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Gender and Sentencing Outcomes in South Carolina: Examining the Interactions With Race, Age, and Offense Type

Barbara A. Koons-Witt[1], Eric L. Sevigny[1], John D. Burrow[1], and Rhys Hester[2]

Abstract

Despite sentencing reforms over the last few decades, many states failed to introduce guidelines, including South Carolina. The present article uses data collected from the now disbanded South Carolina Sentencing Commission (1982 to 2003) in order to assess the influence of gender, age, race, and type of crime. We found that females were consistently sentenced more leniently than were similarly situated males. Interactions between gender and the other variables, however, failed to gain significance with the exception of gender and offense type for the sentence length decision. Interestingly, we found a significant interaction between gender and offense severity level for both sentencing outcomes and criminal history for the incarceration decision. We discuss the implications of these findings in the event that South Carolina would have adopted sentencing guidelines.

Keywords

gender, race, offense type, sentencing outcomes, focal concerns

In part due to the dramatic growth of the female incarcerated population since the 1980s and also sweeping sentencing reforms beginning in the late 1970s, the extant literature involving studies of gender and sentencing outcomes continues to grow.

[1]University of South Carolina, Columbia, SC, USA
[2]Appalachian State University, Boone, NC, USA

Corresponding Author:
Barbara Koons-Witt, Department of Criminology and Criminal Justice, Currell College, University of South Carolina, Columbia, SC 29208, USA.
Email: bakoons@mailbox.sc.edu

Sentencing studies generally find evidence that women are treated more leniently when compared to men (Albonetti, 2012; Daly & Bordt, 1995; Daly & Tonry, 1997; Steffensmeier, Kramer, & Streifel, 1993), particularly for the imprisonment decision (Daly & Bordt, 1995; Farnworth & Teske, 1995; Spohn & Spears, 1997; Steffensmeier et al., 1993; Ulmer & Kramer, 1996), even in jurisdictions with sentencing guidelines (Griffin & Wooldredge, 2006; Nagel & Johnson, 1994; Steffensmeier et al., 1993; Kramer & Ulmer, 2009). Prior research also finds that it is not necessarily enough to be a woman to receive leniency in that other factors may interact with gender to influence sentencing outcomes, including race (Bickle & Peterson, 1991; Spohn, Welch, & Gruhl, 1985; Steffensmeier & Demuth, 2006), age (Bushway & Piehl, 2007; Steffensmeier, Ulmer, & Kramer, 1998), marital and employment status (Crew, 1991; Kruttschnitt, 1980, 1984), motherhood (Bickle & Peterson, 1991; Daly, 1987; Koons-Witt, 2002), and offense type (Daly, 1987; Embry & Lyons, 2012; Rodriguez, Curry, & Lee, 2006; Steffensmeier et al., 1993).

Despite the fact that most states have yet to enact sentencing guidelines (Kauder & Ostrom, 2008), the vast majority of contemporary sentencing research has been conducted in states with determinate or guideline sentencing systems (e.g., Minnesota, Pennsylvania, Washington, federal system), focusing on whether sentencing reforms have reduced unwarranted disparity, slowed prison growth, or achieved other prescribed goals (Griffin & Wooldredge, 2006; Koons-Witt, 2002; Marvell, 1995; Marvell & Moody, 1996; Mustard, 2001). Research from unstructured sentencing states are substantially fewer in number, and gender-based sentencing studies in these jurisdictions are even more limited (see, for example, Rodriguez et al., 2006). The current study therefore considers sentencing practices in South Carolina, a state where judges continue to enjoy wide latitude in making sentencing decisions, constrained only by statutory limits.

The current study contributes to the sentencing literature in several key respects. First, as already noted, this study considers practices in an unstructured sentencing state. Although South Carolina maintained an active sentencing commission that studied and pursued sentencing guidelines over a period of more than two decades, this effort ultimately failed to gain the requisite political support and the commission was disbanded for good in 2004 (South Carolina Sentencing Guidelines Commission, n.d.). Because of the state's geographic location, history of race relations, and conservative views of women, South Carolina provides a particularly suitable modern context for exploring gender-based sentencing practices and outcomes. Second, while the sentencing literature is vast, few studies have been conducted in South Carolina. Previous research in the state has considered more narrowly focused sentencing issues including drug courts (Barnes, Miller, & Miller, 2009; Miller & Shutt, 2001), domestic violence courts (Gover, MacDonald, & Alpert, 2003), and death penalty decisions (Paternoster, 1983, 1984; Paternoster & Kazyaka, 1988; Songer & Unah, 2006) but a more broad-based examination of sentencing outcomes in South Carolina has not been done. We believe the current study fills an important gap in the sentencing literature.

In the sections that follow, we first discuss two theoretical frameworks that are used in the sentencing literature to explain the presence of leniency for (some) females. We then review the sentencing literature focusing on the interactive effects of gender in combination with race, age, and offense type. As is the case with gender, we believe that those court officials making decisions at the sentencing stage might rely on stereotypes connected to these characteristics in order to determine "appropriate" sanctions for individuals. Moreover, it is possible that an "appropriate" sentencing outcome decision is in part influenced by how gender, race, age, and the type of crime shape perceptual shortcuts on the part of court officials in making their decisions. Next, we describe sentencing in the state of South Carolina and discuss our data, the independent and dependent measures, and our analytical plan for the current study. Finally, we present our findings and discuss our results as they relate to the existing literature, sentencing policies and practices, and future research.

Theoretical Framework

Researchers often use the chivalry and focal concerns perspectives to explain leniency in the sentencing of women. Chivalry and its complementary perspective, the "evil woman" thesis, are grounded in the notion of traditional gender stereotypes and expectations of women (Koons-Witt, 2002). The chivalry perspective maintains that women should be protected from the criminal justice system (prison in particular) and therefore handled more leniently by the system (Armstrong, 1977; Belknap, 2007; Bickle & Peterson, 1991; Edwards, 1989; Farnworth & Teske, 1995; Franklin & Fearn, 2008; Moulds, 1980). Leniency or preferential treatment is given to women as long as they adhere to traditional definitions of femininity and accepted cultural expectations of "womanhood" such as docility and temperament. The evil woman thesis applies to women who violate expected gender norms and common stereotypes, such as committing robbery or murder or other violent offenses. In these instances women are treated similar to, and sometimes more severely than, their male counterparts (Belknap, 2007; Crew, 1991; Franklin & Fearn, 2008; Rodriguez et al., 2006).

Sentencing researchers have also used Albonetti's (1991) "causal attribution" theory to explain why females might be sentenced more leniently than their male counterparts. Albonetti (1991) draws upon a larger body of literature which suggests that perceptions of criminal behavior may be part of a two-step process that involves both personal and environmental factors. As such, perceptions of dangerousness and even perceptions of punishment may be influenced by stereotypes that are often associated with specific characteristics, often immutable, of offenders. In this instance, perceptions of dangerousness and punishment are likely to be impacted by an offender's gender.

The focal concerns perspective developed by Steffensmeier et al. is another framework commonly used to explain sentencing differences between male and female defendants (Brennan, 2006; Hartley, Maddan, & Spohn, 2007; Spohn & Holleran,

2000; Steffensmeier & Demuth, 2006; Steffensmeier et al., 1998). Because of limited information about defendants and limited time in which to make decisions, judges may sentence defendants based on stereotypes and generalizations. The use of these "perceptual shorthand" approaches, the theory holds, leads judges to process defendants according to their own personal experiences and perceptions of offender seriousness.

Focal concerns theory includes three main components: blameworthiness, dangerousness to the community, and practical constraints and consequences (Steffensmeier et al., 1998). First, judges are concerned about the culpability or blameworthiness of defendants. Given gender stereotypes, judges are likely to view female offenders as being less culpable for their offenses than their male counterparts. Second, judges consider the extent to which defendants present a danger to the community. Again, judges are likely to view male offenders in general as posing more of a threat to community safety than similarly situated female offenders. Finally, focal concerns theory addresses practical constraints or consequences of removing offenders from the community and placing them in prison. Because a large percentage of women are the primary caregivers of dependent children when they are arrested, it follows that judges would be less inclined to incarcerate women and, as a result, separate them from their children.[1] Sentencing women with young children to prison potentially increases both the short- and long-term burdens on the state. Therefore, according to the focal concerns perspective, one would expect females to be treated more leniently than similarly situated males (Steffensmeier et al., 1998).

In summary, multiple theoretical frameworks have been used to examine the issue of sentencing disparity between men and women; however, questions remain as to how they might be applied differently *among* female defendants. For example, how might race, age, and type of crime influence leniency for women and judge's perceptions of culpability, dangerousness, and the practical consequences of sanctioning them to prison? For instance, judges might view Black females as being more culpable for their crimes or they might be perceived as more dangerous than White females and therefore they may be more likely to receive a prison sentence and/or a longer prison term.

Previous Literature

While a common finding in the sentencing literature is that females receive less punitive sentencing decisions than do males, prior research and theory also tells us that sentencing decisions are much more complex than simple gender differences. Prior research and theory tells us that the effects of gender may be linked to other factors such as race, age, family status, and offense type. Some of these factors are associated with traditional gender expectations. More specifically, both women and men under certain conditions might be treated differently than their otherwise similarly situated counterparts. In the sections that follow we focus on the prior literature that looks at the interaction between gender and race, age, and offense type.

Gender and Race/Ethnicity

Some scholars contend that leniency at the sentencing stage (as well as other stages of the legal system) is not necessarily extended to women of color (Brennan, 2006; Bickle & Peterson, 1991; Johnson, 1995; Koons-Witt, 2002; Spohn et al., 1985; Spohn & Spears, 1997; Steffensmeier et al., 1993). While Black females may not represent the same "threat" in terms of their perceived level of violence and offending as their male counterparts, Black women are often treated more harshly than White women by the criminal justice system (Belknap, 2007; Brennan, 2006; Franklin & Fearn, 2008; Rafter, 1990).[2] Young (1986) argues that Black women are treated differently by the criminal justice system based on differing gender expectations. "Good" women who embodied traditional feminine qualities (e.g., passive, gentle, emotional) were in need of protection, whereas women who violated this image or ideal by appearing aggressive, deceitful, nonmaternal, or masculine were deemed "bad" and therefore not worthy of chivalry or protection (Young, 1986). Black females were more often portrayed as falling outside the "good" woman archetype. Moreover, their gender role expectations were not necessarily the same as those for White females (see also Johnson, 1995).

Empirical research has long considered the influence of race on sentencing outcomes, but the literature has been much more limited on the question of whether gender conditions the effects of race (Steffensmeier & Demuth, 2006). The available studies examining the interaction effects of gender and race offer mixed results. In some studies race/ethnicity did not significantly impact sentencing decisions for women, yet did so for decisions concerning men (Kruttschnitt, 1984; Crew 1991; Spohn & Beichner, 2000; Spohn & Spears, 1997; Steffensmeier & Demuth, 2006). Other research found racial differences for both males and females (Steffensmeier et al., 1998). Zatz (2000) suggests that the region of the country is an important factor in differential court processing, with race effects most apparent in the southern region of the United States.

At least three studies have directly addressed the interaction effects of gender and race on sentencing (Spohn & Spears, 1997; Steffensmeier et al., 1998; Steffensmeier & Demuth, 2006). Spohn and Spears (1997) examined the interaction between race (Black vs. White) and gender on a series of case processing decisions. Their analysis found that race was not important in the dismissal decision for either females or males, however race was influential for males in the decision to incarcerate with Black males having a significantly higher likelihood of being sentenced to prison than White males. However, no significant differences were found for females. Steffensmeier et al. (1998) also considered the interaction between gender and race (and age) and found that for both Black and White defendants, females were sentenced more leniently than their male counterparts. In addition, an analysis by gender group found that Black males were sentenced more severely than White males and that Black females were sentenced somewhat more punitively than White females. The race effect for females was not as strong as that found for male defendants.

Finally, Steffensmeier and Demuth (2006) examined the extent to which gender conditioned the influence of race (Black, White, and Hispanic defendants) on the decision to incarcerate and sentence length. First, they found that females of all races were more likely to receive leniency compared to their male counterparts. Second, the authors found no racial differences among female defendants for both sentencing outcomes, although they found that Black and Hispanic males were significantly more likely to be incarcerated and receive longer sentences than similarly situated White males. In sum, it appears that the effects of gender and race on sentencing are complex and that both factors must be understood in relation to each other.

Gender and Age

While virtually all sentencing research controls for age in their analyses, it is seldom the focal point of sentencing studies (for some exceptions see, Bushway & Piehl, 2007; Champion, 1987; Doerner & Demuth, 2010; Spohn & Holleran, 2000; Steffensmeier, Kramer, & Ulmer, 1995; Steffensmeier et al., 1998; Wu & Spohn, 2009). Moreover, most studies that do focus on age look at male defendants (Steffensmeier & Motivans, 2000). For instance, Bushway and Piehl (2007) find that younger defendants are sentenced more punitively than their older counterparts (see also Engen & Gainey, 2000; Spohn, 2000; Ulmer, 2000). Other research contends that there is a curvilinear relationship between age and sentencing decisions, with defendants in their 20s and 30s receiving the harshest sentences and those in the extreme age groups (i.e., youngest and oldest) receiving greater leniency from the courts (Bushway & Piehl, 2007; Doerner & Demuth, 2010; Steffensmeier et al., 1998). Wu and Spohn's (2009) meta-analysis of age and sentencing length studies found a weak association between both measures and no significant effect of age on the sentence length decision.

When researchers examine the effects of age in combination with other factors such as race and gender, they tend to find that young, Black and Hispanic males are treated relatively more punitively by the courts (Kramer & Ulmer, 2009; Steffensmeier et al., 1998; Spohn & Holleran, 2000; Warren, Chiricos, & Bales, 2012). These results suggest that courts tend to view this particular group of offenders as representing the most threat or danger to our communities, and therefore see a stronger need to incarcerate them.

Gender and Offense Type

The type and seriousness of the offense has consistently been found to be one of the strongest predictors of sentencing outcomes (along with criminal history) across jurisdictions with a wide array of sentencing structures (Steffensmeier et al., 1998; Warren et al., 2012). Research generally shows that females commit fewer crimes compared to males and they tend to commit less serious and violent offenses (Belknap, 2007). Females are primarily convicted of nonviolent, property-related offenses and drug

offenses (Bloom, Owen, & Covington, 2004). Criminologists refer to these particular crimes (e.g., check fraud, forgery, shoplifting, petty larceny) as traditional female offenses (Rodriguez et al., 2006; Spohn & Spears, 1997). These crimes are expected from women and they are consistent with gender role expectations and, therefore, these female offenders tend to receive lenient treatment by the courts. Women are less likely to commit violent crimes according to official crime statistics (Britton, 2011), but when they do commit these offenses they likely violate gender stereotypes that subjects them to more severe sanctioning (Franklin & Fearn, 2008; Harper, Harper, & Stockdale, 2002; Rodriguez et al., 2006). As a result, we sometimes find less gender disparity in sentencing for violent crimes (Boritch, 1992; Farnworth & Teske, 1995; Rodriguez et al., 2006; Spohn, 1999). Offense type and severity it seems restrains the discretion of judges and results in greater uniformity in sentencing outcomes for those committing more severe offenses such as murder and robbery (Warren et al., 2012).

Other researchers have found divergent results where women benefitted from leniency for more serious crimes compared to similarly situated men (Spohn & Spears, 1997). For example, Spohn and Spears (1997) found in their analysis of court processing for homicides, robberies, assaults, and other violent felonies that lenient treatment was still provided to women charged and convicted of robbery. This is important given the fact that robbery is viewed to be one of the more "masculine" type crimes (Miller, 1998). In short, the relationship between offense type/seriousness and gender remains unsettled in the sentencing literature and more research is necessary in order to address these inconsistencies.

Research Expectations

In summary, the review of the extant literature points to several unresolved questions in the gender and sentencing research area. First, we know that females generally receive leniency compared to their male counterparts in sentencing research, particularly for the incarceration decision. Therefore, the current study addresses the question, *do females experience leniency compared to similarly situated males for both the incarceration and sentence length decisions*? However, given the state's history of race relations and its conservative views of women, we question whether it is simply enough to be a female in South Carolina in order to receive leniency at the sentencing outcome stage. We believe that it is a more complicated issue in the state, and therefore pose an additional series of questions that examine the interactive effects between gender and several other independent measures as informed by prior research.

Second, prior research has shown that race/ethnicity is influential in the sanctioning of offenders at the sentencing stage. We believe that gender conditions the influence of race on sentencing decisions; thus, we ask *what are the interactive effects of gender and race on both sentencing outcomes?* Third, prior research that considered the effect of age on sentencing outcomes has been limited and inconsistent. Our review failed to provide a clear understanding of the relationship between age and incarceration and sentencing length decisions. As a result, we felt it important to explore the possible

conditioning effect of gender and age on sentencing outcomes asking *what are the interactive effects of gender and age on the incarceration and sentencing length decisions*? Finally, we considered the relationship between gender, offense type, and sentencing outcomes. Much of the literature suggests that women who commit crimes that are nontraditional and inconsistent with stereotypes of femininity (i.e., violent offenses) will be dealt with in a punitive manner and sentenced similar to men. We also expected that women who committed serious crimes would be sentenced more severely than other women, and likely the same as similarly situated males in South Carolina. Thus, we ask *what are the interactive effects of gender and offense type on both sentencing decisions*? In addition, while there is not much sentencing research on the interactive effect of gender and offense severity and criminal history, we also looked at these relationships without a priori expectations of what we might find. Next, we discuss the data used in the current study along with the measures of interest and our analytical plan.

Method

Data

The data for this study were originally compiled by the South Carolina Sentencing Guidelines Commission, which was intermittently active from 1982 to 2004. Although the Commission's original goal of promulgating advisory guidelines was never realized, one of the agency's legacies was the assemblage of several years of sentencing data (FY1995 to FY2001) from the state's disparate judicial, corrections, and probation/parole departments. Importantly, then as now, there was no central source of uniform, statewide sentencing data, so the Commission's datasets still represent the most complete source of information on sentencing in South Carolina. We obtained these data from the South Carolina Department of Archives and History, where the Commission's records were deposited after being disbanded in 2004.

The data represent adult misdemeanor and felony offenders[3] convicted and sentenced in the South Carolina Court of General Sessions, the state's court of general jurisdiction that handles all criminal offenses with a statutory maximum exceeding a US$500 fine or 90 days incarceration.[4] Unfortunately, these data are delimited by the exclusion of sentences involving fines or jail time (i.e., custodial sentences of less than 90 days). This circumscription arises from the Commission's statutory focus on the use of *state* correctional resources. In South Carolina, the state Department of Probation, Parole, and Pardon Services monitors all offenders sentenced to probation, and the state Department of Corrections houses all offenders sentenced to 90 days or more incarceration. Thus, offenders who received only a simple fine (and thus did not enter the probation rolls) or who were sentenced to less than 90 days incarceration (and thus served that time in a local jail) fell outside the Commission's purview and, as a result, were not captured by these data. Consequently, we were limited to

examining (a) the binary in/out decision between probation and prison and (b) prison sentence length.[5]

For the present study, we analyzed only the most recent fiscal year of data (FY2001), as comparability with previous years' data was problematic due to changes in the measurement of key constructs (e.g., criminal history) and to a series of 1990s criminal code and sentencing reforms. The FY2001 dataset originally consisted of 24,204 cases. About 8% of these cases, however, involved offenders sentenced on two or more occasions over the 12-month time period. For example, a defendant may have received probation on the first sentencing occasion, but was subsequently sentenced to prison for committing a new offense. In these instances, we retained only the most recent sentencing occasion so as to avoid problems with dependent observations, reducing the sample size to 23,219 cases. We also excluded the small number of defendants with missing data on gender ($n = 2$), whose race was other than Black or White ($n = 294$), and those with a life or death sentence ($n = 79$) or a sentence of less than 90 days incarceration ($n = 17$),[6] leaving a final analytic sample of 22,828.

Measures

We operationalized two outcome variables: the incarceration decision (0 = probation, 1 = prison) and sentence length. For those sentenced to prison, we operationalized sentence length as the maximum prison sentence (in months) imposed in court minus any suspended time. Also, to deal with potentially problematic outliers, we top-coded sentence at 720 months (60 years) for four offenders in the sample whose sentences exceeded this length. For the independent variables, demographic predictors include gender (0 = male, 1 = female), race (0 = White, 1 = Black), and age group (16-19, 20-29, 30-39, 40-49, 50+). Offense type is a measure of 11 specific crime categories. Severity level is a variable developed by the Commission measuring the number of current offenses, with greater weight given to more serious felonies.[7] We top-coded this measure at a maximum score of 10 (affecting 1.3% of offenders). Finally, criminal history is a Commission created variable that measures the extent of the offender's prior record using a five-level ordinal variable.[8]

Analytical Approach

Selecting between the two-part and sample selection models. In the sentencing literature, the two-part model and the Heckman selection model have been the two most prominent estimators under a behavioral model that conceives of sentencing as a two-stage process in which judges first decide on the type of punishment and then, given this decision, its amount.[9] Both estimators specify similar probit and ordinary least squares (OLS) regression equations, respectively, for the in/out and length decisions. They differ in their treatment of the correlated error between the two equations: the two-part model assumes independent errors, whereas the Heckman selection model

assumes—and attempts to account for—correlated disturbances. These disturbances arise from nonrandom selection on unobservables as offenders pass through stages of the criminal justice system (Berk & Ray, 1982; Klepper, Nagin, & Tierney, 1983). When such nonrandom selection is operative, which is nearly universal in criminal justice samples, estimation without correction can lead to biased inferences. However, when the Heckman model is improperly specified, as is all too common in criminological research, these "corrected" estimates may prove less reliable than those produced by the two-part model (Bushway, Johnson, & Slocum, 2007).

Effectively choosing between the two-part and Heckman selection models depends on a number of considerations (Madden, 2008). First, the interpretation that one places on zero values of the dependent variable—specifically, whether they reflect observed or censored values—relates to whether analytic interest lies in the *actual* or *potential* outcomes and, in turn, which model is appropriate (Dow & Norton, 2003). In the present setting, a zero value on sentence length could be interpreted either as an observed (i.e., actual) sentence to probation, in which case the two-part model provides the correct specification, or as a censored observation with some latent positive expected (i.e., potential) value on sentence length, in which case the Heckman selection model provides the correct specification. Outside of studies examining the consequences of court- or legislatively imposed caps on the use of prison, we can think of few instances in which interest lies in the potential outcome. This steers us toward use of the two-part model, but at the expense of not being able to model the expected correlated error between the two equations.[10] Fortunately, actual outcomes can be decomposed from the default Heckman estimates (i.e., potential outcomes) reported by most statistical packages, making it possible to derive the marginal effects of interest while also accounting for possible unobserved heterogeneity.[11]

With expected correlated errors and the ability to recover actual outcomes, the Heckman selection model would appear to be our estimator of choice. However, in the absence of an exclusion restriction—that is, an observed variable that enters the in/out equation but not the sentence length equation—the Heckman model is likely to be poorly identified and the estimates imprecise (Bushway et al., 2007). Unfortunately, in many sentencing studies—the present one included—it proves impossible to identify a relevant exclusion restriction. In this case, the analyst is left to rely on any number of proposed statistical decision rules to help select the least biased specification (Bushway et al., 2007; Dow & Norton, 2003; Duan, Manning, Norris, & Newhouse, 1984; Leung & Yu, 1996; Madden, 2008; Norton, Dow, & Do, 2008; Stolzenberg & Relles, 1997). We employ the following specification tests suggested by Norton et al. (2008) due to the ease of implementation and consistency with other recommendations in the literature: choose the two-part model if the condition index, as a measure of multicollinearity, exceeds 20; otherwise, choose the Heckman model if the test of $\rho = 0$ is rejected and the two-part model if the test is not rejected, where ρ is the correlation between error terms. These specification tests lead us to choose the two-part model over the Heckman model. Specifically, we obtained a condition index of 30.3, which

far exceeds the threshold value of 20.[12] All subsequent analyses therefore implement the two-part model.

Interactive effects. We are theoretically and empirically interested in the conditioning effects of gender on sentencing outcomes. We therefore estimated full gender-interactive models on the pooled sample of male and female offenders. An equally valid specification would have been to perform estimation on subsamples separated by gender. However, pooled estimation enables the extraction of more information to support a broader set of interactive hypotheses and affords more efficient access to this information for conducting supplementary postestimation analyses, such as the calculation and testing of predictive margins (Kam & Franzese, 2007). All analyses were performed using Stata MP, version 12.1.

Findings

First, we examine descriptive statistics to provide a baseline assessment of gender differences in our sample. Table 1 reports information for the overall sample and also the sample separated by gender. The overall sample size includes 22,828 convicted persons who were sentenced to either state prison or probation during FY2001. Just over 41% of the sample was sentenced to prison and for those incarcerated they received an average sentence length of 55 months. The sample was predominantly male (83.3%), Black (61.3%), and 39 years of age or younger (77.1%). Offenders were frequently convicted of "other" offenses (19.7%),[13] followed by drug possession (14.5%) and trafficking (13.8%), fraud/forgery (12.3%), and assault/domestic violence (10.7%). Offenders had an average offense severity level of 1.9 and most of them had either no (35.5%) or minimal (32.1%) criminal history.

Table 1 also presents the results for males and females separately. Almost 29% of females compared to 44% of males were sentenced to prison. Of those who were sentenced to prison, females received an average sentence length of about 34 months, while males received an average sentence length of 58 months. Males were more often Black (62.7%) as were females (53.9%), and males were typically younger than their female counterparts. Female offenders were most frequently convicted of fraud/forgery (31.6%) followed by drug possession (16.7%), "other" offenses (15.1%), and drug trafficking (9.3%). Male offenders, however, were most frequently convicted of "other" offenses (20.6%), drug trafficking (14.7%) and possession (14.1%), and assault/domestic violence (11.4%). Both male and female offenders had similar mean offense severity levels (1.9 and 1.8, respectively), but females had less severe criminal histories on average than their male counterparts. Approximately 43% of female offenders had no prior criminal history compared to 34% for male offenders.

Next, we examine full gender-interactive models concerning the decision to incarcerate and sentence length. As discussed above, we employed a two-part model to sequentially analyze the in/out and sentence length decisions (Duan et al., 1984; Wooldridge, 2010). First-stage estimation of the incarceration decision (0 = probation,

Table 1. Descriptive Statistics Stratified by Gender.

Variable	Total	Female	Male
N	22,828	3,809	19,019
Incarcerated (%)	41.4	28.6	44.0
Sentence length (months)[a]	55.3 (72.1)	33.9 (46.4)	58.1 (74.3)
Race (%)			
White	38.7	46.1	37.3
Black	61.3	53.9	62.7
Age group (%)			
16-19	9.2	6.5	9.8
20-29	37.7	33.9	38.5
30-39	30.2	37.0	28.8
40-49	17.5	18.9	17.2
50+	5.4	3.7	5.7
Offense type (%)			
Homicide	1.1	0.9	1.2
Robbery	3.3	1.1	3.7
Assault/domestic violence	10.7	7.0	11.4
Burglary	8.6	4.0	9.6
Theft	4.1	5.7	3.8
Fraud/forgery	12.3	31.6	8.4
Other property	6.6	5.3	6.9
Drug possession	14.5	16.7	14.1
Drug trafficking	13.8	9.3	14.7
DUI	5.4	3.5	5.8
Other offense	19.7	15.1	20.6
Severity level (1-10)	1.9 (1.7)	1.8 (1.6)	1.9 (1.7)
Criminal history (%)			
None	35.5	42.7	34.0
Minimal	32.1	35.3	31.5
Moderate	18.8	14.0	19.7
Extensive	6.2	3.2	6.8
Voluminous	7.5	4.7	8.0

[a]Sentence length is reported for the incarcerated population only.

1 = prison) is governed by a probit model of s_i on $\mathbf{x}_i$, and second-stage estimation of prison sentence length is performed using an OLS regression of $\log(y_i)$ on $\mathbf{x}_i$ for cases where $s_i = 1$. To aid interpretation of our results, we report the gender-specific effects as predictive margins (i.e., predicted probabilities for the incarceration decision and adjusted means for the sentence length decision). Specifically, the reported effects represent the margins of the interaction between gender and each independent variable averaging over the values of the remaining independent variables (i.e., average

marginal effects). For "severity level" we calculated the predictive margins for select levels of the independent variable (i.e., 1, 5, 10). Finally, for the sentence length estimates, the adjusted means of log(y) were retransformed into levels using Duan's smearing technique accounting for gender-specific heteroskedastic errors (Baser, 2007; Duan, 1983). All significance tests were performed on the predictive margins, including the within gender effects (against the base category), the overall gender interaction effect, and the simple effects (across gender within levels of the independent variables).

We now turn to our analysis of the incarceration decision. Overall, females had a .06 lower probability of being sentenced to prison than males (.36 vs. .42, $z = -7.61$, $p < .001$). The full gender-interactive effects are presented in Table 2. Our findings indicate that among both males and females, Blacks had a modestly higher probability of being sentenced to prison than Whites. Specifically, Black females had a .38 probability of receiving a prison sentence compared to .33 for White females, and Black males had a .45 chance of imprisonment compared to .38 for White males. The interaction between gender and race however was not significant. This can be seen in the nearly equivalent cross-gender simple effects (i.e., –.05 vs –.07). It is notable, however, that all else equal Black females and White males had the same probability of incarceration (.38). The similar treatment of Black females and White males has been found in other sentencing studies as well (Spohn et al., 1985). The focal concerns perspective would suggest that South Carolina courts view Black females as blameworthy and dangerous as similarly situated White males and find it necessary to imprison both types of offenders in a similar manner.

We did not find the direct or joint effects of age to be influential in the decision to incarcerate. In particular, age was not a significant predictor of incarceration among females, and for males age was associated with a slightly greater probability of incarceration only for 20- to 29-year-olds relative to those aged 16 to 19 years (.43 vs. .40). The effect of age is also clearly not dependent on gender, as the interaction is insignificant and all the simple effects are close to the overall female–male difference in the probability of incarceration (i.e., −.06).

Concerning the effects of gender and offense type, for both males and females the probabilities of incarceration for specific offenses are all in the same direction. Relative to drug trafficking, some offenses are sanctioned similarly (burglary), others are dealt with more harshly (homicide, robbery), while the majority have a lower probability of incarceration. Although the interaction between gender and offense type does not reach conventional levels of significance ($\chi^2[10] = 15.73$, $p = .108$), there are notable differences in how males and females were sentenced for specific crimes. Namely, there were not significant differences in the probability of males and females being sentenced to prison for homicide and robbery. Both of these offenses are nontraditional crimes for females, which lends support to the evil woman thesis in these instances. We also failed to find significant gender differences in the probability of being sentenced to prison for fraud/forgery and drug possession. These crimes represent lower-level, nonviolent offenses that are frequently committed by female

Table 2. Predicted Probabilities of Incarceration From Gender-Interactive Pooled Sample Probit Regression.

Independent variable	Females	Interaction effect	Males	Simple effects
Race		ns		
White	0.33 (0.010)[base]		0.38 (0.005)[base]	−0.05 (0.011)***
Black	0.38 (0.010)***		0.45 (0.004)***	−0.07 (0.010)***
Age group		ns		
16-19	0.32 (0.026)[base]		0.40 (0.010)[base]	−0.08 (0.028)**
20-29	0.36 (0.012)		0.43 (0.005)***	−0.07 (0.013)***
30-39	0.36 (0.011)		0.42 (0.006)	−0.05 (0.012)***
40-49	0.37 (0.015)		0.42 (0.007)	−0.05 (0.016)**
50+	0.33 (0.035)		0.41 (0.012)	−0.07 (0.037)*
Offense type		ns		
Homicide	0.87 (0.051)***		0.85 (0.023)***	0.01 (0.059)
Robbery	0.69 (0.070)***		0.77 (0.018)***	–0.07 (0.072)
Assault/domestic violence	0.34 (0.024)***		0.43 (0.009)***	−0.09 (0.025)***
Burglary	0.42 (0.033)		0.51 (0.011)	−0.09 (0.034)**
Theft	0.31 (0.026)***		0.39 (0.015)***	−0.08 (0.030)**
Fraud/forgery	0.35 (0.012)***		0.38 (0.011)***	−0.03 (0.016)
Other property	0.26 (0.022)***		0.37 (0.011)***	−0.10 (0.025)***
Drug possession	0.29 (0.016)***		0.32 (0.008)***	−0.03 (0.018)
Drug trafficking	0.46 (0.021)[base]		0.53 (0.008)[base]	−0.07 (0.022)**
DUI	0.27 (0.032)***		0.34 (0.012)***	−0.07 (0.036)*
Other offense	0.32 (0.016)***		0.38 (0.007)***	−0.06 (0.017)***
Severity level		***		
1	0.34 (0.008)[base]		0.36 (0.004)[base]	−0.02 (0.009)**
5	0.44 (0.016)***		0.68 (0.012)***	−0.24 (0.020)***
10	0.58 (0.038)***		0.94 (0.010)***	−0.37 (0.039)***
Criminal history		***		
None	0.17 (0.010)[base]		0.25 (0.005)[base]	−0.08 (0.011)***
Minimal	0.21 (0.012)**		0.32 (0.006)***	−0.10 (0.013)***
Moderate	0.70 (0.020)***		0.72 (0.008)***	−0.02 (0.021)
Extensive	0.70 (0.040)***		0.76 (0.013)***	−0.06 (0.042)
Voluminous	0.77 (0.032)***		0.76 (0.011)***	0.01 (0.034)

Model: Wald $\chi^2(41) = 6{,}386.2$, $p < .001$; Psuedo-$R^2 = 0.31$; $N = 22{,}828$.
Effects: *$p < .05$. **$p < .01$. ***$p < .001$.

offenders (particularly fraud/forgery, 31.6%). For males, these are offenses that are somewhat less serious than other frequently committed crimes and also have lower probabilities of incarceration. Based on the focal concerns perspective, it appears that

the courts in South Carolina hold males and females equally responsible for these types of crimes and that they represent similar threats to the communities in which they reside.

We next consider the relationship between gender and both offense severity and criminal history. Within gender, both these variables behaved as expected, with greater offense severity and a more extensive criminal history associated with a higher probability of incarceration. Notably, the effects of these variables depended significantly on gender. Regarding offense severity level, the likelihood of incarceration grew at a substantially greater rate for males relative to females, with a relatively inconsequential contrast of −0.02 at level 1 that increased to a sizable contrast of −0.37 at level 10. Finally, with respect to criminal history, women received leniency only at the lowest levels. Females with no or minimal prior record had a .08 to.10 less probability of incarceration than males, but this advantage vanished for females with more serious criminal backgrounds. As women accumulated more extensive criminal records, the court no longer viewed them in a protective way; instead, it appears that judicial decisions were consistent with the evil woman perspective. For women with more serious criminal backgrounds, it appears from the focal concerns perspective that courts viewed them as relatively more culpable, dangerous and likely to reoffend should they be returned to the community as part of their sanction. Kruttschnitt (1982) notes that prior criminal history is but one indicator of "respectability" (among both legal and extralegal factors) that courts might rely on in order to sentence women appropriately for their crime. The view is that women with criminal backgrounds are more at fault and the concern is that they will continue to be involved in criminal activities and the criminal justice system. The criminal history finding is similar to males, however not to the same extent given the larger contrasts at higher criminal history levels.

Table 3 presents the results of our sentence length analysis. Overall, females received a prison sentence that was 12.8 months shorter on average than males (58.9 vs. 46.1, $z = -5.30, p < .001$). Our findings indicate that among both males and females, Black and White defendants received similar sentence lengths and the interaction effect between gender and race was not significant, as exemplified by the simple effects for race (i.e., −12.5 and −12.9 months) being nearly identical to the overall gender difference for sentence length (i.e., −12.8 months). We found similar results for the effect of age on sentencing length as we did for the incarceration decision. Among females, sentence length did not vary significantly between the youngest group (16 to 19 years) and each of the other age groups, and for men the only significant difference we found was that the oldest age group (50+ years) received sentences about 11 months longer on average than the youngest age group (16 to 19 years). We also failed to find a significant interaction effect between gender and age for the sentence length decision.

Next, we consider the influence of offense type on sentence length for both gender groups. Among both males and females, sentence length varied across different crimes in a similar manner (against the reference crime, drug trafficking). In particular, whereas the majority of crimes received significantly shorter sentences compared to drug trafficking, offenders sentenced to burglary received similar sentences to drug

Table 3. Adjusted Mean Sentence Length from Gender-Interactive Pooled Sample OLS Regression.

Independent variable	Females	Interaction effect	Males	Simple effects
Race		ns		
White	47.5 (2.67)[base]		60.1 (1.33)[base]	−12.5 (2.92)***
Black	45.5 (2.54)		58.4 (1.00)	−12.9 (2.66)***
Age group		ns		
16-19	48.5 (7.55)[base]		58.3 (2.46)[base]	−9.7 (7.90)
20-29	42.3 (2.74)		55.8 (1.09)	−13.5 (2.89)***
30-39	50.2 (2.89)		61.2 (1.36)	−11.0 (3.13)***
40-49	48.6 (3.33)		60.8 (1.73)	−12.2 (3.70)***
50+	40.4 (6.84)		69.1 (3.92)*	−28.7 (7.85)***
Offense type		***		
Homicide	191.7 (33.9)***		210.8 (15.1)***	−19.1 (37.1)
Robbery	122.3 (24.3)**		136.7 (4.98)***	−14.6 (24.8)
Assault/domestic violence	38.2 (4.18)**		50.9 (1.58)***	−12.7 (4.47)**
Burglary	46.5 (5.20)		75.6 (1.96)	−29.1 (5.54)***
Theft	37.5 (3.39)***		39.9 (1.92)***	−2.4 (3.89)
Fraud/forgery	21.1 (0.92)***		25.3 (0.81)***	−4.2 (1.21)***
Other property	37.4 (3.77)**		39.6 (1.26)***	−2.2 (3.97)
Drug possession	29.2 (2.26)***		32.7 (1.09)***	−3.5 (2.51)
Drug trafficking	54.1 (4.04)[base]		72.2 (1.78)[base]	−18.0 (4.39)***
DUI	22.6 (3.40)***		22.1 (0.92)***	0.5 (3.52)
Other offense	24.4 (2.12)***		30.2 (1.02)***	−5.8 (2.35)*
Severity level		***		
1	36.8 (1.89)[base]		43.4 (0.71)[base]	−6.6 (1.98)***
5	58.4 (3.48)***		78.0 (1.34)***	−19.6 (3.67)***
10	104.0 (11.8)***		162.3 (6.06)***	−58.3 (13.2)***
Criminal history		ns		
None	45.7 (3.31)[base]		65.0 (1.89)[base]	−19.2 (3.76)***
Minimal	42.2 (2.87)		55.5 (1.43)***	−13.3 (3.15)***
Moderate	46.2 (2.87)		56.2 (1.16)***	−9.9 (3.03)***
Extensive	45.7 (4.51)		58.8 (1.81)*	−13.1 (4.82)**
Voluminous	52.9 (4.31)		62.3 (1.85)	−9.4 (4.64)*

Model: $F(41, 9413) = 144.7$, $p < .001$; $R^2 = 0.34$; $N = 9{,}455$.
Effects: *$p < .05$. **$p < .01$. ***$p < .001$.

traffickers, and robbery and homicide offenders received sentences that were two to three times longer. We did find a significant interaction between gender and offense type for the sentence length decision. For instance, females on average received significantly shorter sentence lengths compared to similarly situated males for burglary

(−29.1 months) and drug trafficking (−18 months), but not for homicide, robbery, theft, drug possession, or DUI. This finding would seem consistent with the evil woman perspective, supporting Harper et al.'s (2002) thesis that women will be sentenced more severely when their crimes allow them to assume the "demonized role" endemic in some so-called masculine crimes.

We then examine whether gender, offense severity level, and criminal history interactively influence sentencing length decisions. Among females and males, the findings for offense severity level were what we expected, with higher offense severity scores resulting in longer sentences. As was the case with the incarceration decision, the effect of severity level depended significantly on gender. The increase in sentence length for males increased more noticeably across severity levels than it did for females, as illustrated by the small contrast between males and females at level 1 (−6.6 months) and the progressively larger contrasts at severity level 5 (−19.6 months) and severity level 10 (−58.3 months). Among females there were no significant differences found with regards to criminal history. For men, however we found that offenders with some measure of criminal history received significantly shorter sentences than those with no criminal history. This counterintuitive finding suggests that getting sentenced to prison without a prior record probably requires particularly serious offense behavior (although omitted variable and sample selection bias cannot be discounted either). Finally, the interaction effect between gender and criminal history was not influential for the sentence length decision.

Discussion

The current study examined sentencing outcomes in South Carolina. The state allows judges a great deal of flexibility, within statutory limits, to sentence convicted offenders in a manner they feel is "appropriate" for their crimes. As a result, we believed it was an important court system in which to examine the influence of gender on sentencing outcomes and to explore the usefulness of chivalry/paternalism and focal concerns for informing these decisions. In addition, we felt that because a significant amount of sentencing research over the last several decades has focused on the implementation and impact of sentencing guidelines on court processing, it was important and necessary to look at sentencing practices in a state that had not followed this trend. In addition to examining the influence of the overall effect of gender on sentencing outcomes, we also considered the interactive effects of gender and race, age, and offense type on the incarceration and sentence length decisions.

Overall, females were less likely than males to be incarcerated when convicted for their crimes, and when they did receive a prison sentence it was significantly shorter by more than a year on average than similarly situated males. Our findings are consistent with much of the prior sentencing literature from both guidelines and nonguidelines systems in that females were treated more leniently than were males. Consistent with the chivalry perspective, it seems that the courts in South Carolina are inclined to protect convicted women from going to prison and they also are hesitant to imprison them for lengthy periods of time compared to similarly situated men. The interaction

effects of gender with race and age were not significant for both sentencing outcomes, though we did find that among females, Black offenders had a significantly higher probability of incarceration than similarly situated White offenders (.38 vs. .33). All else equal, this finding suggests that preferential treatment appears to be reserved for White females and not Black females. This particular finding seems to suggest one of two possible explanations. First, the use of *selective* chivalry is common within South Carolina courts and Black women do not benefit from their gender status or, second, based on focal concerns the courts perceive Black females as being more dangerous than White females, and thus are more likely to incarcerate them.

Significant interaction effects were found between gender and criminal history for the incarceration decision, and between gender and offense type for the sentence length decision. The interaction effect between gender and offense severity level was also significant for both sentencing decisions, with both the likelihood of incarceration and the length of the prison sentence increasing at a much slower rate for females relative to males as crime severity grew more serious.

Recall, that the offense severity measure which was developed by the Sentencing Commission represents a weighted indicator of the offenses for which the defendant was charged. Accordingly, it not only provides a measure of the most serious offense but includes information on other offenses that were part of the criminal case as well. Our results suggest that the courts view both males and females who committed less serious crimes with equal blame and as a similar threat to the community, yet as the crime severity level increased, the courts reacted more harshly toward males than similarly situated females for *both* the incarceration decision (.94 vs. .58 for severity level of 10) and the sentence length decision (162.3 vs. 104 months for severity level of 10). It would seem that the courts are more concerned by serious male offenders since they are receiving more strict sentences for comparable crimes. This is in line with the community protection element of the focal concerns perspective; that is South Carolina courts seem more concerned with removing serious male offenders than serious female offenders from the community.

For criminal history, we found a significant interaction effect with gender for incarceration but not sentence length. Females with little or no criminal history experienced leniency, however this preferential treatment diminished for females with more significant criminal backgrounds. In this instance, it would seem that the courts in South Carolina view females with little or no criminal background as having less culpability for their offenses. However, once they have assembled a more expansive criminal history, it appears the courts hold them increasingly accountable for their crimes on par with males. This suggests that judicial interpretations of culpability and/or blameworthiness, as captured by one's criminal background, may be differentially influenced by gender.

These findings are particularly interesting given that offense severity and criminal history are instrumental in the development of sentencing guidelines throughout the country (Kautt, 2009). In order to make sentencing more rational and uniform, defendants with equivalent offenses and analogous criminal backgrounds are supposed to be

sentenced in a consistent manner according to prescribed guidelines. The findings from South Carolina's unstructured sentencing system suggest that courts react differently to this case characteristic depending on whether the convicted offender is male or female. Were this state to implement a sentencing guidelines system, it is very possible that females would experience an increased likelihood of going to prison and serving longer sentences. Researchers have questioned the goals of sentencing guidelines because of the unintended consequences or disproportionate effects for female offenders (Bloom, Owen, & Covington, 2004; Chesney-Lind & Pollock, 1995; Gertner, 2002; Koons-Witt, 2002; Raeder, 1993).

As is the case with sentencing research and the use of secondary data, there are several limitations to our study. First, the SC Sentencing Commission collected data for offenders convicted and sentenced to either state prison or probation. Consequently, our sample does not include convicted offenders who received fines or jail sentences. In addition, we focused on court decisions and, therefore, cannot discern the extent of selectivity on gender, race, age, offense type, severity level, or criminal history at earlier decision points in the criminal justice system and, ultimately, how this might affect our results. Finally, our findings are restricted by those measures included in the analysis. In particular, we were limited to measures that were collected by the Sentencing Commission, which excluded key measures such as the presence of dependent children, familial role, marital status, and plea bargaining that have been found to be influential in other sentencing studies (Daly, 1987; Freiburger, 2010; Koons-Witt, 2002; Kruttschnitt, 1982, 1984; Spohn & Biechner, 2000; Steffensmeier et al., 1993).

Further research is necessary in states with unstructured sentencing systems since these types of court settings offer us an optimal test of the focal concerns perspective. After all, it is within these contexts that courts tend to have the most flexibility in determining the "appropriate" sanction for offenders and where stereotypes are most likely to inform decisions made by court officials. In light of our findings, future research should continue to explore the interactive effects between gender and offense seriousness and criminal history in order to more fully understand and explain the relationship between gender, legal factors, and sentencing outcomes and their relevance to the chivalry, "evil woman," and focal concerns perspectives.

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Notes

1. Familial paternalism has also been used to frame sentencing outcomes for female offenders. More specifically, this theory assumes that the "familial role" that is often ascribed to

women influences how they are viewed by the judges who sentence them. Among other things, the sentencing decisions of judges take into account the familial duties that are performed by women such as caregivers and the presumed "costs" associated with removing these women from the household (Daly, 1987; Freiburger, 2010; Hartley, Kwak, Park, & Lee, 2011; Pierce & Freiburger, 2011). However, we cannot test the assumptions of this theory due to the fact that there is no indicator for the presence of dependent children in our sentencing data.

2. In addition to the focus on race/ethnicity differences in the sentencing literature between Black and White defendants, more recent research has included Hispanic defendants in order to provide a more inclusive comparison of different race/ethnic groups and possible effects on sentencing outcomes (for instance, see Brennan & Spohn, 2008; Steffensmeier & Demuth, 2006; Warren, Chiricos, & Bales, 2012).
3. The data collected by the SC Sentencing Commission excluded offenders sentenced under the Youthful Offender Act.
4. Lesser criminal offenses (e.g., traffic violations, simple assault, littering, petit larceny, and first-time simple possession of marijuana) that carry a maximum penalty not exceeding a US$500 fine or 90 days incarceration fall under the jurisdiction of the lower Magistrates' Court or local Municipal Courts. The function and operation of these courts are wholly distinct from the Court of General Sessions, and they therefore fall outside the current scope of inquiry.
5. Although this constraint impedes our ability to investigate the full range of possible sentencing outcomes, the analyses we are able to perform are no less informative or valid. First, consider the initial punishment decision. Although estimation will be less efficient because information on two of four distinct sentencing outcomes is unavailable in our dataset, we can expect consistent parameter estimates on the binomial response as for the corresponding outcomes on the (true) multinomial response (Kennedy, 2008). Second, concerning sentence length, that we only observed prison sentences means simply that our results are silent with respect to jail sentences. Importantly, because jail and prison sentences in South Carolina are qualitatively distinct, naturally bounded sanctions ($0 < y < 90$ for jail sentences and $y \geq 90$ for prison sentences), the validity of our prison sentence length analyses are not threatened by explicit selection (Berk & Ray, 1982).
6. We dropped these 17 offenders to be consistent with the Commission's general exclusion of jail sentences from these data.
7. Specifically, according to the South Carolina Sentencing Guidelines Commission (2002, p. 11), "one point will be given for each offense in the current commitment, including the maximum penalty offense. If there is more than one A, B, or C felony, each additional A, B, or C felony will receive four points."
8. Again, according to the South Carolina Sentencing Guidelines Commission (2002, pp. 11, 14), four points were awarded for prior violent and drug trafficking convictions defined in section 16-1-60 with sentences over 1 year, three points for any other prior convictions with sentences of 1 year or more, two points for prior convictions with sentences of incarceration of less than 1 year, and one point (with a limit of five) for prior convictions with nonincarceration sentences. The Commission then grouped these scores as follows: 1 point = *no*

criminal history, 2 to 4 points = *minimal criminal history*, 5 to 13 points = *moderate criminal history*, 14 to 21 points = *extensive criminal history*, 22+ points = *voluminous criminal history*.

9. We recognize that a one-stage conceptualization, which calls for an altogether different set of assumptions and models, might be more defensible in sentencing guidelines jurisdictions where punishment type and amount are more likely to be jointly determined, as per a sentencing grid (Bushway & Piehl, 2001).
10. Expected because sentencing datasets all too commonly suffer from both nonrandom selection and omitted variables affecting the participation and amount equations.
11. Wooldridge (2010) refers to this model, when estimated on log(y), as the *exponential type II tobit model*. Although it is easily estimable in statistical packages such as Stata, this specification is not typical in the sentencing literature due in large part to an underappreciation of the distinction between actual and potential outcomes (Bushway et al., 2007; see also Dow & Norton, 2003).
12. To obtain the condition number, we (a) estimated a full information maximum likelihood Heckman selection model that was fully interacted by gender, (b) predicted the nonselection hazard from this model, and (c) used the user-written Stata command—collin—to calculate the condition index in the incarcerated subsample from the correlation matrix of base variables, interaction terms, and the predicted hazard term.
13. This catch-all category primarily includes public order crimes such as weapons violations, contributing to the delinquency of a minor, habitual traffic offenders, driving under suspended license, and resisting arrest.

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Author Biographies

Barbara A. Koons-Witt is an Associate Professor in the Department of Criminology and Criminal Justice at the University of South Carolina. Her primary research interests are in the area of women and crime, incarcerated women, and sentencing decisions. Her work has appeared in *Criminology, Journal of Criminal Justice, Crime & Delinquency*, and *Feminist Criminology*.

Eric L. Sevigny is an Assistant Professor in the Department of Criminology and Criminal Justice at the University of South Carolina. His research focuses on drug policy, particularly around issues of sentencing and incarceration, the measurement of drug problems, the collateral consequences of mass incarceration, and the impact of medical marijuana laws. He is currently funded by the Office of National Drug Control Policy to develop a family of US Drug Consequences Indices to measure and monitor trends and interstate variations in drug-related harms.

John D. Burrow is an Associate Professor in the Department of Criminology and Criminal Justice at the University of South Carolina. He obtained his PhD from Michigan State University and his juris doctorate from the University of Wisconsin. His research interests focus on sentencing, juveniles, law & society, and race.

Rhys Hester is an Assistant Professor in the Department of Government and Justice Studies at Appalachian State University. He received a JD from the University of South Carolina School of Law in 2004 and a PhD in Criminology and Criminal Justice from the University of South Carolina in 2012. His research interests include sentencing, justice actor decision-making, and constitutional law.