lind, (1987) suggested that women who are seen by the court as respectable—wedded, calm, and peaceful—are likely to get less harsh verdicts and sentence than men (Gilbert, 2001, as cited in Messing & Heeren, 2009). The concern of gender prejudice is an explanation of the legal system is confusing and is over-indulgent towards women than of men. There is a "gap favoring women in the justice system that persists throughout the sample period" (Bindler & Hjalmarsson, 2020, pg. 1).

Therefore, focusing on inequality in sentencing outcomes helps to fill the gap in research and address biased treatment of defendants in the justice system.

Problem Statement

Sentencing inequality among genders is a controversial topic. Decades of studies suggest that women and men who commit the same crimes and have similar criminal histories often receive different punishments, and when women offenders are punished, it is it less harshly than male offenders (Etienne, 2010; Farrell et al., 2010; Travis, 2012). Studies conducted by the Bureau of Justice Statistics (2011) indicated that in 2010, 37% (34,100) of female offenders and 54% (689,000) for male offenders were arrested and confined to state prisons for committing severe offenses. This form of disparity and disproportionate of women and men imprisoned has resulted in women to avoiding charges, sentencing, and confinement if convicted (Starr, 2012). Equality in sentencing cannot be achieved by focusing solely on matters of the same punishment between genders (Player, 2012). The literature reviewed for this study indicated that there was limited research exploring the problem with judge's ethics, judgements, and prejudice when it comes to sentencing offenders' gender and individuality (Nigel & Johnson, 1994). None of the studies reviewed analyzed whether gender difference in sentencing outcomes was more severe for misdemeanors or less aggressive offenses or more severe for a felony or violent offenses (Rodriguez et al., 2006). There is a problem with the current policy framework of gender inequality in sentencing outcomes. The inconsistency in sentencing outcomes and the wrongdoing of gender inequality is problematic. Therefore, this study will contribute to the literature by providing data

examined by the USSC (2016) dataset to provide information on the disparity in sentencing between men and women in the criminal justice system. This research this will help future researchers to expand on the results and provide data to policymakers as they consider revising policies to prevent gender and race discrimination in sentencing outcomes.

Purpose

The purpose of this quantitative study is to add to existing literature by objectively investigating the connections between gender, race, crime, and sentencing severity disparity. Because historical studies have concentrated on federal sentencing, this research offered a diverse viewpoint on sentencing decisions in federal courts (Miller, 2015). Therefore, this examination was focused on rulings related to offenders who committed the same offense but were sentenced differently and what factors were considered in the courts' sentencing decisions. Also, this quantitative analysis demonstrated how differences could be measured and used for understanding gender discrimination in the sentencing of offenders (see Scott, 2010). By exploring the association between gender discrimination, race, and sentence length, this study will aid scholars to determine whether the justice system is impartial by gender in sentencing.

This primary objective of this study was to examine gender and race sentencing disparity and why it exists. The legal system's purpose is to protect society while upholding fairness and equality, but these principals are often not practiced when it comes to sentencing criminals (Spohn, 2000). Several studies have focused on the reasoning behind judicial decisions as being the center of sentencing disparities, with

certain relevant variables (gender and race) associated with determining appropriate sentencing outcomes for offenders (Miller, 2015; Steffensmeier et. al., 1998; Walker et. al., 2012). Therefore, in this study I used gender and race as variables in conducting the research and controlled for drug amount and prior criminal history. Using multiple variables offers a more statistically significant results when conducting research (Walker et al., 2012).

For some immigrants and minorities, particularly African Americans, justice is often obsolete in the public arena because the current criminal justice system is depicted as being biased and is seen as a product for only men, as they are often overrepresented as criminals (Rosich, 2007; Stewart et. al., 2020). The disparity sentencing structure has created an unfairness between men and women (Covington, 2003;). Therefore, it is imperative to comprehend once inequality is noticed, no matter how it is observed; it will cause a ripple effect on justice. Without equality under the law, the justice system cannot meet the ideals of impartiality. Omonigho & Davis (2013) stated that research conducted on gender inequality in the criminal justice system should explore transparent, consistent, and acceptable sentencing practices. In this study, I explored gender and racial inequality in sentencing in the criminal justice system. The primary purpose of this research was to increase public knowledge of gender sentencing disparity.

Research Questions

The research questions addressed in this study were:

RQ1: After controlling for drug amount and prior criminal history, do men and women receive different sentencing lengths for committing the same drug offenses (cocaine, marijuana, and methamphetamine).

$H_0$1: There is no statistically significant difference between the lengths of sentences for men and women for committing the same offense (cocaine, marijuana, and methamphetamine).

H_a1: There is a statistically significant difference between the lengths of sentences for men and women for committing the same offense (cocaine, marijuana, and methamphetamine).

RQ2: Does race (Black and White) predict sentencing lengths for offenders committing the same drug offenses (cocaine, marijuana, and methamphetamine)?

($H_0$2: There is no statistically significant predictive difference between the sentencing outcomes for different races (Black and White) for committing the same crime (cocaine, marijuana, and methamphetamine).

H_a2: There is a statistically significant predictive difference between the sentencing outcomes for different races (Black and White) and for committing the same crime (cocaine, marijuana, and methamphetamine).

RQ3: After controlling for drug amount and prior criminal history, is there an interaction between gender (male and female) and race (Black and White) in sentencing length for offenders who committed the same drug offenses (cocaine, marijuana, and methamphetamine)?

$H_0$3: There is no statistically significant interaction between gender (male and

female) and race (Black and White) in sentencing length for offenders who

committed the same drug offenses (cocaine, marijuana, and

methamphetamine).

H_a3: There is a statistically significant interaction between gender (male and

female) and race (black and white) in sentencing length for offenders who

committed the same drug offenses (cocaine, marijuana, and

methamphetamine).

Framework

Gender and racial inequalities in sentencing are currently being researched (Daly,

1995; Rodriguez et al., 2006). The social construction framework (SCF) involves

examinations and the illustrations of age, race, and sex (Barak, 2009). This framework

deals with the use of categories to structure proper understanding and breakdown of the

society and evolvement of the world. Therefore, the SCF was the appropriate framework

for this study because it helps a researcher to examine the dynamics of people in groups,

in this case, gender (male or female offenders) and race (black and white), and the

primacy of one group over the other. According to Ingram and Schneider (2005), various

groups of individuals have formulated different perceptions of skepticism and animosity

amongst each other.

Additionally, Tomsich et al. (2014) suggested that gender roles and their

differences can influence the development of criminal policies, procedures, laws, and

how public officials view those who are presumed guilty. Consequently, understanding

gender, race, criminality, and sentencing could contribute to cultural transformation.

The social construction framework supported the question of whether justice is

served equally in the sentencing men and women and Black and White defendants. The

social construction framework focuses on the idea that judges, policies, laws, law makers,

and sentencing guidelines, should maintain high standards of fairness. The government's

laws are designed to protect society from danger and to enforce penalties on society's

wrongdoers (Durkheim, 1973). Therefore, the social construction framework adds to the

idea that fairness and integrity should be included in the rationale behind sentencing men

and women.

Nature of the Study

The nature of this study was to examine statistical that are associated with

quantitative approaches allow the researcher to understand if a connection exists between

gender, race, and crime when it comes to sentencing outcomes. The applicable

correlational design addresses conceptual issues associated with gender and race

(independent variable) and sentencing length (dependent variable) and builds validation

for the current research study (Scott, 2010). The variables gender and race are categorical

(nominal), and sentence length is continuous (ratio). The proposed quantitative study

aims to increase understanding of sentencing disparity through the collection of data from

secondary sources, legal foundations, which include offender's current arrests, prior

criminal history, and sentencing outcomes. Also, data will be collected from pre-

existing/archival statewide surveys to explore the inconsistency of sentencing discrimination between genders.

Definition of Terms

The use of specific terms in this study will require explanation and definition. Some of the operational definitions are for terms that are well known and frequently used. However, for this study, the terms that will commonly appear, are defined as follows:

Bias: A partiality for something above another.

Charge: An indictment filed with the courts stating that a specific person has committed a specific crime.

Crime: An action or an omission that violates the law. Crime can be punishable by fine, imprisonment, or death.

Criminal: A person who has committed a crime (Latessa, 2012).

Criminal justice system: A structure that provides supervision to an individual who has entered the judicial/legal system and serves as "an intervention for both punishment and prevention" (Andrews & Dowden, 2006; Coghlan, 2003, pg. 136).

Disparity: The differences between two or more groups (Blumstein et al. 1983).

Discrimination: the act, or practice of inequitable or unequal treatment of a person (or group) based on particular traits (Merriam-Webster, 2003).

Drug offenses: "Violation of the laws prohibiting, or regulating, the possession use, distribution, or manufacturing of illegal drugs" (U.S. Department of Justice, 1994, pg. 1).

Gender: The social, cultural, or psychological traits typically associated with one sex (Merriam-Webster, 2003).

Felony: A serious criminal offense with greater sanctions than a less severe crime, such as a misdemeanor.

Incarceration: A restriction to jail or in prison. A person is confined.

Inmate: A person convicted and remanded to a jail or prison (James, 2015).

Jail: The location of people is imprisoned due to being indicted or condemned for committing a crime (James, 2015)

Judgment: A judge's decision and sentencing outcome.

Misdemeanor: A crime less severe than a felony often punishable by jail time.

Offender: An individual who has committed a criminal act (Bureau of Justice, n.d.).

Parole: Early release of an inmate from prison who served his or her sentence partially.

Probation: Another form of punishment which permits an individual convicted of a crime to reside in society, but they must abide by strict rules while being under supervision (Bureau of Justice Statistics, 2016).

Race: A biological grouping of individuals as distinct from other groups. (American Anthropological Association, 1997).

Sentence: Length of punishment ordered by a court for a person convicted of a crime.

Assumptions

I assumed that gender inequality poses a genuine risk to the criminal justice system. Previous research has focused on male criminals often to the exclusion of studies about female inmates (Covington & Bloom, 2003). However, current laws and policies were created in the past about male offenders but not women and their participation in wrongdoing (Covington and Bloom, 2003). Women have overcome obstacles in society, family, and governmental system (Embry & Lyons, 2012), but the judicial process has been slow to make them equal (Hofer et. al., 2004). There is little research addressing the differences between genders in prosecutorial choices. However, this study addresses specific procedures to assess final sentencing outcomes.

Sentencing inequality has become a norm (Sentencing Project, 2018). The assumption that female offenders receive special treatment in sentencing has tarnished the reputation of the justice system and challenged the judge's discretion in sentencing offenders (Nigel & Johnson, 1994). Zatz (1987) suggested that inequity and prejudice is not gone but has evolved in a fashion more acceptable to society.

Some scholars argued that the courts have given women preferential treatment when the women conform to traditional gender roles and that Black defendants are sentenced more harshly than other races. Farrell et al. (2010) proposed women that receive less severe sanctions than men across the criminal justice system. According to Barak (2000), there is unquestionably a developing agreement on the significance of these two variables. Failure to address women and their criminal behavior may cause harmful assumptions when punishing them in the judicial system (Nigel & Johnson,

1994). The research study design regarding gender inequalities explained the effect and ramifications on how individuals are impacted both by detainment measurements and how these measurements are pivotal in comprehending the differences amongst genders (Scott, 2010) as it relates to sentencing offenders. This study looked at the impact of gender, race, and sentencing severity in the United States' federal courts.

Another assumption was that Black defendants receive longer sentences than defendants of other races. While examining the literature, there were racial inconsistencies regarding the punishment of offenders; these discrepancies encourage scholars to analyze the interaction of race and gender (Spohn, 2000; Zatz, 2000).

Scope and Delimitations

The scope of the study was confined to offenders in the U.S. Federal criminal justice system. Additionally, this research included a review of statistics collected through criminal court sentencing decisions retrieved from the 2016 USSC (2016) dataset to examine the relationships between offenders' gender, race, crime (similarity), and sentencing outcomes. For this study, I considered the official equal treatment guidelines created for the criminal justice system, and past and present scholars' inquiries linked to the distribution of criminal sentences.

I analyzed numerical data on offenders and sentencing lengths available through the federal court system case files to determine inconsistency in the sentencing range. , My goal in using this general approach was to answer questions posed by the convictions and sentencing of male and female criminals under the federal guidelines structure (see Nigel & Johnson, 1994).

Limitations of Study

Some scholars revealed that the courts give women preferential treatment when they conform to traditional gender roles. Farrell et al. (2010) proposed that studies over time show that women get less severe sanctions than men in the criminal justice system. The results of this research might not apply to convictions and sentencing in all geographical regions. This means what works in one state might not be effective other states. Also, different results may be found for different time frames. For example, data for this research was drawn from the year 2016. Additionally, women offenders make up is small percentage of the total number of incarcerated persons. Therefore, research distinguishing whether gender disparity differs according to lawbreaking guidelines is limited (Bertrand & Chugh, 2005; Bindler, & Hjalmarsson, 2020; de Vogel, & de Spa, 2019).

Another limitation is the lack of data (recent or current). Hofer et al. (2004) found that limited current information or evidence of sentencing disparity in data for convicted criminals hinders sentencing disparities by gender from being examined. This absence of information can cause some problems with validity. A lack of research on female criminality has resulted due to the relatively small percentage of total offenders that are women (de Vogel, & de Spa, 2019; Nigel & Johnson, 1994). To address this limitation, I used secondary data from the USSC to investigate the sentencing length disparities involving race and gender. My intent for this study was to ensure that the data evaluated was looked at empirically, free from bias. In this study I examined and data from 1 year (2016) on sentencing by gender and race to fill the gap in the literature.

Significance

The significance of this study is that it will provide a better understanding of the contributing factors that influence sentencing decisions involving gender and race. I examined the data to determine if female offenders receive more lenient charges and sentences for committing the same crime as male offenders. Sentencing discrimination merits scholarly investigation into patterns of inconsistencies and to possibly suggest solutions to the problem of gender sentencing unfairness. Previous examinations of a gender gap in the criminal justice system are out-of-date. Analysts gathered data between 1970 and 1980 conclusions were developed using limited information (Dorer 2009). However, researchers have contended that it is difficult to rationalize why sentencing inequality continues to occur (Miller, 2015). Therefore, studies on sentencing discrimination generally assume a goal of consistent sentencing standards (Omonigho & Davis, 2013). The implications for social change with this study is in bringing knowledge and awareness to the existing issue of sentencing inequities with gender and race.

Summary

Gender and racial disparity in sentencing outcomes are a serious issue that society and the justice system must face in the United States. There is a gap in the literature on gender and race inequalities in charging, verdicts, and dispositions. Addressing gender and race inequality in sentencing may help bring about solutions to disparities in the criminal justice system. It is evident that research is needed to examine the sentencing differences and possible prejudice against genders and races (Meithe & Moore, 1996;

Starr, 2012). Gender and racial unfairness in the criminal justice system calls for transparent, consistent, and impartial sentencing practices (Omonigho & Davis, 2013).

Bridging the gap regarding inconsistencies for gender and racial sentencing in the criminal justice system, should focus on reducing the various policies and actions associated with traditional and organizational influences that cultivate gender and racial inequality (Rosich, 2007; Ingram & Schneider, 2005). Gender and racial disparity in sentencing are problems in need of corrective action.

Chapter 2: Literature Review

Introduction

Sentencing bias in criminal justice is a global problem, particularly regarding race and gender (Spohn et al., 2015; Steffensmeier & Demuth, 2001). There are gaps in research regarding sentencing disparity in the criminal justice system by gender (male and female) and race (Black and White), and how those disparities affect an offender's sentencing outcome (Hagen, 1974; Spohn, 2000). Therefore, this issue is transpired widely throughout the nation and within different judicial systems (Steffensmeier & Demuth, 2001).

Previous research indicated that males receive 63% lengthier judgments than women, women receive lighter sentencing outcomes, and female offenders are more likely to escape imprisonment if convicted (Starr, 2012). Starr (2012) asserted that male lawbreakers are imprisoned at a higher rate than female criminals in the United States. Nevertheless, most research has examined whether discrimination leading to disparity in sentencing is because of a judge's discretion (Hofer et al., 2004). In such cases, judges may impose different sentences for identical crimes (Spohn, 2005). Sedghi (2012) evaluated punishment of female lawbreakers relative to male lawbreakers. The study discovered that out of the 1.2 million individuals indicted and sentenced in 2011, roughly 24% of women were convicted compared to 76% of male defendants.

Consequently, advanced research should focus on understanding the disparities in sentencing with gender and race (Sarnikar et al., 2007). Sarnikar et al. (2007) affirmed that 30% of sentence measurements revealed unexplained gaps between genders.

Consequently, there is a huge gap across an offender's verdicts and sentencing to a researcher 'subsamples, and the government assessment of policies (Harris, et. al., 2009; Rosich, 2007; Sarnikar, 2007).

Researchers suggests that discrimination in the legal system shows that men are being more likely to be convicted and, upon conviction, are more likely to receive harsher sentences than women because women are seen more as caregivers and nurturers (Starr, 2012; Stringer, 2020). Also, research has shown that minorities are still more likely to be arrested and sentenced than of whites (Harris, et. al., 2009; Rosich, 2007). Therefore, it is reasonable to posit that the condemnation of gender and racial unfairness in verdicts and sentencing has a deleterious effect on biased judgments and opinions by the public, courts, judges, and justice system (Doerner, 2009). Davidson and Rosky (2015) study revealed that the instability of retribution increases severe prison terms for male offenders and decrease prison terms received by female offenders. On the other hand, other some studies conduct research to investigate and inspect the results of sentencing outcome using rigorousness methods to support the issue of sentencing disparity or even sentencing equality among genders and races.

Literature Review Strategy

For the literature search I used a variety of Walden library criminal justice databases. My search focused on sentencing disparity.

I looked to locate articles and books on the topic of interest using the following keywords: *sentencing bias, gender bias, criminal courts, race, confinement, length of sentencing, judgment and decision making, judicial sentencing, judicial discretion,*

sentencing discretion, sentencing disparity, sentencing discrimination, racial

discrimination, racial bias, and *racial disparity.*

I conducted the review search via electronic EBSCO databases, ProQuest, Google

Scholar, criminal justice databases including LexisNexis, Academic, criminal justice

periodicals, and Oxford Bibliographies Online: Criminology.

The search terms *gender* AND *bias* AND *sentencing* were used to uncover 27

articles from Oxford Bibliographies. Also, I used the terms *sentencing* and *gender* to

locate 68 articles; when using *sentencing* AND *race*, 78 more articles where identified.

Theoretical Framework

The topic of discrimination in sentencing verdicts according to gender and race

can be controversial. Sentencing for crimes may be determined by factors such as the

offender's criminal history and the harshness or cruelty of the crime committed by the

offender (Bureau of Justice Assistance, 1998). Theoretically, an individual's and judge's

perception and judgment of gender and race can be attributed to sentencing disparity

(Ostrom, et. al., 2004; de Lima et. al., 2019). Therefore, theorist suggests that the court

system should recognize and solve the problem to why gender and racial unfairness

subsists in punishing and convictions (Baumer, 2013; Denno, 1994; Jefferies, 2001).

Nigel and Johnson (1994) recommended that philosophies and examinations of

convictions are driven by the research of crimes committed by men and because of this,

the sentencing of females becomes unequivocable.

I considered several theoretical frameworks to explain attitudinal variances

toward men and women and races in the criminal justice system (Sun & Wu, 2006;

Hurwitz & Peffley, 2010). Social construction framework was selected for this study. This approach was chosen because of the gender and race misrepresentation is sentencing outcomes and the idea that people can be persuaded to think and act in a certain way. Also, this theoretical framework involves the revolution of policy application and condemnation (Sabatier & Weible, 2014).

Social Construction Theory

The social construction theory explores how particular policy strategies are prejudiced by politicians, judges, policymakers, and legislatures (Sabatier & Weible, 2014). Socially constructed means the defiance and actions of females and males that are stereotypically discussed to as an element of life which may include arrest, crime, legal policies and procedures (Renzetti, 2010). This framework deals with the use categories to structure proper understanding and breakdown of the society and evolvement of the world. The social construction theory is an appropriate framework for this advanced study because it categorizes individuals and places them in groups (men or women lawbreakers) causing the decision of one group becomes superior over another.

According to Schneider and Ingram (1993), the social construction framework helps improve, and influence the creations and strategy for leaders. This framework introduces policies for all groups of people and devise punitive, punishment-oriented policy for those persons damagingly labeled. Therefore, gender, race, criminality, and sentencing contribute to cultural transformation. Hence, the social construction theory will add to the idea that fairness and integrity are included in the rationale behind condemning men and women.

Additionally, the social construction theory supports governmental movements for the enhancement of equality in the legal system (Sabatier & Weible, 2014). This framework is significant for the proposed study because it governs cultivates policies as they relate to sentencing consequences (Kaufman, 1960). Covington (2003) recommended that sentencing regulations were formed by the government to convict male offenders more often for committing a crime against the norm of society. State administration and officials often make prompt, unfair, biased verdicts (Cairney, 2014) which may cause a ripple effect in the criminal justice system. Procedures and bylaws should be reassessed because of the disappointment of not punishing everyone equally regardless of their race, nationality or even gender.

This framework is significant and relevant to the issue of sentencing bias among genders because the application of the theory will offer pursuers a better understanding of how culture, judges, and government discernment on men and women equality can help change policies and procedures and revamp the sentencing disparity in the criminal justice system. The world is advancing and evolving. Therefore, policies, procedures, and the judicial structure should also enhance and create a different process to treat everyone equally. Hence, unnecessary and unfair regulations have twisted the justice distribution structure into a mockery of itself (Younus, 2015). As continued research is being adjusted and explored more, it's clear that sensitivity for females, in general, is a standard quality seen in the public and even within the legal framework.

Literature Review

The criminality of women being sentenced the same as is considered is a neglected field of research (Doerner & Demuth, 2010; Pollack, 1950;). There is little research addressing the differences in prosecutorial choices. However, research addresses specific procedures but does not assess their final sentencing outcomes (Starr, 2012). Previous research has reported lesser ruling gaps because the push to remove legal preference and the "if the shoe fits" sentencing strategy. Equal treatment to women will demonstrate that the gender gap in the criminal justice system has its high points and low points yet it the discrimination can be managed and even nullified (Davidson & Rosky, 2015). Opinions regarding gender inequality in a sentencing range between the inconsistency of lawyers, judges, jury's inability to treat all cases equally and unbiased. While proposing maladjustment in the connection of a fundamental belief, this decreases the limit for women and future peril for guys. Gender and sentencing discrimination are significant issues that exist in the judicial system and within society. The trustworthiness of the legal system was negatively impacted due to this problem.

Research has suggested that women and men predisposition teams demonstrated how women were dealt with less consciously than men in the legal system. Koons-Witt (2002) study evaluated whether sentencing rules have influenced sexual orientation predisposition with regards to sentencing standards in Minnesota. Therefore, creators inspected and sought out to find that gender itself impacted judge's decision making on sentencing results. The research development proposes male judges are merciful towards sentencing women but women magistrates' sentence everyone harshly. Male judges are

commonly less strict with regards to punishing a female guilty party versus a male culprit if both sexes were accused of the same delinquency (Hegger, 2015).

According to Kaschak (1992), females are unseen in the countless parts of the law, and this ambiguity can act as an agreement of oppression (as cited in Covington & Bloom, 2003). Covington and Bloom (2003) have further argued that gender violence is not equal to consequences that occur following their actions. The research suggests that women are not being convicted and sentenced to jail because of their role in the home. The conclusion of the study revealed that the philosophy of decree and social governor affects the perceptions of the judicial system and that women unconventional imprisonment should be considered culturally useful through society norms (Dorner, 2009; Covington and Bloom, 2003).

Conversely, many studies have estimated considerably smaller disparities. Doerner (2009) explored the theory of law and how social control changes the views of those in those representing the justice structure. The researcher faces the problem of providing criminal circumstances to support its argument. The quantitative approach discovered the underwriting influences for punishing judgments among sex, race, and culture. However, it's researching explained that sentencing is not alike across all types of crimes (Doerner, 2009). The theoretical and empirical information discussion of gender-based differences in the public perception of crime and corrections disagreement is relatively different. Therefore, to decrease gender unfairness, several procedures and methods are needed to address the social and organizational influences that help create inequality (Barken, 2012).

Jefferies, Fletcher, & Newbold (2003) research revealed that officials in New Zealand exercise significant mercy towards women in setting the length of jail term. The problems identified with the social structure affects the qualities of females and not males. The rational approach, purpose, and general assessment of equality and integrity of the judicial system are the results of the government's decision towards gender bias in sentencing. The values and belief of genders inequality are subjective to the criminal procedures and outcomes of sentencing. On the other hand, the researchers determined that men are portrayed as being reckless, criminals, and aggressive (2003). At the theoretical level, there is a continuous verbal confrontation about whether women are similarly as guilty as men. This analyzed data suggested that issues related to the social framework impacted the characteristics of women were victims and men are perceived as being evil. The research didn't exhibit the exact difference between the sentence's lengths imposed of the guilty. The authors mentioned prison sentencing between the two but never revealed the prison length between the two genders. The authors appealed that sentencing for men are unjust (2003). Ramifications of the outcomes are talked about with recommendations on how the examination might be expanded and suggestions for strategy. The reasonable approach, concern, and general assessment of fairness and justice of the law represented the idea and point of view of the researchers.

Another finding in the literature is that fear and idea of punishment for committing a crime is ideal for men but not for women (Applegate, Cullen, & Fisher, 2002). Applegate, Cullen, & Fisher, (2002) use questionnaires and gather data statewide society's opinion of unlawful acts against people, criminal procedures and processes,

sentencing, incapacitation, and treatment. The study displayed that women were for

offender's treatment and less support for death penalty than men. The author randomly

sampled and surveyed 1,000 residents by mail. The authors focused on the contrast

between men and women and the existing gender gap on how crime was viewed. The

research determined that the differences between genders relate to wrongdoing, and

ethical growth varies according to social norms. The vicinity of an emotional instability is

intended to report the increase of sentencing outcomes for male criminals and decrease

sentencing outcomes reported for female offenders (Davidson & Rosky, 2015). Overall,

the conclusion of the study noted that leniency is given women even if they are

committing the similar delinquency as men.

On the other hand, according to the ACLU (2015), female being arrested and

sentenced has spiked within last 25 years. According to McCorkel (2004), female

offenders sentenced and supervised in jails, prison, probation, or parole was rated above

one million in 2002. Victor Streib (2013) conducted a study about women of death row

between the years 1973 to 2012. The author found that in 2011 female offender on death

row makeup was approximately 6.6% (5/76) of all genders, which became the peak for

women on death row ever within that era.

Several examinations have contested the idea that discrimination in sentencing

exists against between genders, but a limited of analyst proposes that female offenders

are disciplined accordingly. Messing & Heeren (2009) recommends that research must be

accomplished to understand the consequence of sentencing in altered surroundings and at

different chapters of the jurisdictional structure for gender offenders. Messing & Heeren

(2009) data on gender preconception and capital punishment validate the supreme

rational for accepting women being sentenced to death. The researchers evaluated the

data through a range of approaches, each with its attributes and limitations. These

methods deemed a more top to the bottom understanding of circumstances where females

were punished by the death penalty, however, there was a limited sample. The authors

research was described through a multiplicity of approaches and assessing each practice

with its assets and limitations. The research concluded and agreed that men are executed

more regularly than women. Messing & Heeren (2009) examination of women on death

row and the characteristics to their sentencing can be applied and used for future

research.

      Other research conducted by Hegger (2015) suggests that the gender of effects the

sentences for sexes. Hagger (2015) study indicated that male officials are usually less

consistent when it comes to punishing female convicts versus male prisoners, even if the

two genders were accused and charged with committing similar crimes and having

identical mitigating and aggravating circumstances. Therefore, between the two genders

on death-row, it appears that men are the administrative structure principal objectives.

The analysis proposes that female offenders are sentenced to death row the same as the

opposite sex, but the study also indicated that male offender commits more crimes than

female criminals. There is little research addressing the differences in prosecutorial

choices. However, research addresses specific procedures and does not assess their final

sentencing outcomes (Starr, 2012).

Several studies argued that there is discrimination in sentencing, but a small number of researchers suggest that women are punished accordingly. Bontrager et al. (2013), research studied sentencing between 1960 and 1990. The authors' argument defended the disagreement that recidivism and rehabilitate is swayed more in favor of women. However, the researchers suggest that drug sentencing guidelines and procedures are responsible for a new era of a women sentencing rules, principals, and application. As a result of these policies and practices, women stand a higher chance of serving time for the same offenses as men (Bontrager et al., 2013). Therefore, deviations in government and regional condemning guidelines are the most frequently named root of the development in the women prison population (Bontrager et al., 2013).

Rodriguez et al. (2006) quantitative research method and theoretical frameworks account for comprehension of women committing the same crimes as men and are as masculine as men. The authors research study provided relevant evidence to support the effect of society's approach towards, crime and the connection to the criminal justice field. Data collected uncovered, rational policy, interest, and broad review of disparity actions. They disagreed about why women should have lenient judgments because they are a vital entity within society and their families. The author's research was consumed with the findings that men and women should consume the same sentence length but does not. The authors acknowledge that the strengths and weaknesses of previous research contribute the infringements on the term equality. Therefore, ultimately resulting to the opposites do not attract rule.

Other research has shown that female judges are typically stricter in all punishment (prison, death, and probation) when it comes to convicting the two genders (Steffensmeier & Hebert, 1999). Steffensmeier & Hebert (1999) research revealed that sentencing decisions are affected by the sex of magistrates. The work given was dated, and the writers' restrictions didn't stress enough emphasis on gender variances or the occurrences of the problem. The authors collected a gathered date using additive and interactive models. The research has its limitations. The authors didn't compare or focus too much attention on gender differences and not a lot on understanding social phenomena of the problem. Steffensmeier & Hebert (1999) influences and method develop suggestions men judges are lenient towards sentencing women and women officials are tougher and sentence everyone harshly, especially rapist, and assault offenders. The research conclusion revealed many comparisons but differs a little between women and men officials in their punishment handouts.

Gender

Gender inequality is a changing and is often viewed differently among nations, governments, and officials with no exemptions (Barken, 2012). Numerous academic and experimental readings are accessible to examine whether gender influence sentencing outcomes (Rodriguez et al., 2006). Analyst proposes that women are victims, and the legal system is more compassionate towards them than men. Blackwell et al., (2008) noted that male offenders sentenced length in prison is at least one month longer than female offenders. Additionally, women who are convicted are not imprisoned two times at higher rate than men for committing the same offense (Kramer & Ulmer, 1996).

Roberts (1994) suggested that gender bias creates the impression that courts base women's ' obligation regarding wrongdoing in any event somewhat on the woman's ' part as the wife or sweethearts. The goal of accomplishing sexual orientation balance is not disposing of such externally special treatment, but instead cleansing the more profound predispositions that esteem women given illegitimate progressive systems (Roberts, 1994).

Researchers suggest that the reason why women are receiving a lesser punishment than men, is mainly because of their gender (Nagel & Johnson, 1994; Segal, 2001) but others researcher suggest that women should receive reduced fractions because they are considered family oriented and nurtures (as cited in Hofer, 2004). Therefore, some researchers noted that gender should be eliminated when sentencing because men tend to be sentenced severer than women. Therefore, women should be subject to the same rules and male offenders when committed different crimes (Daly & Tonry, 1997).

Covington & Bloom (2003), existing penalizing rulings depend on masculine qualities and male wrongdoing and accordingly neglect to consider the truth of women's ' lives, attributes, obligations, and parts in wrongdoing. Interestingly, empirical studies link male and female offenders who were indicted for the same type of crime.

Previous research has demonstrated a close relationship between the two. Some scholars revealed that the courts give women preferential treatment when they conform to traditional gender roles. Sun & W (2006) examined the impression of the jurisdictions along four measurements: distinction management, reasonable method and result, apprehension and regard, and states of mind to the court of law. Female disputants

regularly experienced threatening or belittling medicines in the court. Female casualties were as often as possible rebuked for bringing about the law violations or inquiry their validity (Sun & Wu, 2006). Also, the authors approached the problem of gender bias with an open mind, using the perspectives and views of scholars to reach the common goal of establishing, what some would call it, understanding. The authors suggested that additional research is needed to describe the linkage between gender and their idea and views about the judicial process, verdicts, and criminal courts. Additionally, the study noted that past case studies and outcomes concerning race and gender feelings, thoughts, and opinions about court decisions were rarely investigated (Sun & Wu, 2006).

Research conducted by Ahola et al., (2009) gives a plausible explanation for women being treated differently than men. Surveying 246 participants, the participants favor women less in sentencing than men (Ahola et al., 2009). The research examined the concerns and patterns that set forth the limitations centered outside the norms as appeared in previous research. They formulated and researched the effect of gender and physical appearance of felons on attributions of crime-relevant traits. One main finding in the study was that male suspects were judged severely and given lengthier verdicts compared to female suspects despite committing identical crimes. The study measured and produced the results that female offenders were evaluated more sympathetically than male offenders. Ahola et al., (2009) declared that a primarily to a lesser degree see women as equipped for rough wrongdoings, and when a woman is blamed for wrongdoing, we tend to see them go about as more unplanned.

There's limited research, specific examinations, and hypothesis that concentrated solely on men, without unequivocally addressing why the gap exists (Abraham 2016). Covington & Bloom (2003), states that penalizing and rulings depend on male qualities and male wrongdoing. Therefore, certain punishment neglect to consider the truth of women's ' lives, attributes, obligations, and parts in wrongdoing (2003). According to USSC, male drivers (12.5) were stopped more than women drivers (8.2%) at least once; males were (2.9 %) more likely to be arrested than females (1.4%) in 1999 (as cited in Levin, D., et al., 2001).

Additionally, Messing & Heeren (2009) research suggested that female offender and the death penalty consistently abandon the background of the damages which gave reasoning for women to receive such punishment. Barron (2000) informed the public that the judicial system is biased toward men offenders than women offenders when sentencing them to the death penalty. Fins (2016) reported that there were approximately 2,848 (98.14%) male offenders and 54 (1.86%) women offenders on death row in 2016.

Strieb (2001) research suggests that the legal structure is sympathetic toward domestic violence circumstance causes a smaller number of capital punishment convictions for men or women. Hennings et al., (2003) research discussed how there was an increasing number of females detained for domestic violence. Therefore, there's a continuing argument about whether women are hostile as men according to research presented. Mustard (2001) conducted research using a survey's that reflect a centralize number of inmates convicted after 1984 Sentencing Reform Act. This policy banned the effect of an offender's personality, character, class, and biological status (Mustard, 2001).

As research continue to be performed, the compassion for females is determined to be standard in the public and the legal structure. Covington and Bloom (2003) indicate that society should comprehend and determine the roles, rules, and significance of gender disparity. The prospect that the motivation behind life is to discover the reason for it and to live without bounds is critical. Sun & Wu (2006) reported that a minimum of research examination had used gender to help with determining the outcome or conclusion of the study. The main reason for lack of gender usage in previous research is because many of the results had no connection or lack of association with participant's views or opinions towards the criminal justice system. As continued research is being adjusted and explored more, it's clear that sensitivity for females, in general, is a standard quality seen in the public and even within the legal framework.

Race

Researchers argued whether race is a contributing factor for sentencing disparity. The criminal justice system in the United States doesn't resist against judgment and inequality but has been crucified for being biased toward different races (Bushway & Piehl, 2001; Blair, Judd, & Chapleau, 2004). ALCU (2014) reported that the inconsistency of punishment for offenders is representing the injustice and inequality that is haunting the legal system. According to Zatz (2012), sentencing in the criminal justice system can result in discrepancy and drawbacks resulting when individuals are placed in various groups and classes in society. However, race is a common denominator when the representation of prejudice against minorities. Discrimination and its concept can be deliberate due to the misunderstanding of a particular set individual which can adversely

leads to an alteration of decision making (Nigel & Johnson, 1994; Johnson, 2003; Kamalu, Coulson-Clark, & Kamalu, 2010). Whatever the reason, discrimination is largely considered the most troublesome form of unjustified inequality and sentencing reform was intended to abolish it (Hofer, et al., 2004).

Race injustice in punishment requires a lot of discussion and attention. The Sentencing Project (2018) reported that blacks are likely to be detained, incarcerated, and sentenced longer than whites. Stacy & Sphon (2006) examination discovered that race is more is beneficial for Caucasian criminals over African American criminals. Minority imprisonment has risen higher than whites, and examiners has shown the disproportionation between social and racial injustice with judges and their sentencing outcomes with minority offender (Walker et al., 2012). African Americans are perceived as dangerous by society (Koons-Witt, Sevigny, Burrow, Hester, 2014). In the 1980's African American's were imprisoned twice as much as Caucasians (Alexander, 2012; Cole, 2015). Albonetti (1997) research examined how race and cultural difference exists in sentencing length among various races. The research discovered that black offenders were probably condemned more and given severe punishments after sentencing than white offenders who committed the same crimes.

Research has indicated that there is a discrepancy between race and gender in punishing. The makeup between whites and blacks differed drastically. Therefore, when it comes to sentencing length and race, black women are punished and incarcerated three months longer than white women (Steffensmeier et al., 1993). Additionally, Caucasian women where not, on an average, sentenced to prison than black women (Steffensmeier

et al., 1993). On the other hand, some research suggests that black women received a better sentence than other races (Steffensmeier & Demuth, 2006; Bickle & Peterson, 1991; Spohn & Beichner, 2000). Research determined that female offenders of different races (black and white) were less likely to receive a sentence of incarceration than both male offenders of different races, black and white, (Spohn and Beichner, 2000)

Arguably, color and social class likewise impact the unlawful rule's treatment of female criminals (Roberts, 2011). Kennedy (2005) recommended that race plays a significant role in discrimination and when its clash with gender, there is an overwhelming emphasis placed on the handicaps that women continue to undergo by society. However, there are major differences between blacks and white, regardless of gender. Sabol et al., (2008) study revealed that for race matters when it is among the same race and gender. For example, in 2008 there what 773 white male offenders incarcerated versus 4,618 black men incarcerated. Also, the rate for white women was more than and for black women (Sabol et al., 2008).

Racial injustice arises throughout criminal proceedings, from apprehension to imprisonment. Therefore, prison being overpopulated has affected the disproportionate rate of race sentencing. Examiners found that it was black female offenders (5.6 %) stood a higher chance of going to prison than white women offender (0.9%) and white male offenders (Bonczar, 2003). McVay (2008) report revealed that black female offenders were imprisoned at a "rate six times" that of white female offenders (2008). The United States Census Bureau (2011) conducted research in June 2006, and it was reported that

there were 409 white offenders per 100,000 people imprisoned compared to the 2,468 black offenders per 100,000 imprisoned.

Currently, racial disparity in punishing offenders is often a more secret method, revealing itself regarding additional influences and creating racially biased consequences in convinced circumstances (Subramanian & Delaney, 2014). Subramanian and Delaney (2014) stated that race inequalities are associated with the discernment of crime and it has a major prejudiced on policies and procedures in sentencing outcomes. The study examined how race and unfair treatment has degenerated over fifty years. The study found that 58% of people incarcerated makeup of African American and Hispanics and 30% for other races (Subramanian & Delaney, 2014). Steffensmeier and Demuth (2001) research suggested that African American received severe punishment compared to Caucasians and white's less months of prison time compared to African American (Mustard, 2001). It was noted that African American received the most prison time out of all the races. The review of the studies suggests that African American women were punished severely more than white women and black men were punished more severely than women (Doerner & Demuth, 2010). The difference between blacks and other races was because African America have more of a criminal record than other races (Mustard, 2001).

The studies presented have found that race plays a major role in the criminal justice sentencing process. Other studies have suggested that the discretion of sentencing fall upon the judge's decisions. Steen et al., (2005) conducted research that determined that judges typically stray away from sentencing Caucasians because they were not seen

as a threat to society but sentenced African American's harshly because they applied the typical stereotypes that society has associated them with. Controversially, The United States Crime Commission (2012) conducted research for over four years, and it was found that Caucasian men who committed a crime received longer sentences that women criminals of all races.

Summary

Gender and racial studies have assumed a significant position in the sociological research. This literature review provides academic and scholarly comprehensions for gender inequality in sentencing outcomes. During this discussion, gaps in research were explored through the understandings of men and women offenders being sentenced differently. Gender gap and racial inequality is a universal encountered, and this social phenomenon is perceived and interpreted differently. A significant portion of studies has attempted to clarify or investigate the gender bias hole or blueprint of sentencing difference (Dorener, 2009). Subsequently, several scholars propose that the judicial system is flawed and is compassionate towards females because they are seen as mother's, sisters, innocent, and caregivers: not felons. Therefore, continuous examinations should explore the notion of gender inequality and the several gaps that identify and give reason to why punishment is limited when it comes to women.

In Chapter 3, I discuss the approach, method, and the design. I also present the study sample, data collection, and analytic processes.

Chapter 3: Research Method

Introduction

The purpose of this research was to explore the disparities in the U.S. federal courts related to sentencing based on gender and race. Sentencing has been inconsistently levied according to gender (women and men) and race (Blacks and White); in this study, I aimed to understand this phenomenon further.

In this chapter, I explain the study design, method, population, sampling procedure, and data analysis. The first sections provide an overview of the study design and the data collection process.

Research Design

A research design determines the course of the research project (Trochim, 2006). I chose a quantitative design for this research study. This quantitative methodology was appropriate for the research study because this design depends on numbers, figures, and statistics to analyze for research conclusions.

According to Creswell (2013) numbers are scientific and are used to analyze, detail, examine current and future analysis results. Roberts (2010) interpreted that quantitative research starts with a plan and then examines a hypotheses and variables.

After examining the different quantitative research designs, I selected the correlation design, which is a common choice for quantitative studies (Frankfort-Nachmias et al., 2015). The correlational design was an appropriate choice for the research topic, gender and racial bias in sentencing outcomes, because it measures the relationship between variable without any prejudiced (Frankford- Nachmias et al., 2015).

This design is useful for studying broad trends in social justice. The research design helped identify implications and significances of for the relationship of variables to understand gender and racial discrimination in criminal justice sentencing procedures (Scott, 2010). Gall et al. (2010) discussed that correlation research design uses two or more variables to find the relationship between the variables**.**

This research indicated whether gender and race influence the adjudication and sanctioning of criminal offenses. I analyzed secondary data from the USSC to determine whether women offenders are being penalized less than male offenders for the same offense. I was able to retrieve the secondary data as it is in the public domain. Secondary data can be beneficial to research in alleviating time and money constraints (Mainous & Hueston, 1997).

Population

The population of this research consisted of "content, extent, and interval" (Frankfort-Nachmias et al., 2015, p. 15). A population component may consist of individuals, municipalities, and states to which the researcher appeals to specific assumptions (Frankfort-Nachmias et al., 2015). The people of the study were criminals, men and women and black and white. Gender and race were separated, and then sentencing outcomes were incorporated. The sample population was collected from archival data that reported data on the sentences of criminal convictions in the U.S. criminal courts (Hofer et al., 2004).

Sampling

Sampling was conducted using the data files compiled by the USSC from October 1, 2015, to September 30, 2016. Before using secondary data for this study, I obtained approval from the Institutional Review Board (IRB) at Walden University—approval #05-05-20-0631114.   The data consisted of offenders that committed identical drug offenses (marijuana, cocaine, and methamphetamine) but were sentenced differently in the U.S. federal court system. An analysis for offenders sentenced for a specific amount/range (grams, ounces, kilograms, etc.,) was conducted and a separate analysis for each drug within a specific range of grams amount was examined. This examination did not compare race and gender across all drug offenses (or other drugs) because of the wide range of offenses. Instead, this study compared gender and race with regards to the same drug offense, and the amount the offender was convicted of having when they were sentenced. This research sampled from a finite population of offenders identified from the 2016 USSC.

I selected and researched a sample of convicted drug offenders from the 2016 USSC. All the offenders were included in the categories of interest to obtain knowledge about sentencing unfairness with gender (male and female), race (Black & White), and of crime type (marijuana, cocaine, and methamphetamine).

Sample Procedure

The population used for this research was gathered from offenders who were sentenced for committing a drug-related crime in the United States in 2016. The population examined was chosen based on specific criteria including race and gender.

The gender of the population was selected based on the data that determined them to be male or female and the race of the population was chosen by whether the data determined them to be Black or White.

Data Analysis

The data gathered was verified with a systematic technique. A one-way analysis of covariance (ANCOVA) with two covariates was designed using the three variables: independent variables (gender and race), the dependent variable (sentence length), and two covariates (prior criminal history and drug amount). Also, a two- way of covariance (ANCOVA) with two covariates was designed using the three variables: independent variables (gender and race), the dependent variable (sentence length), and two covariates (prior criminal history and drug amount). According to Green and Salkind (2014), the use of an ANCOVA when investigating and accumulating statistics from correlational research is valuable to research. In this study I examined the relation/difference between the two variables. By using this method, I investigated the means of various influences across the dependent variable. The variables presented met the expectations of normality and were my choice. The research presented dictates that sentence length is a ratio variable and gender are nominal variables.

Threats to Validity

Trochim (2006) support that fact that internal validity is about the implications of "cause-effect or causal relationships" (par. 1). Hence, to balance the errors of the chosen design, data was used to establish the relationship between the two variables and the assignment of participants to groups will be presented. This researcher's ultimately

purpose is the validity of the assumptions. Subsequently, the correlation designs random assignment is absent because it causes threats to validity (Laureate Education, 2010). The threats to validity include the scholar's ability to interpret valid data that affect the expert's ability to translate evidence (Creswell, 2013). This study applied construct validity to tackle this threat. Trochim (2006) construct validity discusses how does a study legitimately interpret concepts or philosophies into actual plans or procedures. According to Shutterworth (2009), any study can be influenced by various types of components which can refute its discoveries. Therefore, guiding all possible traits that impend the study's validity is an important aspect of a good examiner (Shuttleworth, 2009).

Reliability

Reliability is a critical purpose when determining the rationality of a systematic examination and the growing assessment of a research assumption (Shuttleworth, 2009). There are several ways to examine the suggested study reliability. This study used a split-half technique to gain reliability within the projected design because this process assesses the reliability by using one analysis and splitting it (Frankfort-Nachmias et al., 2015). This researcher inspected the connection between these different groups of outcomes. Therefore, by splitting and separating the tool by odd and even-number items, and scoring each part separately, the comprehensive instrument had a greater reliability chance (Frankfort-Nachmias et al., 2015) and will help focus on the importance of reliability.

Validity

The principal problem is to validate results in research continuously. The threats to validity consist of the researcher's capability to understand effective evidence that affects the examiner's skill to decode evidence (Creswell, 2013). Therefore, this study endorses the construct validity to challenge this threat. Construct validity is designed to validate whether a test is truly computing the theory it's governing (Brown, 1996; Dimitrov, & Rumrill, 2003).

Ethical Issues

Within the social sciences discipline, scholars are charged with inspecting a phenomenon and seeking to comprehend how elements are/if correlated to one another. The quantitative data helps advance the proposed research credibility. Therefore, there are many ethical issues considered when conducted this method of the investigation. One ethical concern is the sensitivity of information gathered and presented by the researcher. Individual's names are sometimes made public, but the examiner's discretion would be a major ethical issue. An individual's name should under no circumstances was used and was not presented in this research. The use of codes and number was used to prevent this ethical issue from occurring.

Another ethical problem is the sensitivity of the information that's being recycled or delivered in the current research of choice containing material that can be drawn back to the participants being studied. The researcher avoided this ethical issue by making evaluating the auxiliary information thoroughly to ensure that the disclosure of social security numbers and medical information is not presented in the proposed research.

Summary

The current problem statement, purpose statement, and research questions appeared to in align with the methodology and design study. The advanced study revealed whether women and men violence are equal or not equal to the consequences that occur following their actions. This research study contains sampling and the assessment of the offenders that have committed the similar offenses but have received different sentencing outcomes in 2016 United States federal court system. The appropriate use of secondary data was allocated to gather data to support the significance of is women are sentenced less than men. This approach uses statistics that has been composed, examined, studied, and measured and use again to help support another research. Hence, the comprehension of sentencing for gender criminals will continue to be the route of the study and the reasoning behind it.

In Chapter 4, I provide an analysis of the findings, and a review of the methodology and research questions.

Chapter 4: Results

Introduction

The purpose of this study was to investigate whether gender and race determine a convicted felon's sentencing length in the U.S. federal court system. This chapter presents a quantitative correlational study using an ANCOVA with two covariates. An ANCOVA examines the relationship of covariates, or dependent and independent variables, to reach an analytical conclusion (Fields, 2009). The ANCOVA involves testing to see if there is a relationship with covariates and the dependent variable, independence of the covariate (independent variable and each covariate), and homogeneity of regression slopes (Fields, 2009).

The data obtained for this analysis was secondary data from the USSC during fiscal year 2016 and imported to SPSS. The dataset included all cases that had sentencing dates between October 1, 2015, and September 30, 2016. This dataset contained records of guideline calculations and modifications for each count of guilty verdicts for convicted offenders who were punished pursuant to requirements of the Sentencing Reform Act of 1984 (Chapter II of the Comprehensive Crime Control Act of 1984; USSC, 2016).

Research questions used for this analysis were:

RQ1: After controlling for drug amount and prior criminal history, do men and women receive different sentencing lengths for committing the same drug offense (cocaine, marijuana, and methamphetamine)?

RQ2: After controlling for drug amount and prior criminal history, does race (Black and White) predict sentencing lengths for offenders committing drug offenses (cocaine, marijuana, and methamphetamine)?

RQ3: After controlling for drug amount and prior criminal history, is there an interaction between gender (male and female) and race (Black and White) in sentencing length for offenders committed drug offenses (cocaine, marijuana, and methamphetamine)?

In Chapter 4, I present the findings and address research questions. Chapter 4 also includes a description of the quantitative data collected, statistical analysis of the study findings, a review of data preparation, a discussion of the findings from the instruments used, and the chapter concludes with a summary.

Data Preparation

For this analysis, data preparation took place before the ANCOVA statistical analysis was tested. Only participants that identified as black and white, male and female, and those who recognized as a US citizen were included. Hispanics was included in the beginning but was not included with checking assumptions for the analysis.

Next, outliers were removed, new data sets and variables were created, and additional participants were deleted from the analysis.

Outliers

Outliers may be a misrepresentation of the data population and may result in misleading results or contribute to outstanding outcome influences if kept in the data set.

Therefore, outliers were recognized and deleted prior to conducting the ANCOVA

statistical analysis (see Field, 2009).

Univariate Outliers

There were univariate outliers found in the dataset. To test for them, any values

that had any standardized scores (the z scores) within each group of 3 or higher were

univariate outliers and were removed from the study (Field, 2009). Consequently, the

drug cocaine had 167 values, marijuana had 187 values, and methamphetamine had 116

values that were univariates and deleted from this study.

Multivariate Outliers

There were multivariate outliers found in the dataset. To test for them, any

participant who had a Cook's distance higher than .001 was considered a multivariate

outlier and was removed from this analysis using the formula 4/N-k-1 (Chatterjee &

Hadi, 1988). Therefore, cocaine had 34 people who had a multivariate outlier above .001,

marijuana had 225 participants who a Cook's distance higher than .00135, and

methamphetamine had 159 participants who had a Cook's distance higher than .00155

who were removed from this analysis.

Computed Variables

A new variable titled "drug conviction" which included only offenders whose

primary conviction was for a drug crime related to trafficking, manufacturing and

importing; communication facilities, and simple possession was created.

Also, a new a variable was also created with the combination of gram amount &

range of drug weight to create the variables, cocaine gram, meth gram, and marijuana

gram.

Planned Statistical Analysis

A one-way ANCOVA with two covariates was tested for RQ1 and RQ2. Each

ANCOVA analyzed an independent variable (RQ: gender and RQ: race), the dependent

variable (sentence length), and two covariates (prior criminal history and drug amount).

A two-way ANCOVA with two covariates was tested for RQ3. Each ANCOVA

used five variables: both independent variables analyzed (gender and race simultaneously

entered as the independent variable), the dependent variable (sentence length), and two

covariates (prior criminal history and drug amount).

<div align="center">

Results

</div>

Research Question 1: Gender

RQ1 assessed whether after controlling for drug amount and prior criminal

history, did gender (men and women) lead to different sentencing lengths for committing

drug offenses (cocaine, marijuana, and methamphetamine)?

Gender and Cocaine

Assumption 1. This assumption of ANCOVA was assessed by examining the

correlation between prison sentence, criminal history, and gram amount. As observed,

there is significance correlation between criminal history and prison sentence, $r = .36, p <$

.001, and gram amount and prison sentence, $r = .16, p < .001$; it can be determined that

the covariates, criminal history and drug amount have a significant relationship with the

dependent variable, prison sentence. The covariates have met Assumption 1 for this ANCOVA analysis.

Assumption 2. This assumption of ANCOVA was tested to examine whether the covariates, criminal history and drug amount, have no relationship with the independent variable, gender. Therefore, men and women did not differ significantly in drug amount, $F(1, 515) = 3.17$, $p = .076$, but they did differ on criminal history, $F(1, 503) = 12.43$, $p < .001$. This assumption was met for drug amount but not for criminal history; therefore, the results and statistical validity should be interpreted with caution.

Assumption 3. This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed marijuana gram, $F(1, 998) = 1.26$, $p = .260$ (above .05), and Criminal history, $F(1, 998) = 1.69$, $p = .194$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, for the drug of cocaine, the ANCOVA analysis results showed that men ($M_{adj} = 75.55$) and women ($M_{adj} = 45.32$) differed significantly one sentencing length, $F(1,1000) = 16.68$, $p < .001$, $\omega^2 = .01$, (See table 1). There is a significant relationship between prison sentence length and gender, after controlling for drug amount and criminal history for the drug of cocaine.

Table 1

Results for Research Q1: Gender & Sentencing for Cocaine.

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	533238.072	3	177746.024	75.004	.000	.184
Intercept	385580.388	1	385580.388	162.703	.000	.140
CRIMPTS_CLEAN	340101.259	1	340101.259	143.513	.000	.126
CocaineGramsCLEAN	97952.477	1	97952.477	41.333	.000	.040
MONSEX	39528.128	1	39528.128	16.680	.000	.016
Error	2369836.019	1000	2369.836			
Total	7939089.967	1004				
Corrected Total	2903074.090	1003				

Note. ***p < .001

Gender and Marijuana

Assumption 1: This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history, and drug amount. As observed, there is significance correlation between, criminal history and prison sentence, $r = 0.20$, $p <.001$, and gram amount and prison sentence, $r = .25$, $p <.001$, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variable, gender. The results showed that men and women did not differ significantly in drug amount, $F (1, 515) = 3.17$, $p = .076$, but they did differ on criminal history, $F (1, 503) = 12.43$, $p < .001$. This assumption was met for drug amount but not for criminal history, therefore the results and statistical validity should be interpreted with caution.

Assumption 3. This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed drug amount, $F(1, 297) = .69$, $p = .406$, (above .05) and criminal history, $F(1, 297) = 1.03$, $p = .312$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, for the drug of marijuana, the ANCOVA analysis results showed that men ($M_{adj} = 29. 957$) and women ($M_{adj} = 14.66$) differed significantly one sentencing length, (see table 2). $F(1, 299) = 3.84$, $p = .051$ (see Table 2), $\omega^2 = .01$. There is a statistically significant relationship between prison sentence length and gender, after controlling for drug amount and criminal history for the drug of marijuana.

Table 2

Results *for Research Question 1: Gender & Sentencing for Marijuana*

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	31043.702	3	10347.901	21.914	.000	.180
Intercept	34868.498	1	34868.498	73.842	.000	.198
CRIMPTS_CLEAN	9249.332	1	9249.332	19.588	.000	.061
MARIJ_CLEAN	19218.938	1	19218.938	40.700	.000	.120
MONSEX	1812.716	1	1812.716	3.839	.051	.013
Error	141189.413	299	472.205			
Total	428029.123	303				
Corrected Total	172233.116	302				

*Note. ***p = .051*

Gender and Methamphetamine

Assumption 1. This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history and drug amount. As observed,

there is significance correlation between, crime points and prison sentence, $r = .27$, p

<.001, and gram amount and prison sentence, $r = .41$, $p < .001$, it can be determined that

the covariates, criminal history and drug amount, have a significant relationship with the

dependent variable, prison sentence. The covariates have met assumption one for this

ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the

covariates, drug amount and criminal history, have no relationship with the independent

variable, gender. The results showed that men and women did not differ significantly in

drug amount, $F (1, 1280) = .03$, $p = .86$), and criminal history, $F (1, 1315) = 76.83$, $p <$

.001. This assumption was met.

Assumption 3. This assumption of ANCOVA was assessed by examining the

significance of the interaction between each covariate and independent variable. The

results revealed drug amount, $F(1, 1163) = .33$, $p < .001$, (above .05) and criminal

history, $F(1, 1163) = .26$, $p < .001$ (above .05) was not statistically significant. This

means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal

history, for the drug of methamphetamine, the ANCOVA analysis results showed that

men ($M_{adj} = 88.69$) and women ($M_{adj} = 79.36$) differed significantly on sentencing

length, $F(1,1165) = 8.17$, $p = .004$, $\omega^2 = .01$ (see Table 3). There is a statistically

significant relationship between prison sentence and gender, after controlling for drug

amount and criminal history for the drug of methamphetamine.

Table 3

Results for Research Question 1: Gender & Sentencing for Methamphetamine

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	840156.622	3	280052.207	133.198	0.000	0.255
Intercept	1496155.129	1	1496155.129	711.597	0.000	0.379
CRIMPTS_CLEAN	511203.469	1	511203.469	243.137	0.000	0.173
METHGRAM_CLEAN	261199.522	1	261199.522	124.231	0.000	0.096
MONSEX	17183.018	1	17183.018	8.173	0.004	0.007
Error	2449448.890	1165	2102.531			
Total	12042690.438	1169				
Corrected Total	3289605.512	1168				

Note. ***p = .004

Research Question 2: Race and Sentencing Length

RQ2 assessed whether after controlling for drug amount and prior criminal history, does race (black and white) predict sentencing lengths for offenders committing drug offenses (Cocaine, Marijuana, and Methamphetamine)?

Race and Cocaine

Assumption 1. This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history, and drug amount. As observed, there is significance correlation between, criminal history and prison sentence, $r = .36$, p <.001, and gram amount and prison sentence, $r = .16$, $p < .001$, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent

variable, race. The results showed that blacks and whites did not differ significantly in drug amount, $F(1, 1203) = .32$, $p = .574$, but they did differ on criminal history, $F(1, 1200) = 42.37$, $p < .001$. This assumption was met for drug amount but not for criminal history, therefore the results and statistical validity should be interpreted with caution.

Assumption 3. This assumption was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed drug amount, $F(1, 998) = 3.15$, $p = .076$ (above .05) and criminal history, $F(1, 998) = .10$, $p = .748$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, for the drug of cocaine, the ANCOVA analysis results showed that whites ($M_{adj} = 60.99$) and blacks ($M_{adj} = 72.82$) differed significantly on sentencing length, $F(1,1000) = 8.04$, $p = .005$, $\omega^2 = .01$ (see table 4). There is a statistically significant relationship between prison sentence and race for the drug choice of cocaine, after controlling for criminal history and drug amount.

Table 4

Results for Research Question 2: Race & Sentencing for Cocaine

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected Model	512929.837	3	170976.612	71.534	.000	.177
Intercept	716637.188	1	716637.188	299.830	.000	.231
CRIMPTS_CLEAN	375956.573	1	375956.573	157.295	.000	.136
CocaineGramsCLEAN	95703.805	1	95703.805	40.041	.000	.038
NEWRACE	19219.893	1	19219.893	8.041	.005	.008
Error	2390144.254	1000	2390.144			
Total	7939089.967	1004				
Corrected Total	2903074.090	1003				

Note. ***$p = .005$

Race and Marijuana

Assumption 1. This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history, and drug amount. As observed, there is significance correlation between, criminal history and prison sentence, $r = .20$, $p < .001$, and gram amount and prison sentence, $r = .25$, $p < .001$, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variable, race. The results showed that blacks and whites did not differ significantly in drug amount, $F(1, 515) = 3.17$, $p = .076$, but they did differ on criminal history, $F(1, 503) = 12.43$, $p < .001$. This assumption was met for drug amount but not for criminal history, therefore the results and statistical validity should be interpreted with caution.

Assumption 3. This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed drug amount, $F(1, 297) = .00$, $p = .985$ (above. 05), and criminal history, $F(1, 297) = .15$, $p = .695$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, for the drug of marijuana, the ANCOVA analysis results showed that white (M_{adj} = 28.92) and blacks (M_{adj} = 29.30) differed significantly on sentencing length, $F(1,299)$ = .02, $p = .893$, $\omega^2 = .00$ (see table 5). There is no statistically significant relationship between prison sentence length and race for the marijuana drug, after controlling for drug amount and criminal history.

Table 5

Results for Research Q2: Race & Sentencing for Marijuana

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	29239.706	3	9746.569	20.380	.000	.170
Intercept	64187.825	1	64187.825	134.217	.000	.310
MARIJ_CLEAN	20511.827	1	20511.827	42.890	.000	.125
CRIMPTS_CLEAN	10824.875	1	10824.875	22.635	.000	.070
NEWRACE	8.720	1	8.720	.018	.893	.000
Error	142993.409	299	478.239			
Total	428029.123	303				
Corrected Total	172233.116	302				

Note. ***p = .893

Race and Methamphetamine

Assumption 1. This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history, and gram amount. As observed,

there is significance correlation between, criminal history and prison sentence, $r = .27$, p <.000, and gram amount and prison sentence, $r = .41$, p <.001, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variable, race. The results showed that blacks and whites did not differ significantly in the covariates drug amount, $F(1, 1315) = .41$, $p = .522$, and criminal history, $F(1, 1280) = .13$, $p = .719$. This assumption was met.

Assumption 3. This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed drug amount, $F(1, 1163) = .82$, $p < .001$, (above .05), and criminal history, $F(1, 1163) = .86$, $p < .001$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history for the drug of methamphetamine, the ANCOVA analysis results showed that whites ($M_{adj} = 87.16$) and black ($M_{adj} = 82.40$) and differed significantly on sentencing length, $F(1,1165) = 1.43$, $p = .231$, $\omega^2 = .00$ (see table 6). There is no statistically significant relationship between prison sentence length and race for the drug of methamphetamine, after controlling for drug amount and prior criminal history.

Table 6

Results for Research Question 2: Race & Sentencing for Methamphetamine

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	826004.994	3	275334.998	130.202	0.000	0.251
Intercept	1044477.238	1	1044477.238	493.918	0.000	0.298
CRIMPTS_CLEAN	582852.452	1	582852.452	275.622	0.000	0.191
METHGRAM_CLEAN	258996.897	1	258996.897	122.476	0.000	0.095
NEWRACE	3031.390	1	3031.390	1.433	0.231	0.001
Error	2463600.518	1165	2114.679			
Total	12042690.438	1169				
Corrected Total	3289605.512	1168				

Note. ***p = .231

Research Question 3: Gender and Race Interaction

RQ3 assessed that after controlling for drug amount and prior criminal history, is there an interaction between gender (male and female) and race (black and white) in sentencing length for offenders committed drug offenses (Cocaine, Marijuana, and Methamphetamine)? I conducted a two-way ANCOVA with two covariates to determine if there is a statistically significant interactions between the independent variables, gender and race (simultaneously entered as the independent variable) and sentencing length (dependent variable), after controlling for criminal history and drug amount.

Gender and Race Interactions: Cocaine

Assumption 1. This assumption of ANCOVA was assessed by examining the correlation between of prison sentence, criminal history, and drug amount. As observed, there is significance correlation between, criminal history and prison sentence, $r = .20$, p <.001, and gram amount and prison sentence, $r = .25$, p <.001, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the

dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variable, gender. The results showed that gender (men and women) and race (black and white) did not differ significantly in drug amount, $F(3, 1201) = .20$, $p = .899$, but they did differ on criminal history, $F(1,1198) = .00$, $p < .001$. This assumption was met for drug amount but not for criminal history, therefore the results and statistically validity should be interpreted with caution.

Assumption 3. A new variable title "Group" was created for race and gender to be simultaneously entered as the independent variable. This variable was created to test and examine the ANCOVA assumptions about the significance of the interaction between each covariate, drug amount and criminal history, and independent variable, (gender and race= group).

This assumption was assessed by examining the significance of the interaction between each covariate and independent variable. Covariates and dependent variable are the same for each group of independent variables. The results revealed cocaine gram, $F(1, 992) = 1.536$, $p = .20$, (above .05) and criminal history, $F(3, 992) = .72$, $p = .539$, (above .05) was not statistically significant. This means that the regression slopes for the covariates do not differ. This assumption was met.

Main ANCOVA Results. After controlling for drug amount and criminal history, for the interactions of prison sentence and cocaine, the ANCOVA analysis results showed

that white male (M_{adj} = 63.02) and black male (M_{adj} = 74.61) and white female (M_{adj} =

45.91) and black female (M_{adj} = 49.99) do not differ significantly one sentencing length,

F (1, 998) = .36, p = .547, ω^2 = .00 (see Table 7). There was no statistically significant

interaction between gender (black and white) and race (men & women) when it comes to

prison sentence length for offenders who committed the crime cocaine drug offenses,

after controlling for drug amount and prior criminal history.

Table 7

Results for Research Question 3: Race & Gender Interaction for Cocaine

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	549556.362	5	109911.272	46.607	.000	.189
Intercept	298126.747	1	298126.747	126.419	.000	.112
CRIMPTS_CLEAN	310601.404	1	310601.404	131.709	.000	.117
CocaineGramsCLEAN	94982.073	1	94982.073	40.277	.000	.039
MONSEX	25666.104	1	25666.104	10.884	.001	.011
NEWRACE	3722.514	1	3722.514	1.579	.209	.002
MONSEX * NEWRACE	854.866	1	854.866	.363	.547	.000
Error	2353517.728	998	2358.234			
Total	7939089.967	1004				
Corrected Total	2903074.090	1003				

*Note. ***p= .547*

Race and Gender Interaction: Marijuana

Assumption 1. This assumption of ANCOVA was tested by examining the

correlation between of prison sentence, criminal history, and gram amount. As observed,

there is significance correlation between, criminal history and prison sentence, r =.20, p

<.001, and gram amount and prison sentence, r= .25, p <.001), it can be determined that

the covariates, criminal history and drug amount, have a significant relationship with the

dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variable, groups (race and gender). The results showed that gender (men and women) and race (black and white) did not differ significantly in the covariates drug amount, $F(3, 718) = 3.579$, $p = .014$, and criminal history, $F(3, 692) = 22.42$, $p < .001$ This assumption was not met.

Assumption 3. The same variable used for the cocaine assumption three titled "Group" was use for this assumption (see above). This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and each independent variable. The results revealed drug amount, $F(1, 414) = .04$, **p** $= .837$, (above .05), and criminal history, $F(1, 414) = .28$, $p = .593$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, the ANCOVA analysis results showed that whites male ($M_{adj} = 30.78$), white female ($M_{adj} = 19.76$), black male ($M_{adj} = 38.37$) and white female ($M_{adj} = 19.97$) do not differed significantly one sentencing length, $F(1, 420) = .82$, $p = .364$, $\omega^2 = .00$ (see Table 8). There was no statistically significant interaction between gender (black and white) & race (men & women) when it comes to prison sentence length for offenders who

committed marijuana drug offenses, after controlling for drug amount and prior criminal

history.

Table 8

Results for Research Question 3: Race & Gender Interaction for Marijuana

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected Model	35022.251	5	7004.450	11.642	.000	.122
Intercept	59470.037	1	59470.037	98.842	.000	.191
CRIMPTS_CLEAN	7385.434	1	7385.434	12.275	.001	.028
MARIJ_CLEAN	11247.302	1	11247.302	18.693	.000	.043
NEWRACE	554.942	1	554.942	.922	.337	.002
MONSEX	7704.777	1	7704.777	12.806	.000	.030
NEWRACE * MONSEX	495.933	1	495.933	.824	.364	.002
Error	252701.227	420	601.670			
Total	741649.267	426				
Corrected Total	287723.478	425				

Note. *** p=.364

Race and Gender Interaction: Methamphetamine

Assumption 1. This assumption of ANCOVA was tested by examining the correlation between of prison sentence, criminal history, and drug amount. As observed, there is significance correlation between, criminal history and prison sentence, $r =$ is $r =.27, p <.001$, and gram amount and prison sentence are $r = .41, p <.001$, it can be determined that the covariates, criminal history and drug amount, have a significant relationship with the dependent variable, prison sentence. The covariates have met assumption one for this ANCOVA analysis.

Assumption 2. The assumption of ANCOVA was tested to examine whether the covariates, drug amount and criminal history, have no relationship with the independent variables, groups (race and gender). The results showed that gender and race did not

differ significantly in the covariates drug amount, $F(3, 1278) = 1.44$, $p = .933$, but for criminal history, $F(3, 1313) = 25.87$, $p < .001$. This assumption was met for drug amount but not for criminal history.

Assumption 3. The same variable was used for the cocaine procedure titled "Group" was use for this assumption (see above). This assumption of ANCOVA was assessed by examining the significance of the interaction between each covariate and independent variable. The results revealed drug amount, $F(3, 1157) = .16$, $p = .927$, (above .05), and criminal history, $F(3, 1157) = .37$, $p = .773$ (above .05) was not statistically significant. This means that the homogeneity of regression slopes assumption was met.

Main ANCOVA Results. After controlling for drug amount and prior criminal history, the ANCOVA analysis results showed that whites male ($M_{adj} = 89.50$), and black male ($M_{adj} = 84.43$) and White female ($M_{adj} = 80.29$); black female ($M_{adj} = 58.51$) do not differed significantly one sentencing length, $F(1, 1163) = 1.39$, $p = .238$, $\omega^2 = .01$ (see Table 9). There was no statistically significant interaction between gender (black and white) & race (men & women) when it comes to prison sentence for offenders who committed methamphetamines drug offenses, after controlling for drug amount and criminal history.

Table 9

Results for Research Question 3: Race & Gender Interaction for Methamphetamine

Source	Type III sum of squares	df	Mean square	F	Sig.	Partial eta squared
Corrected model	848656.286[a]	5	169731.257	80.869	.000	.258
Intercept	373763.395	1	373763.395	178.081	.000	.133
CRIMPTS_CLEAN	506928.417	1	506928.417	241.528	.000	.172
METHGRAM_CLEAN	261277.398	1	261277.398	124.487	.000	.097
NEWRACE	7534.919	1	7534.919	3.590	.058	.003
MONSEX	12737.042	1	12737.042	6.069	.014	.005
NEWRACE * MONSEX	2921.697	1	2921.697	1.392	.238	.001
Error	2440949.226	1163	2098.839			
Total	12042690.438	1169				
Corrected Total	3289605.512	1168				

Note. *** p=.238

Summary

Chapter 4 concluded with a description of the quantitative data collected and statistical analysis of this analysis findings. An ANCOVA test was used in this chapter to determine if there was any statistically significant difference between gender, race, and the interaction between the two groups, after controlling for criminal history and drug amount as covariates. Several assumptions were tested, and data was checked to ensure that it met all the assumptions of the statistical analysis of an ANCOVA. Therefore, there were several essential discoveries from this chapter.

The ANCOVA results related to RQ1 indicated there is a statistically significant relationship between prison sentence length and gender, after controlling for drug amount and criminal history for the drug of marijuana, cocaine, and methamphetamine (see Table 10).

The ANCOVA results related to RQ2 indicated there is a statistically significant relationship between prison sentence length and race, after controlling for drug amount and criminal history for the drug, cocaine but there was no statistically significant relationship between prison sentence length and race for the drugs, marijuana and methamphetamine (see Table 10).

The ANCOVA results to RQ3 indicated that there were no statistically significant interactions for gender and race, after controlling for drug amount and criminal history for the drugs, cocaine, marijuana, and methamphetamine (see Table 10).

Table 10

Overall Summary of Results

Research questions	Cocaine	Marijuana	Methamphetamine
RQ1: Gender	$p < .001^*$	$p = .051^*$	$p = .004$
RQ2: Race	$p = .005^*$	$p = .089$	$p = .231$
RQ3: Gender and race interaction	$p = .547^*$	$p = .365^*$	$p = .238^*$

Note. *ANCOVA assumptions was not met and interpretation should be with caution.

Chapter 5 will discussion further the interpretations of findings, the limitations of the study, recommendations for future research, social impact, and conclusion.

Chapter 5: Summary, Conclusions, and Recommendations

Introduction

The purpose of this study was to determine if the gender and race of an offender were a significant component in the sentences received by individuals convicted of felonies in USSC data during the 2016 fiscal year. This chapter includes a summary of the research, conclusions, and recommendations for future research.

I conducted a quantitative analysis to evaluate gender and racial disparity in sentencing outcomes in the judicial system. The statistics presented in this section provide some contemporary evidence of some racial and gender disparity in sentencing outcomes. In this study, I investigated the role that gender and race play in the sentencing decisions in prison time and incorporated prior criminal history and drug amount to help understand and explain if these influence different sentencing outcomes between the two genders and races.

Furthermore, this study addressed research questions concerning if there is gender disparity in sentencing outcomes, racial disparity in sentencing outcomes, and the correlation between race and gender if disparity in sentencing outcomes exists.

Interpretation of Findings

This study determined whether sentencing disparity exists. Evidence gathered disclosed information about gender, race, and the interaction between the two after implementing the influencing factors of drug amount and criminal history.

Gender and Sentencing

When tested for gender disparities in sentencing outcomes, male offenders received higher sentencing lengths than their female counterparts. Furthermore, when controlling for drug amount and prior criminal history, this study found that women and men did receive a statistically significant difference in sentencing length for all drugs used in this study (cocaine, marijuana, and methamphetamine). As predicted, in sentencing, females are undeniably using the concept of unequal opportunity to their advantage due to prior research that has shown that disparity exists (Merlo & Pollock, 1995). Previous research has indicated or reported that female and male offenders are often treated differently when it comes to sentencing in the court of law (Spohn, 2002). Still, Kruttschnitt and Green (1984) study suggested no difference in sentencing between genders.

Therefore, the results for RQ1 found that there was statistical significance in sentencing disparity between men and women offenders. The results also indicated that offenders with prior criminal history did receive harsher sentences lengths. These findings were anticipated. However, this study found that gender had a significant effect on sentencing outcomes after the contributing factors, prior criminal history and drug amount, were included in the study. For the drug cocaine, male offenders were sentenced to 23 months (see Table 11) more than women. After computing the effect size, using omega squared, it was found that strength of association was a 1% of variance (small), between genders. For the drug marijuana, men received 15 months longer sentence than women and there was a 1% of variance (small) between genders. Furthermore, for the

drug methamphetamine, there was a 9-month sentencing difference between male and female offenders and there was a 1% of variance (small) in explaining sentencing disparity between genders, which indicated it was on the threshold of significance.

According to Daly (1994), the differences between gender sentencing start in the criminal justice system. Starr (2012) suggested that female offenders are favored more than race sentencing favoring white offenders. Researchers have examined gender unfairness in sentencing outcomes (Farrington & Morris, 1983). Additionally, women offenders and male offenders were sentenced at times differently and simultaneously, but leniency was shown more towards women offenders (Gruhl et al., 1984). Other researchers found data that female offenders who fall into society's views of gender stereotypes were more than likely to be sentenced less severely than men who committed the same offense (Visher, 1983).

Race and Sentencing

RQ2 broke assumptions, and the results should be interpreted with caution. The findings were statistically significant regarding disparity with race and sentencing for one drug, cocaine, after contributing covariates. The harsher sentences were imposed on black drug offenders than white drug offenders, but overall, this advantage was small. Consequently, for the drug cocaine, results showed that black offenders were sentenced to 12 months longer more than white offenders. After computing the effect size, using omega squared, there was a 1% of variance (small) in explaining sentencing disparity between races (see Table 11). Crawford et al. (1998) found that federal prosecutors more likely to indict black offenders with crimes that hold a mandatory sentence than white

offenders who committed similar crimes. According to Beckett et al. (2006), in 2015, black offenders were apprehended more for drug offenses. Therefore, decreasing racial disparity in sentencing would be vital to generating equality, fairness, justice, hope, and trust with the criminal justice system.

Interestingly, this study's findings indicated no evidence of sentencing outcome disparity for the drugs marijuana and methamphetamine. Moreover, the estimates of disparity in sentencing outcomes did not vary significantly, suggesting that racial disparity in sentencing outcomes still may persist. Conversely, before data was run with covariates for the drug choice of marijuana and methamphetamine, it was indicated that White offenders received smaller sentences than Black offenders, resulting in an indication of disparity.

Gender and Race Interaction

RQ3 was designed to examine the interaction between gender (male and female) and race (Black and White), but unfortunately, this led to small group sizes (less than 30 in one or more of the groups for an ANCOVA statistical analysis). The race and gender gap were larger among males than among females. Empirical studies suggest that research related to this subject has conventionally suffered from small sample sizes (Johnson et al., 2010; Steffensmeier, 1980).

The results indicated that there were no statistically significant interactions for gender and race after including the covariates, drug amount and criminal history, for the drugs cocaine, marijuana, and methamphetamine (see Table 11), but this analysis cannot with confidence answer RQ3. Therefore, the results should be read with caution.

Subsequently, there was not sufficient statistical power to report these findings and the sample size for all drugs, cocaine, marijuana, and methamphetamine, were small (less than 1% of variance) to support the estimated amount of disparity that exists between gender and race.

Doerner (2009) found find that race was a contributing factor for female offenders because they would receive less punishment than men even though they represented the same race. Overall, the authors results determined that there was a bigger gap between gender and blacks, but sentencing was more favorable for women and all white offenders than black male offenders. Surprisingly, this study found that among women, White female defendants received more severe sentence outcomes than Black females, but the data were relatively limited, and a more thorough examination could not be completed.

Table 11

Main Analysis: Adjustable means and omega squared.

Research questions and drug choice	Adj means				Omega squared
RQ1: Gender	Males		Females		
Cocaine	72.74		49.23		$\omega^2 = .01$
Marijuana	30.00		14.70		$\omega2 = .01$
Methamphetamine	88.70		79.35		$\omega2 = .01$
RQ2: Race	Whites		Blacks		
Cocaine	61.00		72.83		$\omega^2 = .01$
Marijuana	28.92		29.92		$\omega^2 = .00$
Methamphetamine	87.16		82.40		$\omega^2 = .00$
RQ3: Gender & race interaction:	White Males	Black Males	White Females	Black Females	
Cocaine	63.02	74.61	46.00	50.00	$\omega^2 = .00$
Marijuana	30.78	38.40	19.76	34.56	$\omega^2 = .00$
Methamphetamine	89.50	84.42	80.30	58.58	$\omega^2 = .00$

Note. Adjustable means and omega squared.

As a result, the examination from the racial viewpoint indicates that males may be more likely to receive harsh sentence outcomes than females. However, the lack of

statistical significance recommends that this analysis must be interpreted with caution.

Only a small quantity of studies examining gender and race interaction, there is a plethora

amount information presented for continued inquiry (Bloch, K., Engen R., & Parrotta, K.,

2014). Conversely, this analysis aims to reduce or eliminate racial and gender differences

in sentencing outcomes and for the two variables to have equality (Torny, 1996).

Limitations

These results are not represented without limitations. One limitation of this study

is data was not available in the data set regarding the type of defense or legal counsel the

offender obtained. It was noted that data was not collected for this information. This was

valuable information missing and could not be included in the current analysis. In prior

years of federal data, a variable representing defendant income was available. However,

it stops being collected after 2003 (USSC, 2016). Future research should explore the

extent to which offenders were represented at trial. This viable information would shed

light on if an offender had a public offender or private attorney would determine his/her

sentencing outcomes. Previous studies suggest that private lawyers could be more

effective than public defenders in obtaining favorable verdicts for offenders (Holmes et

al., 1996). Providing this information will show if a difference in an offender sentencing

outcome exists due to what type of representation he or she obtained (public defender vs.

private defender).

Another limitation of the present study is that no Hispanics was used in this study.

Hispanics was not included in the analysis because they differ ethnically & majority of

them, were not US citizens. Because Hispanic offenders was mostly of noncitizens in the

federal courts, future research would profit from the studying of those offenders sentencing disparity.

Additionally, due to limitations with sample size (research question 3), further research should include propensity scoring as an option for this type of analysis. terms of the observed propensity scoring balances and adjusts covariates estimates if there are seen biases (Rosenbaum and Rubin, 1983). This will help provide a more conduce or clearer interpretation of results regarding sentencing disparity outcome.

This study was limited to only federal drug crimes and not state level drug crimes. Further research should expand to the state level to look at other different drug offenses such as heroin, opioids, or crack. Though this examination was limited to drug offenders, future research regarding sentencing disparity should also consider a more extensive selection of offenders to include both violent and non-violent offenses, potentially leading to a more thorough interpretation of sentencing disparity.

Recommendation

Some recommendations for future research stem from the limitations of the present study. Therefore, future researchers might consider including additional years to study and examine if the results will be the same or would they differ as to the results in this study. Also, future research should consider gathering its own data versus using secondary data. This study used a secondary dataset which missed a lot of key variables that would be beneficial to the research regarding sentencing disparity. This might prevent irregularities.

Additionally, in this study, prior criminal history and drug amount covariates was examined. Researching other contributing factors would be beneficial when examining gender and race sentencing disparity and if it exists in federal criminal courts or even state level criminal courts. For example, evaluating an offender's demographics (age, social class, educations, etc.,) and/or nonviolent and violent crimes.

Implications

There is a convincing amount of data supporting the notion that sentencing disparity exists among genders (Spohn, 2009). Furthermore, different viewpoints within the realm of the criminal justice system have impacted the influences on the association of criminality (Mackenzie, 2001). Adversely, researchers conducting research in this area need to report effect size on top of statistical significance because by the evidence of the study sometimes suggest two different stories. Therefore, reporting effect size is essential since it offers a measure of the importance of an effect (Fields, 2009). The effect size reports the power of the relationship between dependent variables and help adjudicate the significance of the association found (Fields, 2009) allowing the readers comprehend the degree of variances found in the data. According to Schäfer & Schwarz (2019), recommends computing effect sizes because it calculates the findings of an analysis, helps answer research questions and compute the statistical power. Therefore, additional conversations about researchers reproduces their findings to incorporate the effect sizes will help them produce a more compelling statistical argument (Schäfer & Schwarz, 2019).

Several important findings from the analysis stand out. Female drug offenders in all drug related crimes received less harsh sentence outcomes than male drug offenders for the same crime. Second, there are some racial differences within sentencing drug offenders. After obtaining the results in this study, future research should be used to examine current or changes in laws or policies as it relates to drug crimes. The findings of in this study are somewhat consistent with the social construction theory. With the aspect of social construction theory, assessments of proposals and sentencing restructuring may be signified as an assistance to research completed by "criminal justice and social justice scholars" (Stewart, 2019). Whereas policymakers and legislatures are figuratively accountable for the mandatory laws surrounding the protection and safety of citizens in society (Mackenzie, 2001). Bureaucratic and offenders concerned not only with disparities in sentencing laws and procedures but in the inconsistency of sentencing between defenders with the same felonies (Rehavi and Starr, 2014).

Adjustments and modifications in policies, procedures, and thinking of condemning offenders has impacted the legal system considerably (Mackenzie, 2001). According to Ingram and Schneider (2005), labeling groups individuals as underserving or underprivilege and then imposing retribution to win political gain is extremely evident in the legal system. Influences such as politics contribute or manipulate the theories and biases on how an individual is portrayed as a social deviance (Schneider and Ingram, 1997). As a result, those beliefs can place a strong emphasis on societal creations of labels placed upon certain populations or groups in society (Ingram, Schneider, and Deleon, 2007) and allows law to become bias when being created for public policies for

social control. One thing researcher's, experts, and the community have in common, is the idea of creating strategies to tackle this important interest (Kansal, 2005) of sentencing disparity. Moreover, social construction theory rationalizes the reasoning to why one group of individuals receive certain privileges or even preferred or supported more than another group of individuals, and those advantages can be overturn with the support or maybe even changes toward certain political policies and procedures (Pierce, Siddiki, and Jones, et al., 2014).

Conclusion

Overtime research has suggested that race and gender have been a main factor in sentencing disparity and the two have increased overtime (Kansal, 2005; Doeror, 2009). Prior arrest, amount of drug, race, and gender are key variables in empirical research. Studies found support the linked between these variables and sentencing disparity (Spohn and Holleran, 2000). Therefore, evidence gathered proposes that sentencing disparity exists. The degree to these inequalities raises questions on principles and practices (Rehavi and Starr, 2014).

The results of this study noted that of the racial sentencing in this research was statistically significant but statistically small for the drug of cocaine. There was a difference in sentencing outcomes between genders were statistically significant but statistically small for the drugs cocaine and methamphetamine and on the verge of significant for marijuana. There was no significance in the relationship between gender and race.

Although this study declined to support fully research two and three at all**,** this analysis did provide evidence of some racial bias in sentencing length and disparity against African American offenders and men. It might be challenging to remove racial and gender bias within societies point of views due to stereotypes and/or labels places upon certain individuals, but it might be possible to control for racial and gender disparity within sentencing outcomes in the criminal justice system through public and policy change. While it is important to recognize that racial disparity occurs within society, establishing a healthier understanding and curiosity of males versus female sentencing disparity will continue open doors for future research to follow.

References

Ahola, A. Christianson, S., & Hellro, A. (2009). Justice needs a blindfold: Effects of

gender and attractiveness on prison sentencing and attributions of personal

psychiatry. *Psychology, and Law, 16*(2), 90-100.

https://doi.org/10.1080/13218710802242011

Albonetti, C. (1997). Sentencing under the federal sentencing guidelines: Effects of

defendant characteristics, guilty pleas and departures on sentencing outcomes for

drug offenses. *Law & Society Review, 31*(4), 789-822.

https://doi.org/10.2307/3053987

Alexander, M. (2011). *The new Jim Crow: Mass incarceration in the age of

colorblindness.* The New Press.

https://www.vanderbilt.edu/ctp/The_New_Jim_Crow.pdf

Alverez & K. Lutterman (2009). Discrimination in organizations: Using social indicators

to manage social change (pp. 329–354). Jossey-Bass.

American Anthropological Association. (1997). AAA Statement on Race.

https://www.americananthro.org/ConnectWithAAA/Content.aspx?ItemNumber=2

583

American Civil Liberties Union. (2014, October 14). Racial Disparities in Sentencing.

https://www.aclu.org/sites/default/files/assets/141027_iachr_racial_disparities_acl

u_submission_0.pdf

American Civil Liberties Union. (2020). Women and the Criminal Justice System.

https://www.aclu.org/women-and-criminal-justice-system

Andrews, D. & Dowden, C. (2006). Risk Principle of Case Classification in Correctional

Treatment: A Meta-Analytic Investigation. *International Journal of Offender*

Therapy and Comparative criminology. 50(1), 88-100.

https://doi.org/10.1177/0306624X05282556

Angelucci, M. (2001, August). Males get longer sentences than females for the same

crime. *Los Angeles Daily Journal*. http://www.dvmen.org/dv-59.htm

Applegate, B., Cullen, F., & Fisher, B. (2002). Public views toward crime and

Correctional Policies. Is there a gender gap? *Journal of Criminal Justice, 30*(2),

89-100. https://doi.org/10.1016/s0047-2352(01)00127-1

Barak, G. (2000). Class, race, and gender in criminology and criminal justice: Ways of

seeing difference. *Critical Criminology.*

http://www.critcrim.org/critpapers/barak.htm

Barron, P. (2000). Gender discrimination in the U.S. death penalty system. *Radical*

Philosophy Review, 3(1), p. 89-96. https://doi.org/10.5840/radphilrev20003110

Barkan, Steven. (2009). The Value of Quantitative Analysis for a Critical Understanding

of Crime and Society. *Critical Criminology*. *17*. 247-259.

https://doi.org/10.1007/s10612-009-9085-9.

Baumer, E. (2013). Reassessing and Redirecting Research on Race and Sentencing.

Justice Quarterly, 30(2), p. 231-261.

https://doi.org/10.1080/07418825.2012.682602

Beckett, K., Nyrop, K., & Pfingst, L. (2006). Race, drugs, and policing: Understanding

Disparities in Drug Delivery Arrests. Criminology: *An Interdisciplinary Journal*,

44(1), 105–137.

https://www.thestranger.com/images/blogimages/2010/10/28/1288284332-
beckett_criminology__race__drugs_and_policing.pdf

Bernstein, I., J. Cardascia, & Ross, C. (1979). "Defendant's sex and criminal court
decision," pp. 329-354 in R. Alvarez and K. G. Lutterman and Assoc. (eds.)
Discrimination in Organizations. San Francisco: Joseey-Bass.

Bertrand, M., Clough, D., & Mullainathan, S. (2005). Implicit Discrimination. *American
Economic Review, 95*(2): 94-98. https://doi.org/10.1257/000282805774670365

Bickle, G., & Peterson, R. (1991). The impact on gender-based family roles on criminal
Sentencing. *Social Problems, 38*(3), 372–394.
https://doi.org/10.1525/sp.1991.38.3.03a00050

Bindler, A. & Hjalmarsson, R. (2020). The persistence of the criminal justice gender gap:
Evidence from 200 years of judicial decisions. *Journal of Law and Economics,
32*(2), 297–339. https://doi.org/10.1086/707482

Bixler, L. (2012, April, 24). Women prisoners: Gender matters.
https://gender.stanford.edu/news-publications/gender-news/women-prisoners-
gender-matters

Blair, I., Judd, C., & Chapleau, K. (2004). The influence of Afrocentric facial features in
criminal sentencing. *Psychological Science, 15*(10), 674-679.
https://doi.org/10.1111/j.0956-7976.2004.00739.x

Bloch, K., Engen R., & Parrotta, K. (2014). The intersection of race and gender: An examination of sentencing outcomes in North Carolina. *Criminal Justice Studies, 27*(4), 419-438. https://doi.org/10.1080/1478601X.2014.932787

Blumstein, A. (2011). Bringing down the U.S. prison population. *Prison Journal, 9*(3), 12S-26S. https://doi.org/10.1177/0032885511415218

Blumstein, A., Cohen, J., Martin, S., & Tonry, M. (1983*). Research on sentencing: The search for reform* (Vol. 1). National Academy Press.

Bontrager, S., Barrick, K., & Stupi, E. (2013). Gender and sentencing: A meta-analysis of contemporary research. *Journal of Gender, Race & Justice, 16*(2), 349- 372. https://www.researchgate.net/publication/285086688_Gender_and_sentencing_A _meta-analysis_of_contemporary_research

Booth, C. (2004, March 28). We Must Stop Locking Up So Many Women. The Observer. Retrieved from http://www.mapinc.org/drugnews/v04/n503/a04.html?999

Brown, J. (1996). *Testing in language programs* (pp. 231–249). Prentice Hall Regents.https://www.statisticshowto.datasciencecentral.com/construct-validity/

Bureau of Justice Assistance. (1998). 1996 National Survey of State Sentencing Structures. https://www.ncjrs.gov/pdffiles/169270.pdf

Bureau of Justice Statistics. (1994, March a). Women in prison. http://www.ojp.usdoj.gov/bjs/pub/ascii/wopris.txt

Bureau of Justice Statistics. (1994, September b). Fact sheet: Drug-related crime. Drugs & Crime Data. https://www.bjs.gov/content/pub/pdf/DRRC.PDF

Bureau of Justice Statistics. (2002). Criminal offenders' statistics.

www.ojp.usdoj.gov/bjs/

Bureau of Justice Statistics. (2011). Prisoners in 2011.

https://www.bjs.gov/content/pub/pdf/p11.pdf

Bureau of Justice Statistics. (2014a). Prisoner recidivism: What is recidivism?

http://www.bjs.gov/index.cfm?ty=datool&surl=/recidivism

Bureau of Justice Statistics. (2014b). Statistics on women in the justice system.

http://www.csosa.gov/newsmedia/factsheets/statistics-on-women offenders-

2014.pdf

Bureau of Justice Statistics. (2016). Reentry trends in the U.S.

http://www.bjs.gov/content/reentry/definition.cfm

Bureau of Justice Statistics. (n.d.). Terms & Definitions: Victims

https://www.bjs.gov/index.cfm?ty=tdtp&tid=9#

Burkholder, G. (n.d.). Multivariate statistics: An introduction. (Walden University,

Producer). Retrieved from http://core.ecu.edu/psyc/wuenschk/MV/IntroMV.pdf

Bushway, S., & Piehl, A. (2001). Judging judicial discretion: Legal factors and racial

discrimination in sentencing. Law and Society Review, 35(4), 733-764. Retrieved

from https://doi.org/10.2307/3185415

Cairney, P. (2014). The Psychology of Evidence Based Policymaking: Who Will Speak

for the Evidence if it Doesn't Speak for Itself? Retrieved from

https://paulcairney.wordpress.com/tag/social-construction-theory/

Cairney, P. (2012). Complexity Theory in Political Science and Public Policy. *Political

Studies Review*, 10, 346-58

Campbell, C., McCoy, C., & Osigweh, C. (1990). The Influence of Probation

Recommendations on Sentencing Decisions and Their Predictive Accuracy.

Federal Probation, 54, 13–21.

Campbell, D. & Stanley, J. (1963). Experimental and quasi-experimental designs for

research. Wadsworth, Cengage Learning: Belmont, CA

Chatterjee, S. & Hadi, A. (1988). Sensitivity Analysis in Linear Regression. Wiley, New

York 1988, https://doi.org/10.1007/BF02924694

Chesney-Lind, M. (1991). Patriarchy, prisons, and jails: A critical look at trends in

women's incarceration. *Prison Journal*, 71(1), 51 - 67.

https://doi.org/10.1177/003288559107100106

Chiricos, T., & Crawford, C. (1995). Race and Imprisonment: A Contextual Assessment

of the Evidence. In D. F. Hawkins (Ed.), *Ethnicity, Race & Crime: Perspectives

across time and place* (pp. 281-309). State University of New York Press.

Cole, D. (2015). The difference prevention makes: Regulating preventive justice.

Criminal Law & Philosophy, 9, 501-519.

Coghlan, M. (2003). Sex offenders and the criminal justice system: An exploration of

public opinion.

https://scholar.uwindsor.ca/cgi/viewcontent.cgi?article=4440&context=etd

Collins, P. (2000). Black feminist thought: Knowledge, consciousness, and the politics of

empowerment. NY: Routledge.

Comprehensive Crime Control Act of 1984, Pub. L. 98-473, S. 1762, 98 Stat. 1976

(1984).

Covington, S. S. & Bloom, B. E. (2003). Gendered Justice: Women in the Criminal

Justice System. In B. E. Bloom (Ed.), G*endered justice: Addressing female*

offenders. Carolina Academic Press.

http://www.stephaniecovington.com/assets/files/4.pdf

Covington, S. (2007). Women and the criminal justice system. *Women Health Issues,*

17(4), 180-182. https://doi.org/10.1016/j.whi.2007.05.004

Crawford, C., Chiricos, T., & Kleck, G. (1998). Race, racial threat, and sentencing of

habitual offenders. *Criminology*, 36(3), 481–512. https://doi.org/10.1111/j.1745-

9125.1998.tb01256.x

Creswell, J. (2009). *Research and design: Qualitative, quantitative, and mixed methods*

approaches. Sage Publications.

Creswell, J. (2013). Research and Design: Qualitative, Quantitative, and Mixed Methods

Approaches. (Laureate Education, Inc.). Thousand Oaks, CA: Sage Publication,

Inc. Retrieved from http://fe.unj.ac.id/wp-content/uploads/2019/08/Research-

Design_Qualitative-Quantitative-and-Mixed-Methods-Approaches.pdf

Criminal Law Legal Terms & Definitions: http://www.suskauerfeuer.com/criminal-law-

legal-terms-definitions/

Croyle, J. L. (1983). Measuring and explaining disparities in felony sentences:

Courtroom work group factors and race, sex, and socioeconomic influences on

sentence severity. *Political Behavior*, 5(1), 135–153.

Curran, D. A. (1983). Judicial discretion and defendant's sex. *Criminology: An*

Interdisciplinary Journal, 21(1), 41–58. https://doi.org/10.1111/j.1745-

9125.1983.tb00250.x

Curry, T., Lee, G., & Rodriguez, F. (2004). Does victim gender increase sentence

    severity? Further explorations of gender dynamics and sentencing outcomes.

    Crime & Delinquency. 50, 319-343. https://doi.org/10.1177/0011128703256265

Daly, K. (1987a). Structure and practice of familial-based justice in a criminal court. *Law*

    & Society Review, 21(2), 267–290. https://doi.org/10.2307/3053522

Daly, K. (1987b). Discrimination in the criminal courts: family, gender, and the problem

    of equal treatment. *Social Forces, 66*(1), 152–175.

    https://doi.org/10.2307/2578905

Daly, K. (1989). Neither conflict for labeling nor paternalism will suffice: Intersections

    of race, ethnicity, gender, and family in criminal court decisions. *Crime &*

    Delinquency, 35(1), 136–168. https://doi.org/10.1177/0011128789035001007

Daly, K. (1995). Gender and sentencing: What we know and don't know from empirical

    research. *Federal Sentencing Reporter, 8*(3), 163-168.

    https://doi.org/10.2307/20639882

Daly, K. & Tonry, M. (1997). Gender, Race, and Sentencing. Crime and Justice 22 201-

    252. https://doi.org/10.1086/449263

Davidson, M., & Rosky, J. (2015). Dangerousness or diminished capacity? Exploring the

    association of gender and mental illness with violent offense sentence length.

    American Journal of Criminal Justice, 40(2), 353-376.

    https://doi.org/10.1007/s12103-014-9267-1

Denno, D. (1994). Gender, Crime, and the Criminal Law Defenses. *Journal of Criminal*

Law and Criminology, 85 (1), pp. 80-180. https://doi.org/10.2307/1144115

de Lima TJS, Pereira CR, Rosas Torres AR, Cunha de Souza LE, & Albuquerque IM.
(2019). Black people are convicted more for being black than for being poor: The
role of social norms and cultural prejudice on biased racial judgments. *PLoS
ONE*, 14(9): e0222874. https://doi.org/10.1371/journal.pone.0222874

de Vogel & De Spa. (2019). Gender differences in violent offending: results from a
multicenter comparison study in Dutch forensic psychiatry. *Psychology, Crime &
Law, 25*(7), 739-751. https://doi.org/10.1080/1068316X.2018.1556267

Dimitrov, D., & Rumrill, Jr, P. (2003). Pretest-posttest designs and measurement of
change. *Work: A Journal of Prevention, Assessment and Rehabilitation 20*(2),
159-165. https://www.researchgate.net/publication/10826237_Pretest-
Posttest_Designs_and_Measurement_of_Change

Doerner, J. K. (2009). *Explaining the gender gap in sentencing outcomes: An
investigation of differential treatment in U.S. federal courts* (Doctoral dissertation,
Bowling Green State University). https://scholarworks.bgsu.edu/sociology_diss/8

Durkheim, E. (1973). Two Laws of Penal Evolution. *Economy and Society 2*(3):285-308.
https://doi.org/10.1080/03085147300000014

Eisner, J. (2001, May 10). Raped by the numbers: Outdated definition used by FBI is a
source of injustice. *Philadelphia Inquirer*.
https://archive.commondreams.org/views01/0510-01.htm

Embry, R. & Lyons. P. (2012). Sex-Based Sentencing: Sentencing Discrepancies
Between Male and Female Sex Offenders. *Feminist Criminology, 7*(2), 146–162.

https://doi.org/10.1177/1557085111430214

Engen, R., Gainey, R., Crutchfield, R., & Weis, J. (2003). Discretion and Disparity under Sentencing Guidelines: The Role of Departures and structured sentencing alternatives. *Criminology, 41*(1), 99–130. https://doi.org/10.1111/j.1745-9125.2003.tb00983

Etienne M. (2010). Sentencing women: Reassessing the claims of disparity. *Journal of Gender, Race, & Justice, 14,* 73-84. http://heinonline.org/HOL/LandingPage?handle=hein.journals/jgrj14&div=6&id=&page

Farnworth, M. & Horan, P. (1980). Separate justice: An analysis of race differences in court processes. *Social Science Research, 9*(4), 381-99. https://doi.org/10.1016/s0049-089x(80)80004-4

Farnworth, M., Teske., R. & Thurman, G. (1991). Ethnic, racial and minority disparity in felony court processing. In M. J. Lynch & E. B. Patterson (Eds.), *Race and criminal justice* (pp. 123-134. New York: Harrow and Heston.

Farrell, A., Ward, G., & Rousseau, D. (2010). Intersections of gender and race in federal Sentencing: Examining Court Contexts and the Effects of Representative Court Authorities. *Journal of Gender, Race and Justice*, 14(1), 85. Retrieved from http://ic.galegroup.com/ic/ovic/MagazinesDetailsPage/MagazinesDetailsWindow?zid=6e6d91f3a56e8218907c56dd4475a3&action=2&catId=&documentId=GALE%7CA258445995&userGropame=lnoca_chuh&source=Bookmark&u=lnoca_chuh&jsid=525f3330989924a5b1ff9c36a8bd730

Farrington, D. & Morris, A. (1983). Sex, Sentencing and Reconviction. British Journal of Criminology, 23, 229-248.

Field, A. (2009) Discovering Statistics Using SPSS. 3rd Edition, Sage Publications Ltd., London.

Fins, D. (2009) Death Row USA. Winter 2009. NAACP Legal Defense and Educational Fund, Inc. Retrieved from http://www.naacpldf.org/content/pdf/pubs/drusa/DRUSA_Winter_2009.pdf

Frankfort-Nachmias, C., Nachmias, D., & DeWarrd, J. (2015). Research methods in the social Sciences (8th ed.). Worth Publishers.

Freiburger, T. (2009). The effects of gender, family status, and race on sentencing decisions. *Behavior Sciences and the Law, 28,* 378–395. https://doi.org/10.1002/bsl.901

Freiburger, T. (2011). The impact of gender, offense type, and familial role on the decision to incarcerate. *Social Justice Research, 24*(2), 143-167. https://doi.org/10.1007/s11211-011-0133-8

Freiburger, T. & Hilinski, C. (2013). An examination of the interactions of race and gender on sentencing decisions using a trichotomous dependent variable. *Crime and Delinquency, 59,* 56-83.

Gall, M., Gall, J., & Borg, W. (2010). *Educational research: An introduction* (8th ed.). Pearson Education.

Gaub, J., & Holtfreter, K. (2015). New directions in intersections, inequality, and sentencing. *Women & Criminal Justice, 25*(5), 298-312.

https://doi.org/10.1080/08974454.2014.989299

Giacopassi, D., & Dull, T. (1986). Gender and racial differences in the acceptance of rape

myths within college population. *Sex Roles, 15*(1/2), 63- 75.

https://doi.org/10.1007/BF00287532

Green, S., & Salkind, N. (2014). *Using SPSS for Windows and Macintosh: Analyzing and*

understanding data (7th ed.). Pearson.

Greenburg, D. F. (2002). Striking out in democracy. *Punishment & Society, 4*(2), 237-

252. https://doi.org/10.1177/14624740222228563

Greenfield, L., & Snell, T. (1999). Women offenders. U.S. Department of Justice.

https://www.bjs.gov/content/pub/pdf/wo.pdf

Gruhl, J., Welch, S., & Spohn, C. (1984). Women as criminal defendants: A test for

paternalism. *Western Political Science Quarterly, 37*(3), 456-467.

https://doi.org/10.1177/106591298403700308

Hagan, J. (1974). Extra-legal Attributes and Criminal Sentencing: An Assessment of a

Sociological Viewpoint, 8:357

Haghighi, B. & Lopez, A. (1998). Gender and Perception of Prisons and Prisoners. 26(6),

453–464, 1998. Retrieved from

http://www.sciencedirect.com/science/article/pii/S0047-2352(98)00023-3

Hamilton, L. (1992). Regression with graphics: A second course in applied statistics.

Pacific Grove , CA : Brooks/Cole.

Harris, C., Steffensmeier, D., Ulmer, J., & Painter-Davis, N. (2009). Are Blacks and

Hispanics Disproportionately Incarcerated Relative to Their Arrests? Racial and

Ethnic Disproportionality Between Arrest and Incarceration. *Race and Social Problems, 1*. 187-199. https://doi.org/10.1007/s12552-009-9019-x.

Harper, R. L., Harper, G. C., & Stockdale, J. E. (2000). The role of sentencing of women in drug trafficking crime. Legal and Criminological Psychology, 7(1), 101–115.

Hart, T. C., & Reaves, B. A. (1999). Felony defendants in large urban counties, 1996. Washington, DC:

Hegger, J. (2015). How gender affects offenders and officers in the criminal justice. *Corrections1*. https://www.corrections1.com/corrections/articles/how-gender-affects-offenders-and-officers-in-the-criminal-justice-system-PwFJdizCQQbwNaIo/

Hennings, K., Jones, A., & Holdford, R. (2003). Treatment Needs of Women Arrested for Domestic Violence A Comparison with Male Offenders. Journal of Interpersonal Violence. 18(8), 839-856. DOI: 10.1177/0886260503253876

Hofer, P., Loeffler, C., Blackwell, K., & Valentino, P. (2004). *Fifteen years of guidelines sentencing: An assessment of how well the federal criminal justice system is achieving the goals of sentencing reform.* United States Sentencing Commission. https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-projects-and-surveys/miscellaneous/15-year-study/15_year_study_full.pdf

Holmes, M.D., Hosch, H.M., Daudistel, H.D., Perez, D.A., & Graves, J.B. (1996). Ethnicity, legal resources, and felony dispositions in two southwestern jurisdictions. *Justice Quarterly, 13*(1), 11-30. https://doi.org/10.1080/07418829600092801

Houlé. K. (2008, March). *Mental illness and the death penalty resource guide.* Texas

Coalition Against the Death Penalty.

http://www.worldcoalition.org/resourcecentre/document/id/1413988596

Hurwitz, J., & Peffley, M. (2010). And Justice for Some: Race, Crime, and Punishment in

the US Criminal Justice System. *Canadian Journal of Political Science, 43*(2), p.

457-479. https://doi.org/10.1017/S0008423910000120

Ingram, H., & Schneider, A. (2005). Public policy and the social construction of

deservedness. *In A Scheider & H. Ingram (Eds.), Deserving and entitled: Social

constructions and public policy (pp. 1–34)*. State University of New York Press.

https://www.sunypress.edu/pdf/61060.pdf

Ingram, H., Schneider, A., & DeLeon, P. (2007). Social construction and policy design.

In P. A. Sabatier (Ed.), *Theories of the policy process* (2nd ed.). Westview Press

James, N. (2015). *Offender reentry: Correctional statistics, reintegration into the

community, and recidivism.* Correctional Research Service.

https://fas.org/sgp/crs/misc/RL34287.pdf

Jefferies, S. (2001). Gender judgments: an investigation of gender differentiation in

sentencing and remand in New Zealand. *Sociology.*

http://dx.doi.org/10.26021/4001

Jefferies, S., Fletcher, G., & Newbold, G. (2003). Pathways to sex- based differentiation

in criminal court sentencing. *Criminology, 41*(2), 329-354.

https://doi.org/10.1111/j.1745-9125.2003.tb00990

Johnson, B. (2003). Racial and ethnic disparities in sentencing departures across modes

of convictions. *Criminology, 41*(2), 449-489. https://doi.org/10.1111/j.1745-9125.2003.tb00994.x

Kamalu, N., Coulson-Clark, M., & Kamalu, N. (2010). Racial Disparities in Sentencing: Implications for the criminal justice system and the African American Community. *African Journal of Criminology & Justice Studies*, 4(1), 3-8.

Kansal, T. (2005). Racial disparity in sentencing: A review of the literature. Retrieved from http://www.sentencingproject.org/pdfs/disparity.pdf

Kansal, T. (2010). Racial disparities in sentencing. Retrieved from www.sentencingproject.org

Kaufman, I. (1960). Sentencing: The judge's problem. Retrieved from http://www.theatlantic.com/past/docs/unbound/flashbks/death/kaufman.htm

Kennard, J. (2014, June 25), Intimate Partner Violence Against Men: Men as Victims of Abusive Relationships. Retrieved from http://menshealth.about.com/od/relationships/a/Battered_Men.htm

Kennedy, H. (2005). Why is the criminal justice system still skewed against women? Retrieved from http://www.theguardian.com/uk/2005/mar/10/ukcrime.gender

Knapp Commission Report. (2008). The Knapp Commission report on police corruption. New York, NY: Braziller Stacks.

Koons-Witt, B. A., Sevigny, E. L., Burrow, J. D., & Hester, R. (2014). Gender and sentencing outcomes in South Carolina: Examining the interactions with race, age, and offense type. Criminal Justice Policy Review, 25(3) 299 –324

Koons-Witt, B.A. (2009). Equal justice versus Individualized justice: Discretion and the

Current State of Sentencing Guidelines, Criminology & Public Policy, 8, 2

Kruttschnitt, C. (1984). Sex and criminal court dispositions: The unresolved controversy. Research in Crime and Delinquency. 21(3), 213–232.

Kruttschnitt, C. (1981). Social Status and Sentences of Female Offenders. *Law and Society Review,* 15, 247-265.

Kruttschnitt, C. (1982a). Women, Crime, and Dependency: An Application of the Theory of Law. Criminology 19, 495-513.

Kruttschnitt, C. (1982b). Respectable Women and the Law. Sociological Quarterly 23(2), 221- 234.

Kruttschnitt, C., and D. Green. (1984). The Sex Sanctioning Issue: Is It History? *American Sociological Review*, 49, 541-551.

Kruttschnitt, C., & McCarthy, D. (1985). Familial social control and pretrial sanctions: Does sex really matter? Criminal Law and Criminology, 76, 151–175.

Latessa, E. (2012). Why work is important, and how to improve the effectiveness of correctional reentry programs that target employment. *Criminology and Public Policy, 11*(1), 87–91. doi:10.1111/j.1745-9133.2012.00790.x

Laureate Education. (2010). Overview of quantitative research methods. Baltimore, MD: Author. Retrieved from http://streaming.waldenu.edu/hdp/researchtutorials/quantitative/index.html

Levin, D., Langan, P., Greenfeild, L., Smith, S., & Durose, M. (February 2001). Contacts between Police and the Public: Findings from the 1999 National Survey. U.S. Department of Justice. https://www.bjs.gov/content/pub/pdf/cpp99.pdf

Lewis-Beck, M. S. (1980). Applied regression: An introduction. Newbury Park, CA: Sage Publications.

Lotz, R., & Hewitt, J. (1977). The influence of legally irrelevant factors on felony sentencing. Sociological Inquiry, 47, 39–48.

Mackenzie, D. (2001, July 1). Sentencing and Corrections in the 21st Century: Setting the Stage for the Future. Retrieved from https://www.ncjrs.gov/pdffiles1/nij/1891062.pdf.

Mainous, A., & Hueston, W. (1997). Using other people's data: The ins and outs of secondary data analysis. *Family Medicine, 29*(8):568–571.

Mann, C. (1984). Race and Sentencing of Female Felons: A Field Study. *International Journal of Women's Studies*, 7, 160–172.

Mauer, M. (2007). The hidden problem of time served in prison. Social Research,74(2), 701-706

Mauer, M. (2011). Addressing racial disparities in incarceration. The Prison Journal, Supplement to 91(3), 87S-101S. doi:10.1177/0032885511415227

Mauer, M. (2014, July). Fewer prisoners, less crime: A tale of three states. *The Sentencing Project.* http://sentencingproject.org/doc/publications/inc_Fewer_Prisoners_Less_Crime

McNamara, M. (2006, July 26). Andrea Yates Found Not Guilty by Reason of Insanity; Will Be Committed to State Mental Hospital. Retrieved from http://www.cbsnews.com/stories/2006/07/26/national/main1837248.shtml

Meithe, T., & Moore, C. (1996). Racial differences in criminal processing: The

consequences of model selection on conclusions about differential treatment. *Sociological Quarterly, 27*, 217-37. https://doi.org/10.1111/j.1533-8525.1986.tb00258.x

Men Stuff. (2005). Crime. Gender Bias Okayed by Circuit Court. Retrieved from http://www.menstuff.org/issues/byissue/crime.html

Messing, J., & Heeren, J. (2009). Gendered justice: Domestic homicide and the death penalty. *Feminist Criminology, 4*(2), 170–188. https://doi.org/10.1177/1557085108327657

Merlo, A., & Pollock, J. (1995). *Women, law, and social control.* Allyn and Bacon.

Merriam-Webster. (2003). Merriam-Webster's collegiate dictionary (11th ed.). https://www.merriam-webster.com/dictionary/gender

Miller, A. (2015). *The effects of gender, race, and age on judicial sentencing decisions* (Master's thesis, East Tennessee State University). http://dc.etsu.edu/cgi/viewcontent.cgi?article=3922&context=etd

Minkes, J. & Vanstone, M. (2006). Gender, race and the death penalty: Lessons from three 1950s murder trials. *Howard Journal 45*(4). pp. 403-420. https://doi.org/10.1111/j.1468-2311.2006.00431.x

Montaldo, C. (2004). Women on death Row- Most Killed their Children, Husbands. Retrieved from http://crime.about.com/od/female_offenders/a/row_women.htm

Moore, S., Harris, R. McDougall, C., & Clarbour, J. (2003). Male and female reasoning biases and offending behavior. Journal of Criminal Justice, 31(6), 497– 509. DOI: 10.1016/j.jcrimjus.2003.08.007

Mumola, C. J. (2000). *Incarcerated parents and their children* (Bureau of Justice

    Statistics Special Report NCJ 182335). https://eric.ed.gov/?id=ED448903

Nagel, I., & Johnson, B. (1994). The role of gender in a structured sentencing system:

    Equal treatment, policy choices, and the sentencing of female offenders under the

    United States sentencing guidelines. *Journal of Criminal Law and Criminology,*

    85(1).

    http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=6809

    &context=jclc

National Institute on Drug Abuse. (2012). Epidemiologic trends in drug abuse, in

    Proceedings of the Community Epidemiology Work Group. Bethesda, MD:

    National Institute on Drug Abuse.

Omonigho U., & Davis E. (2013). Effects of offenders' physical attraction and sex on the

    severity of sentencing decisions. *African Journal for the Psychological Studies of*

    Social Issues, 16(1). http://ajpssi.org/index.php/ajpssi/article/view/9/pdf_36

Ostrom, C., Ostrom, B., Kleiman, M. (2003). Judges and Discrimination: Assessing the

    Theory and Practice of Criminal Sentencing.

    https://www.ojp.gov/pdffiles1/nij/grants/204024.pdf

Paternoster, R., Brame, R., Bachman, R., & Sherman, L. (1997). Do fair procedures

    matter? The effect of procedural justice on spouse assault. *Law & Society Review,*

    31(1), 163–204. https://doi.org/10.2307/3054098

Paternoster, R., Brame, R., Mazerolle, P., & Piquero, A. (1998). Using the correct

    statistical test for the quality of regression coefficients. *Criminology, 36*(4), 859–

866. https://doi.org/10.1111/j.1745-9125.1998.tb01268.x

Pennsylvania Department of Corrections. (2004). 2004 Annual Statistics Report

    Retrieved from http://www.cor.state.pa.us/stats/lib/stats/anrpt04.pdf.

Peterson, R., & Hagan, J. (1984). Changing Conceptions of Race: Towards an Account of

    Anomalous findings of Sentencing Research. *American Sociological Review*, 49,

    56–70.

Pierce, J., Siddiki, S., Jones, M., Schumacher, K., Pattison, A., & Peterson, H. L. (2014).

    Social construction and policy design: A review of past applications. *Policy*

    Studies Journal, 42, 1-29. https://doi.org/10.1111/PSJ.12040

Player, E. (2012). Sentencing women: Towards gender equality. In L. Zednar & J. V.

    Roberts (Eds.) *Principles and values in criminal law and criminal justice.* Oxford

    University Press. https://doi.org/10.1093/acprof:oso/9780199696796.003.0015

Rehavi, M. & Starr, S. (2014). Racial Disparity in Federal Criminal Sentences. *Journal of*

    Political Economy, 122(6) 1320-1354.

    https://repository.law.umich.edu/cgi/viewcontent.cgi?article=2413&context=articl

    es

Renzetti. C.M. (2010). Feminist theories. *Oxford bibliographies online: Criminology.*

    Oxford University Press. https://doi.org/10.1093/OBO/9780195396607-0013

Richardson, R. L. (2015). Refocusing on gender: Can focal concerns theory explain

    gender disparity in sentencing outcomes? Retrieved from https://search-proquest-

    com.ezp.waldenulibrary.org/docview/1707944572?accountid=14872

Roberts, D. (1994). The Meaning of Gender Equality in Criminal Law. Journal of

Criminal Law and Criminology. 85 (1), p. 8-12. Retrieved from

http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=680&

context=jclc

Roberts, C. (2010). *The dissertation journeys.* Sage.

Rodriguez, F., Curry, T., & Lee, G. (2006). Gender differences in criminal sentencing:

Do effects vary across violent, property, and drug offenses? *Social Science*

Quarterly, 87(2), 318–339. https://doi.org/10.1111/j.1540-6237.2006.00383.x

Rubenstein, L. (2004). What is Battered Woman's Syndrome? Retrieved from

http://www.divorcenet.com/states/oregon/or_art02

Rosich, K. 2007. Race, Ethnicity, and the Criminal Justice System. *American*

Sociological Association.

https://www.asanet.org/sites/default/files/savvy/images/press/docs/pdf/ASARace

Crime.pdf

Rueter, T. (1996). Why Women Aren't Executed: Gender Bias and the Death Penalty.

Fall 1996, Vol. 23, No. 4, p.10-11. As published in Human Rights. Retrieved

from http://www.abanet.org/irr/hr/fall96/genderbias.html

Sabatier, P., & Weible, C. (2014). Theories of the policy process (3rd ed.). Boulder, CO:

Westview Press. ISBN: 978-0-8133-4926-8

Sarnikar, S., Sorensen, T. & Oaxaca, R. (2007). *Do you receive a lighter prison sentence*

because you are a woman? An economic analysis of federal criminal sentencing

guidelines (Institute for the Study of Labor Report IZA DP No. 2870).

http://ftp.iza.org/dp2870.pdf

Satterfield, J. (2013). Killer Christa Gail Pike Asks Federal Court to Block her execution: Argues Court Violated her Rights. Retrieved from http://www.knoxnews.com/news/local-news/killer-christa-gail-pike-asksfedcourt-to-block

Schafer, J., Huebner, B., & Bynum, T. (2006). Fear of crime and criminal victimization: Gender-based contrasts. Journal of Criminal Justice, 34(3), 285-301 DOI: 10.1016/j.jcrimjus.2006.03.003

Schäfer, T., & Schwarz, M. (2019). The Meaningfulness of Effect Sizes in Psychological Research: Differences Between Sub-Disciplines and the Impact of Potential Biases Psychol., https://doi.org/10.3389/fpsyg.2019.00813

Schneider, A., & Ingram, H. (1993). Social Construction of Target Population: Implication for Politics and Policy. The American Political Science Review, 87(2), 334-347. DOI: 10.2307/2939044

Schneider, A., & Ingram, H. (1997). Policy Design for Democracy. University of Kansas Press. Retrieved from https://www.researchgate.net/publication/247200442_Policy_Design_For_Democracy

Scott, J. (2010). Quantitative methods and gender inequalities. *International Journal of Social Research Methodology, 13*(3), 223–236. https://www.repository.cam.ac.uk/bitstream/handle/1810/242172/JS%20feminism%20counts%20%20517912_915549850_922955097.pdf?sequence=1&isAllowed=y

Sedghi, A. (2012, November 22). Women and the criminal justice system: What do the
latest statistics show? *The Guardian Data Blog*.
https://www.theguardian.com/news/datablog/2012/nov/22/women-criminal-
justice-system-statistics-representation

Seelau, E., Seelau, S., & Poorman, P.. (2003). Gender and role- based perception of
domestic abuse: Does sexual orientation matter? *Behavioral Sciences and the
Law, 21*(2), 199–214. https://doi.orb/10.1002/bsl.524

Sentencing Project (2018, April). Report to the United Nations on Racial Disparities in
the U.S. *Criminal Justice System*. Retrieved from
https://www.sentencingproject.org/publications/un-report-on-racial-disparities/

Shuttleworth, M. (2008). *Quantitative Research Design*. Retrieved from
https://explorable.com/quantitative-research-designfactors

Shuttleworth, M. (2009). Types of Validity. Retrieved from https://explorable.com/types
ofvalidity?gid=1579

Simmons, A. (2006, January 13). Backup of female sex offenders drawing increased
scrutiny. *Los Angeles Times.*
http://www.csudh.edu/dearhabermas/sexoffend01bbk.htm

Spohn, C. (1999). Gender and sentencing of drug offenders: Is chivalry dead? *Criminal
Justice Policy Review, 9*(3-4), 365–399.
https://doi.org/10.1177/088740349900900305

Spohn, C. (2000). Thirty years of sentencing reform: The quest for a racially neutral
sentencing process. In J. Horney (Ed.), *Criminal justice 2000, Vol. 3: Policies,*

processes, and decisions of the criminal justice system. National Institute of

Justice. http://www.justicestudies.com/pubs/livelink3-1.pdf

Spohn, C., & Beichner, D. (2000). Is Preferential Treatment of Felony Offenders a thing

of the Past? A Multisite study of Gender, Race, and Imprisonment. (2), 149–184.

Spohn, C., & Holleran, D. (2002). The effect of imprisonment on recidivism rates of 211

Felony Offenders. *Criminology*, 40(2), 329-357. doi:10.1111/j.1745-

9125.2002.tb00959.x

Spohn, C., Welch, S., & Gruhl, J. (1985, March). Women defendants in court: The

Interaction between Sex and Race in Convicting and Sentencing. *Social Science

Quarterly*, 66, 178–185.

Stacey, A. & Spohn, C. (2006). Gender and the Social Costs of Sentencing: An Analysis

of Sentences Imposed on Male and Female Offenders in Three U.S. District

Courts. Retrieved from https://doi.org/10.15779/Z38F32G\

Starr, S. (2012). Estimating gender disparities in federal cases (Law & Economics

Working Paper 57, University of Michigan Law School Scholarship Repository).

http://repository.law.umich.edu/cgi/viewcontent.cgi?article=1164&context=law_e

con_current

Statistics Solutions. (2021). Conduct and Interpret a One-Way ANCOVA.

https://www.statisticssolutions.com/one-way-ancova/

Steffensmeier, D. (1980). Assessing the Impact of the Women's Movement on Sex-based

Differences in the Handling of Adult Criminal Defendants. *Crime & Delinquency*.

26(3), 344–358.

Steffensmeier, D. J., & Faulkner, G. L. (1978). Defendant's Parental Status as Affecting

    Judge's Behavior: An Experimental test. Psychological Reports, 42, 939–945.

Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The interaction of race, gender and age

    in criminal sentencing: The punishment cost of being young, black and male.

    Criminology, 36(4), 763-797. Retrieved from https://search-proquest

    com.ezp.waldenulibrary.org/docview/220709245?accountid=14872

Steffensmeier, D., & Demuth, S. (2006). Does Gender Modify the Effects of Race

    Ethnicity on Criminal Sentence? Sentences for Male and Female, White, Black,

    and Hispanic Defendants. *Journal of Quantitative Criminology.* 22, 241–261.

Steffensmeier, D., Kramer, J., & Streifel, C. (1993). Gender and imprisonment decisions.

    Criminology, 31(3), 411–446. https://doi.org/10.1111/j.1745-

    9125.1993.tb01136.x

Steffensmeier, D., Kramer, J., & Ulmer, J. (1995). Age differences in sentencing. *Justice*

    *Quarterly, 12,*583–602. https://doi.org/10.1080/07418829500096151

Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The interaction of race, gender, and

    age in criminal sentencing: The punishment cost of being young, black, and male.

    Criminology, 36(4), 763–797.

    http://www.ncids.org/systems%20evaluation%20project/caseoutcome/research/St

    effensmeier.pdf

Steffensmeier, D., and Demuth, S. (2000). Ethnicity and sentencing outcomes in U.S.

    federal courts: Who is punished more harshly? *American Sociological Review,* 65,

    705-729. https://doi.org/10.2307/2657543

Steffensmeier, D., and Demuth, S. (2001). Ethnicity and judge's sentencing decisions Hispanic-Black-White comparisons. *Criminology, 39*(1), 145-178. https://doi.org/10.1111/j.1745-9125.2001.tb00919.x

Steffensmeier, D., and Kramer, J. (1982). Sex-Based Differences in the Sentencing of Adult Criminal Defendants. *Sociology and Social Research 66*(3), 289-304.

Steffensmeier, D., and Motivans, M. (2000). Older Men and Older Women in the Arm of Criminal Law: Offending Patterns and Sentencing Outcomes. 55, 141-151.

Stewart, E., Warren, P., Hughes, C., & Brunson, R. (2020). Race, Ethnicity, and Criminal Justice Contact: Reflections for Future Research. Race and Justice, 10(2), 119–149. https://doi.org/10.1177/2153368717738090

Stewart, S. (2019). Impact of Mandatory Sentencing Policies on Alabama's Prison Populations. Retrieved from https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?article=8477&context=dissertations

Stringer, E. (2020). Managing Motherhood: How Incarcerated Mothers Negotiate Maternal Role-Identities with Their Children's Caregivers. *Women & Criminal Justice 30*(5), 336-355. https://doi.org/10.1080/08974454.2020.1750538

Strauch, A. (1999). Men and Women: Equal Yet Different. Who authored Biblical Eldership? Retrieved from http://www.peacemakers.net/resources/strauch/eyd.htm

Subramanian, R., & Delaney, R. (2014). Playbook for change? States reconsider mandatory Sentences. federal sentencing reporter. 26(3), 198-211.

https://doi.org/10.1525/fsr.2014.26.3.198

Sun, I., & Wu, Y. (2006). Citizens' perceptions of the courts: The impact of race, gender,

and recent experience. *Journal of Criminal Justice, 34*(5), 457–467.

https://doi.org/10.1016/j.jcrimjus.2006.09.001

New York City Alliance Against Sexual Assault. (2000- 2009). Male Survivors of Sexual

Assault. Retrieved from

http://www.nycagainstrape.org/faq_category_singlepage_101.html#101

The Sentencing Project (2018, April 19). Report to the United Nations on Racial

Disparities in the U.S. Criminal Justice System. Retrieved from

https://www.sentencingproject.org/publications/un-report-on-racial-disparities/

Tiede, L. (2009). The Impact of the Federal Sentencing Guidelines and Reform: A

Comparative Analysis. *The Justice System Journal, 30(1),* 34-49. Taylor &

Francis, Ltd.

Tomsich, E., Richards, T., & Gover, A. (2014). A review of sex disparities in the "key

players" of the capital punishment process. *American Journal of Criminal Justice,

39*(4), 732-752. https://doi.org/10.1007/s12103-014-9266-2

Tonry, M. (1993). Sentencing guidelines and Their efforts. *Crime and Justice, 17*, 137-195.

University of Chicago Press

Travis III, F. (2012). Introduction to criminal justice. 7th edition. Burlington, MA:

Anderson Publishing.

Trochim, W. (2006). External validity. *The Research Methods Knowledge Base.*

Retrieved from http://www.socialresearchmethods.net/kb/external.php.

Turner, M. G., & Sundt, J. L. (1995). `Three strikes and you're out' legislation: A national assessment. Federal Probation, 59(3), 16.

Tyler, T. R. (1988). What is procedural justice? Criteria used by citizens to assess the fairness of legal procedures. Law & Society Review, 22(1), 103–135.

Tyler, T. R. (2003). Procedural justice, legitimacy, and the effective rule of the law. Law and Society Review, 22(1), 103–136.

Tyler, T., & Caine, A. (1981). The influence of outcome and procedures on satisfaction with formal leaders. Journal of Personality and Social Psychology, 41(4), 642–655.

Ulmer, J., & Johnson, B. (2004). Sentencing in context: A multilevel analysis. *Criminology, 42,* 137–178. https://doi.9rg/10.1111/j.1745-9125.2004.tb00516.x

Ulmer, J., & Kramer, J. (1996). Court communities under sentencing guidelines: Dilemmas of formal Rationality and Sentencing Disparities. *Criminology*, 34, 383–407. doi.org/10.1111/j.1745-9125.1996.tb01212.x

United States Census Bureau. (2011). State & County Quick facts: Allegany County, N.Y. Retrieved from https://www.census.gov/quickfacts/alleganycountynewyork

United States Sentencing Commission. (2012). Demographic Differences in Sentencing: Retrieved from https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2017/20171114_Demographics.pdf

Visher, A. (1983). Gender, Police Arrest Decisions, and Notions of Chivalry *Criminology*. https://doi.org/10.1111/j.1745-9125.1983.tb00248.x

Walden University. (2010). Research design: Some thoughts on the research process.

Minneapolis, MN: Walden University.

Walker, S., Spohn, C., & Deleon, M. (2012). *Color of justice: Race, ethnicity, and crime in America* (5th ed.). Wadsworth Publishing.

Walsh, A. (1985). The role of the probation officer in the sentencing process: Independent professional or judicial hack? Criminal Justice and Behavior, 12(3), 289–303.

Williams, J. (2003). Criminal justice policy innovation in the states. Criminal Justice Policy Review, 14(3), 401-422. doi:10.1177/0887403403252456

Younus, J. (2015, August 7). *Gender Bias in the Criminal Justice System*. Retrieved from http://tribune.com.pk/story/933503/gender-bias-in-the-criminaljusticesystem/insert

Zatz, N. (2012). Introduction: Working group on the future of systemic disparate treatment law (UCLA School of Law Research Paper No. 12-06). *Journal of Employment & Labor Law, 32,* 387. https://ssrn.com/abstract=2016430

Zatz, M. S. (2000). The convergence of race, ethnicity, gender, and class in court decision making: Looking toward the 21st century. In J. Horney (Ed.), *Criminal justice 2000, Vol. 3: Policies, processes, and decisions of the criminal justice system* (pp. 503–552). National Institute of Justice https://www.ncjrs.gov/criminal_justice2000/vol_3/03j.pdf