

Do Female Legislators Do It Differently? Sex Offender Lawmaking at the State Level

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Abstract

This investigation explores sex offender bill sponsorship by male and female legislators from both political parties to determine if female policymakers legislate in a “different voice.” Quantitative results indicate that sex offender bill sponsorship often transcends differences of gender, race, or political affiliation. However, the in-depth qualitative findings revealed that female policymakers viewed sex crimes and sex offender laws more broadly than male legislators noting the multiple contexts in which sexual victimizations occur, and as connected with the larger social problem of violence against women. In comparison, male legislators focused on predatory child molestations as their motivation for sex offender bill sponsorship. Findings suggest that relying only on descriptive statistical analysis to study gender and policymaking, such as voting patterns, is likely to miss subtle, but significant, differences in women’s policymaking.

Keywords

female legislators, state legislatures, gender and policymaking, sex offender bills

Legislators have created more crime policies aimed at sex offenders than for any other type of criminals (Jenkins, 2004). Given the ever-growing number and types of sex offender laws today, it is difficult to overstate lawmakers’ importance in creating social and policy responses to sex crimes. Yet, little is known about lawmakers’ perception of sex crimes and sex offenders and less still about the effect of a legislator’s

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gender, race, or political ideology on sex offender policymaking. In an attempt to better understand these issues, male and female policymakers with a history of passing state-level sex offender laws were interviewed regarding the legislative process and the motivations and goals behind their sponsorship of sex offender bills. A content analysis was also conducted on the types of sex offender bills sponsored by these lawmakers.

Female Policymakers

We imaged women storming male strongholds and, once inside, becoming change agents, role models, whistle-blowers. The hand that rocks the cradle was sure to rock the boat, said feminist and political activist, Barbara Ehrenreich (1990, p. 15).

Political Participation

As the forthcoming sections demonstrate, the extent to which women may operate as transformative agents within gendered political institutions and/or whether they legislate with a “different voice” continues to be debated. Women’s political affiliation, ideological orientations, race and ethnicity, access to influential committees and positions, as well as the dynamics involved with being a female in a predominantly male-dominated institution (e.g., state legislature), all impact women’s experiences as policymakers. Before delving into these issues, let us first look back at the role of women in politics and political engagement.

It is no secret that women’s political involvement has always lagged behind her male peers (Carroll & Sanbonmatsu, 2013; Kittilson & Schwindt-Bayer, 2012). Yet, political gender parity is important, in part, because it helps legitimate the democratic process by allowing all citizens an opportunity to participate, a key component to democracy (Thomas, 1998). Much of the scholarship examining the gender gap in political participation points to educational levels, socioeconomic status, race, marital status, and career paths and opportunities of men and women (Carroll & Sanbonmatsu, 2013; Kittilson & Schwindt-Bayer, 2012) to help explain women’s entrenched lower rates of involvement in politics. Historically, and still today, women of color are more politically invisible than their White female counterparts or Black males. The role of incumbency and exclusion by political elites has provided some explanatory power for Latino/a’s and Black and White women’s underrepresentation in political office (Carroll & Sanbonmatsu, 2013; Thomas, 1998).

Nonetheless, the percentage of women in state legislatures has reached a national average of about 24.2% (National Conference of State Legislatures, 2013) with several states, many of those included in our analysis here, currently having rates of female legislators nearing or exceeding 35% of the total legislature (i.e., critical mass). Yet, according to the Center for American Women and Politics (CAWP), the overwhelming majority of these female legislators are White. Women of color comprise only 21% of the 1,789 female state legislators nationwide and only about 5% of the 7,383 overall total of all state legislators in the country (CAWP, 2014). To

disaggregate these figures further, 241 of 1,789 female state legislators serving nationwide are Black (13%), 87 are Latina (4.8%), 34 are Asian (0.002%), and 13 are Native American (0.007%)

Policymaking

Does the presentation of women in state legislatures result in a greater focus on women's issues and/or a more pronounced feminist orientation in lawmaking? In an attempt to contribute substantively to this ongoing conversation, this investigation examines the bill sponsorship of a gendered crime (i.e., sexual violence) to determine if men and women legislate differently. Sex offender bill sponsorship, as a way to explore these questions, is an ideal approach because sponsoring a bill is a more precise measure of a legislator's policy priorities and legislative agenda than simply exploring voting patterns of elected officials. As Leader (1977) pointed out, voting on an issue "is only one kind of political activity and possibly not the most important. It tells us nothing about who initiates the introduction of feminist legislation and who leads the floor fights and mobilizes support" (p. 284).

Therefore, it is within these agenda setting and policy leadership capacities that female policymakers are believed to be the most likely to achieve substantive representation (standing up for and acting on the behalf of other women; Reingold, 2000). Research on workplace gender differences presumes that women's specific life experiences, gender socialization, domestic responsibilities, and/or biological sex differences make them uniquely qualified to relate to and champion women's concerns (Little, Dunn, & Deen, 2001). Studies on gender and political work defines "women's issues" either as a narrow construct focusing primarily on feminists' concerns (i.e., equality for women) or more broadly through issues women tend to be interested in such as family and children as well as education, poverty, and women's health (Carroll, Dodson, & Mandel, 1991; Dahlkemper, 1996; Dolan & Ford, 1995; Little et al., 2001; Swers, 2002, Thomas, 1998). Most studies reveal that across states, across time, and across political parties female legislators prioritize women's issues (whether defined narrowly or broadly) more often than their male counterparts do (Little et al., 2001; Reingold, 2000). For instance, Swers and Larson (2005) found that female legislators were more likely than men to advocate for women's issues and that they were much more likely to support feminist bills than their male colleagues. However, Black female legislators noted the additional need to also prioritize racial and ethnic sensitive legislation. Findings indicate that Black women would shift their focus toward a racial agenda at the expense of promoting women's issues in instances of increasing gender symmetry within the legislature. In other words, Black women legislators sponsored fewer women's interest bills when more women were in the state legislature than when they were not (Bratton, Haynie, & Reingold, 2006). This institutional context of intersectionality was not found among Latina legislators (see Fraga, Lopez, Martinez-Ebers, & Ramirez, 2006) but the limited scientific inquiry into this population of policymakers hampers the understanding of how Hispanic women and men perform their legislative duties.

Research demonstrates that a female legislator's ability to influence women's issues in the legislature is dictated by committee positions, her level of seniority, and her status as a member of the majority or minority party (Hawkesworth, Casey, Jenkins, & Kleeman, 2001; Swers, 2002). Finally, even though female policymakers make individual level policy differences in legislatures (such as agenda setting through sponsorship of women's interest bills) the institution itself is still highly gendered and thus "a sole focus of electing more women is inadequate to realize the institutional transformation that feminists have dreamed of" (Swers & Larson, 2005, p. 148). Political institutions as gendered institutions are discussed more fully in an upcoming section.

Political Ideology

Scholars acknowledge that studying the effect of a legislator's gender on policymaking priorities and agenda setting must also take into account the impact of political affiliation and personal ideology. Gender and political orientation can and do interact independently. For example, female Democratic Party members often view women's and feminist's issues differently than their female Republican counterparts. Therefore, women's substantive representation should be defined in both gender and ideological terms (Bratton, 2005). This area of scholarship has received at least scant attention. For instance, Dolan and Ford (1995) found that female policymakers who identified as feminists were the most likely to prioritize women's issues as their top policy priority (e.g., domestic abuse, reproductive rights, and job security). However, once political affiliation was added to the analysis, some of the feminist/non-feminist ideological policy differences disappeared (Ford & Dolan, 1995). Similarly, Swers' (2002) analysis on the interactive effects of political affiliation and ideology among female legislators determined that both factors impact legislative behavior. For instance, a greater presentation of conservative Republican female lawmakers at the federal level is linked to growing support of anti-feminist bills (Swers & Larson, 2005). The nexus of such disparate ideologies among female legislators further complicates efforts to measure and understand the role of gender in the policymaking process.

Before leaving this topic, it is also important to mention the strong correlation between women of color and Democratic Party membership. Of the 375 minority women currently serving in state legislatures, 347 are members of the Democratic Party. Only 1.6% of Black female legislators and 17% of Latinas are members of the Republican Party (CAWP, 2014).

Intersectionality

Just as one cannot divorce the influence of political affiliation and ideology from women's lawmaking, nor can a comprehensive understanding of how a woman legislates be possible without also recognizing the interactions of her race and/or ethnicity. American political systems have always been "man's business" and "White folks' business" (Hawkesworth, 2003). "As a consequence, Black women have been doubly

excluded from the political arena” (Githens & Prestage, 1977, p. 339). Furthermore, Black feminists have frequently discussed the “double minority” or “double disadvantage” status associated with being Black and being female (see Gay & Tate, 1998; hooks, 1984, 1989).

Intersectionality theory (see Collins, 2000; Crenshaw, 1989) argues that the processes associated with racialization and gendering are specific, yet related to one another. Hawkesworth (2003) used the term *racing-gendering* to describe the complex interactions of racialization and gendering in the “political production of distinctive groups of women and men . . . which involves the production of difference, political asymmetries, and social hierarchies that simultaneously create the dominate and the subordinate” (p. 531). Unless scholars incorporate the racialized experience of women of color, we risk generalizing White women’s experiences as representative of all women’s experiences when, in fact, women of color often suffer from multiple (and intersecting) forms of oppression. Thus, one’s race, ethnicity social class, and sexuality affect the construction of gender.

Sadly, there has been only limited research on the experiences and policymaking of people of color within legislatures, and the research that is available pertains almost exclusively to the experiences of Black men and Black women. In part, this is due to the limited numerical representation of minority legislators. Recall, only about 21% of female state legislators are women of color and only 5% of all state legislative lawmakers nationwide are minority women (CAWP, 2014). The handful of studies that exists on female legislators of color indicates that these policymakers are sensitive and responsive to both race/ethnicity *and* gender issues (Barrett, 1997; Bratton et al., 2006; Carroll, 2002). One of the few studies examining Latina legislative activity determined that the intersectionality of ethnicity and gender resulted in Latina legislator’s prioritizing the interests of multiple minority groups (Fraga et al., 2006). Similarly, in a study focusing upon the agenda-setting priorities of Black female legislators, it was determined that they do respond to Black interests and women’s interest through their bill sponsorships (Bratton et al., 2006). Despite their agenda-setting productivity, Black women report that they are more discriminated against and more marginalized than their Black male colleagues (Hedge, Button, & Spear, 1996). These women also indicated that their marginalization and disenfranchisement within the legislature does not dissipate with seniority status or successful bill sponsorship (Hedge et al., 1996). Studies on Black female policymakers suggest they are subjected to a unique set of obstacles that differentiate them from Black male policymakers and White female legislators (Reingold, 2006). Given the lack of scientific inquiry, it is not possible to determine whether this pattern characterizes the experiences of other minority groups of female policymakers but it is plausible that it would.

Political Legislatures as Gendered Institutions

Political institutions are gendered institutions so women’s experiences as legislators must include this construct in its analysis (see Kenney, 1996). According to Acker (1992), gendered institutions mean that “gender is present in the processes, practices,

images, and ideologies, and distributions of power in the various sectors of social life” (p. 567). As such, male political institutions reflect and reinforce gendered patterns of power (see Kenney, 1996; Kenny, 2007), yet attempt to operate in a seemingly gender-neutral fashion (Mackay, 2004). Therefore, it is critical to view legislatures through a “gendered lens” to understand how gender norms function within political institutions and how it impacts politicians and their policymaking activities (Kenny, 2007, p. 96).

This discussion covers two theoretical constructs (critical mass theory and moral reasoning theory) that can be applied to help contextualize female policymakers’ activities within gendered state legislatures. Critical mass theory posits that women’s performance in male-dominated institutions and the perceptions that their male colleagues have of them are directly impacted by their numerical representation (see Kanter, 1977). Scholars have extended this theoretical model to study whether female legislators’ political performance and priorities—as compared with their male counterparts—are impacted by their numerical presence within legislatures (see Bratton, 2002, 2005; Grey, 2002; Saint-Germain, 1989; Thomas, 1991, 1994; Vega & Firestone, 1995; Welch, 1985; Wolbrecht, 2000). Critical mass theory argues that when women make up only a token percentage of the legislative body (usually 15% or less), they are overwhelmed by the effects of the (male) gendered institution and conform to, rather than transform, the prevailing norms of the legislature. Critical mass theory would predict a change in women’s legislative behavior and agenda setting as more and more women are elected to office, and their percentages increase to the point of a substantial minority of state policymakers (usually 20%-30%). All but 3 of the 21 female policymakers represented in this sample came from states where the elected female presence in the legislature at the time of the bill sponsorship was between 20% and 35% (e.g., significant minority).

Both Michelle Saint-Germain (1989) and Sue Thomas (1991, 1994) found support for critical mass theory in that women’s legislative activity differed from that of their male colleagues as the percentages of women elected to legislatures increased. More specifically, female policymakers were more legislatively active regarding “women’s issues” when there were more women in the state legislatures. The relationship did not necessarily hold for feminist bill sponsorship, however (see Saint-Germain, 1989), nor did it ring true among Black female legislators who sponsored fewer women centric bills as the legislature achieved greater gender symmetry (Bratton et al., 2006). Perhaps this is because there are more women in the legislature than there are racial minorities and Black women focused their efforts where they perceived them to most in need—racial agenda setting.

Several studies found little or no empirical support for critical mass theory as an explanation for women’s legislative behavior or “difference” (see Bratton, 2002, 2005; Ford & Dolan, 1995; Welch & Thomas, 1991). For instance, by some accounts female legislators from states with low percentages of women in the legislature did not perform as their token status would predict. In fact, token status women can be more effective at agenda setting and bill passage than women legislators in states with higher percentages of female colleagues (see Bratton, 2005). A possible limitation to critical mass theory is that “numbers are likely a very small part of the equation . . .”

(Bratton, 2005, p. 122). Other possible explanations include the effect of race, political ideology, or a potential backlash by male legislators that become less likely to support the agenda and bill sponsorship of their female counterparts as the presence and activities of female policymakers increase (i.e., they may feel their access to power and the legislature's norms and equilibrium are being threatened; see Bratton et al., 2006; Kathlene, 1994; Rosenthal, 1998, 2000; Swers & Larson, 2005).

Another theoretical approach to understanding how females legislate in comparison with males is to borrow from Carol Gilligan's (1982) moral reasoning research on gendered attitudes and behavior. Gilligan found that when responding to moral dilemmas, males are more concerned with people interfering with another's rights ("ethic of justice"), whereas women were more focused upon the acts of omission or not helping others in times of need ("ethic of care"). These gender differences in how men and women resolve problems are attributed to their different socialization experiences (Gilligan, 1982). Although the research outcomes are mixed, Gilligan's moral reasoning theory of "different voices" continues to influence empirical questions on whether women operating in gendered settings affect the institutional processes and content (see Miller & Maier, 2008).

Kathlene (1995) re-conceptualized Gilligan's theoretical framework in her analysis of male and female state policymakers' views on crime and crime policy. Her results suggest that female legislators do have a discernable "different voice" when it comes to crime and criminal justice policy. Women "tend to see the criminal as a person who is both a victim of circumstances and a perpetrator of crime. Their solutions were contextual, multifaceted, and long-term" (Kathlene, 1995, p. 721). Evidence of this different legislative voice was found in this study also. In both Kathlene's (1995) study and the current investigation, female legislators often perceived crime and crime policies in a broader context. In comparison, male legislators viewed crime and criminals in individualistic terms, with a focus on accountability and responsibility. Men displayed a more narrow or "bounded" view of crime; one that centered on individual crimes by individual offenders (Kathlene, 2005, p. 228). Thus, the male legislators sponsored legislation that responded directly to the criminal event rather than preventive interventions or long-term programs designed to deter crime (Kathlene, 2005).

Policymakers and Sex Offender Laws

Only a small group of studies specifically examine legislators' views on sex offender lawmaking (Jenkins, 2004; Meloy, Curtis, & Boatwright, 2013a, 2013b; Sample & Kadleck, 2008; Sutherland, 1950), and none of these studies specifically examined the effect of a policymaker's gender, race, ethnicity, or political affiliation on the creation of sex offender laws. Thus, the present study adds to our understanding of how and under what conditions sex offender crime policy is created.

The first study to examine specialized sex offender policy was Sutherland's (1950) landmark investigation into sexual psychopath laws of the 1930s and 1940s. Sutherland found that the media's coverage of the murder and sexual assault of children, by repeat

sex offenders, resulted in a public panic. This mounting fear within the public resulted in special committees convened to address the sex offender problem. Demands for legislative action ensued (i.e., eventual sexual psychopath laws). Sutherland concluded that “modern” society was more prone to panicking over sex crimes because of the press coverage that was newly available to cover these crimes. Similar sentiments were found in the words of the male and female policymakers that participated in this investigation. Given the time period, it is unlikely that female legislators were involved in the creation of sexual psychopath laws of this era and even if any women were in office at the time, there was no mention of their role in this legislative process.

Much like Sutherland’s findings, Jenkins’ (2004) analysis of sex offenders and moral panics concluded that the 1990 Washington State sexual predator legislation was a direct result of “furious public response” (p. 191) for policymakers to do something about the child sex offender problem. The case prompting the legislative response, Jenkins contended, occurred in 1989. According to records, a 7-year-old boy was sexually attacked, mutilated, and left for dead by Earl Shriner (Jenkins, 2004). The result of the overwhelming pressure for legislative action resulted in a contemporary version of sexual psychopath laws (i.e., civil commitment). The reciprocal relationship between public activism and fear, and media coverage of child molesters are powerful influences in the process of lawmaking, even today. Although women were represented in the Washington State legislature in 1990, there is no specific mention in Jenkins’ analysis of their involvement in the sex offender civil commitment law.

Sample and Kadleck (2008) investigated lawmakers’ perceptions of sex offenders and sex offender issues in Illinois. Sample and Kadleck’s research suggest that lawmakers’ personal ideology and perceptions of sex offenders have a direct impact on the need, form, and content of sex offender legislation. In Illinois, policymakers’ beliefs that sex offending, especially against children, was increasing resulted in a number of state-level sex offender laws being passed (Sample & Kadleck, 2008). The perception of increasing risk of harm to children by stranger assailants was noted as a primary rationale for sex offender bill sponsorship among this sample of male and female legislators as well. The authors also found that the lawmakers’ views about sex offenders were reflected in the content of the state’s sex offender laws (Sample & Kadleck, 2008). The authors noted that seven women were included in the sample of policymakers; however, no independent analysis was conducted on their responses.

Meloy et al. (2013a, 2013b) investigated state legislative members from across the country that sponsored sex offender bills. Respondents were asked about their motivations to sponsor a sex offender bill (i.e., high-profile victimizations), to describe the reasons for the legislation (i.e., public demands, persona of tough-on-crime, job security), the effectiveness of sex offender legislation (i.e., working as intended), any unanticipated outcomes (i.e., too many low-risk offenders are impacted), and their views regarding the efficacy of sex offender therapy as a public safety strategy (i.e., skepticism). However, these results were not disaggregated by gender, race, or political affiliation. This present investigation moves the discussion forward.

Method

A national sample of state legislators, comprised of at least one respondent from each state, was interviewed using a semi-structured instrument (Wengraf, 2001) and open-ended questions. In total, 40 male state legislators and 21 female state legislators voluntarily participated in this Institutional Review Board (IRB) approved study. A deliberately non-random sample was used. Legislators who sponsored at least one state-level sex offender bill were targeted for inclusion. The data collection phase lasted 12 months and often required numerous attempts to reach a policymaker before a final answer on participation was given and/or an interview was completed. In nearly all of the 61 completed interviews, the respondent participated via a recorded telephone conversation. Previous research substantiated the efficacy of this mode of data collection in qualitative research (Sturges & Hanrahan, 2004). On average, the interviews were about 40 minutes in duration, with the interviews of female respondents lasting slightly longer.

All respondents were guaranteed anonymity and identifying information was removed from individual responses. All of the interviews were transcribed verbatim. Interviews continued until each state was represented and data saturation was reached (Seidman, 2006). In addition, a content analysis was conducted on each of the 118 different sex offender bills that were sponsored by these 61 lawmakers during their time in office (most still hold their elected seats). The content analysis provided a more exact categorization of the sex offender bills and greater clarity regarding their goals and objectives.

Finally, descriptive statistical analysis (i.e., cross-tabulations) was conducted on the observations associated with each question area (e.g., independent variables) for both male legislators and female legislators, White and non-White legislators, and legislators of both political parties (e.g., dependent variables) to examine potential associations between the independent and dependent variables. The chi-square values indicated there were no statistically significant relationships present. However, statistical analysis often fails to capture subtle differences in data, especially within smaller samples. By triangulating these data (policymaker interviews, content analysis of the 118 sex offender bills, descriptive statistics), subtle, but important, variations in how male and female legislators perceive and respond to sex crimes were detected.

Participant Description

As indicated, the sample contained 40 male state legislators and 21 female state legislators who sponsored sex offender bills. The male sample was comprised of 16 Democrats (40%) and 24 Republicans (60%). Among the female sample, the pattern was nearly reversed. Thirteen of the female legislators were Democrats (62%) and 8 were Republicans (38%). This gender breakdown is consistent with extent literature, which finds that the Democratic Party has produced more female legislators (especially women of color) at the state and federal level than the Republican Party (Carroll & Sanbonmatsu, 2013). With regard to race and ethnicity, most of the respondents from both samples were White and non-Hispanic. More specifically, 37 of the 40 male

Table 1. Demographic and Party Affiliation of Respondents ($n = 61$).

	Party affiliation		Race/ethnicity		Marital status				Average age (in years)
	Democrats	Republicans	Whites	Non-Whites	Married	Single	Divorced	Widowed	
Females ($n = 21$)	13 (62%)	8 (38%)	17 (81%)	4 (19%)	15 (71%)	3 (14%)	1 (5%)	2 (10%)	56
Males ($n = 40$)	16 (40%)	24 (60%)	37 (93%)	3 (7%)	32 (80%)	4 (13%)	2 (5%)	1 (2%)	59

respondents were White (93%), 2 male respondents were Black (5%), and 1 male respondent (2.5%) was Native American. There was slightly more racial and ethnic diversity among the female sample. Seventeen of the 21 female respondents were White (81%), 3 of the female respondents were Black (14%), and 1 (5%) female respondent was Hispanic. Unfortunately, the lack of racial and ethnic variability meant that no meaningful analysis on the potential effect of a policymaker's race or ethnicity on lawmaking behavior could be performed. However, the sample did contain more racial and ethnic diversity than national averages. To be more exact, 7 of 61 respondents (more than 11% of the overall sample) were non-White. Nationally, 8% of state legislators are Black and only 2.9% are Latino (National Conference of State Legislatures, 2014). See Table 1 for additional information pertaining to the demographic information of the participants.

The vast majority of the male policymakers were married (80%) and their mean age was nearly 59 years old. In comparison, a slightly lower percentage of female policymakers were married (71%) and their mean age was 56 years old—the average age nationally of state policymakers (National Conference of State Legislatures, 2014). The fact that the female respondents were younger than their male peers is somewhat atypical. Historically, female policymakers were older than their male counterparts, at least when they reach elected office. Generally, women waited until their parental responsibilities were reduced before seeking elected office (Thomas, 1998).

Findings

Gender, Racial, and Political Patterns in Sex Offender Bill Sponsorship

Sex offender registration and notification (SORN) laws require convicted sex offenders to notify authorities of their presence in the community and the location of their primary residence. These laws permit law enforcement to make this information available to the public. SORN was the most popular form of bill sponsorship for men (35.2% of their sex offender bills) and women (38.3% of their sex offender bills) and among Republicans (41.3% of their sex offender bill sponsorships) and Democrats (30.9% of their sex offender bill sponsorships) and among White (37.6%) and non-White (29.4%) legislators. All told, it accounted for 36.4% of all bill sponsorship, which was the largest category, and the top ranked form of sex offender legislative activity by gender, race and ethnicity, and political affiliation.

The second most common bill sponsorship among the overall sample ($n = 61$ lawmakers and 118 sex offender bills) were sex offender criminal enhancements which included bills regarding mandatory felony charges (vs. misdemeanor level), new penalties for sexually assaulting younger child victims, increasing mandatory minimum prison sentences for repeat sex offenders, lifetime prison sentences for serial sex offenders, bolstered penalties against recidivist child molesters, sexually violent predators required to serve prison (rather than jail) sentence for parole violations, and so on. Disaggregating by gender, 18.3% of all of the sex offender bills sponsored by male legislators were part of the criminal enhancements category whereas fewer female policymakers (12.8%) sponsored a criminal enhancement. Criminal enhancements were also the second most common form of sex offender bill sponsorship among Democrats accounting for roughly 20.0% of all their sponsored sex offender bills. Republicans were less likely to sponsor criminal enhancements, as only 12.7% of all of their relevant bill sponsorships were consistent with this category. This finding may be surprising to some who perceive the Republican Party as epitomizing the larger “get tough on crime” policy movement. However, much about sex offender policy-making seems immune to differences based on political ideology or party affiliation.

The third most common category of sex offender bills by the state legislators ($n = 61$) is residence restrictions *and* secondary restrictions (each category accounting for 14% of all the sex offender bill sponsorships). Residence restrictions limit where registered sex offenders can reside by establishing buffer zones (usually within 750-2,500 feet) around protected areas like parks or schools (see Meloy, Miller, & Curtis, 2008). With regard to gender breakdown, residence restrictions were tied with secondary restrictions as the third most common form of sex offender bill sponsorship for men (14% of all bill sponsorships) and were tied for the second most common type of sex offender bill sponsorship among women legislators (14% of all bill sponsorships).

As noted, secondary restrictions were tied for the third most common form of sex offender bill sponsorship (14% of all bills by men and women). The majority of these restrictions (13 of 17) were employment related and barred sex offenders from working with children. Other examples of secondary restrictions included requirements to add the offender’s DNA to the state’s criminal database, no loitering where children are likely to be present, and driver license revocation for registration violations. Nearly 2 of 10 Democratic Party members sponsored sex offender bills with secondary restrictions, while only 11% of Republicans sponsored secondary restriction bills. A review of Table 2 provides additional information regarding the remaining categories of sex offender bill sponsorship by gender, race/ethnicity, and political affiliation. Overall, there were little discernable categorical differences in the descriptive data on sex offender legislative activity between the groups. The qualitative data analysis reveals more differences between the male and female lawmakers (see Table 3). It is covered next.

Why Male and Female Legislators Sponsor Sex Offender Bills?

Both samples of legislators said that previous victimizations known to them were the primary motivation for their sex offender bill sponsorship.¹ More specifically, about

Table 2. Legislative Activity by Gender and Political Affiliation.

Category	Full sample (N = 118 bills)	All men (n = 71 bills)	All women (n = 47 bills)	All Democrats (n = 55 bills)	All Republicans (n = 63 bills)	Democrat women (n = 30 bills)	Republican women (n = 17 bills)	Democrat men (n = 25 bills)	Republican men (n = 46 bills)	Whites (n = 101)	Non-Whites (n = 17)
SORN	36.4%	35.2%	38.3%	30.9%	41.3%	33.3%	47.1%	28.0%	39.1%	37.6%	29.4%
Criminal enhancements	16.1%	18.3%	12.8%	20.0%	12.7%	16.7%	5.9%	24.0%	10.9%	15.8%	17.6%
Residence restrictions	14.4%	14.1%	14.9%	14.5%	14.3%	16.7%	11.8%	12.0%	15.2%	13.9%	17.6%
Secondary restrictions	14.4%	14.1%	14.9%	18.2%	11.1%	16.7%	11.8%	8.0%	6.5%	13.9%	17.6%
EM/GPS	5.1%	7.0%	2.1%	5.5%	4.8%	3.3%	0.0%	20.0%	10.9%	4.0%	11.8%
Other	5.1%	5.6%	4.3%	3.6%	6.3%	3.3%	5.9%	4.0%	6.5%	5.9%	0.0%
Social media protections	4.2%	4.2%	4.3%	3.6%	4.8%	3.3%	5.9%	4.0%	4.3%	4.0%	0.0%
Juvenile sex offender laws	4.2%	1.4%	8.5%	3.6%	4.8%	6.7%	11.8%	0.0%	2.2%	4.0%	5.9%

Note. SORN = Sex Offender Registration and Notification.
EM/GPS = Electronic Monitoring/Global Positioning System

Table 3. Summary of Qualitative Findings by Gender.

	Male	Female
Primary catalyst for sex offender bill sponsorship		
High-profile victimizations	70%	57%
Policy goals for sex offender bill sponsorship		
Public safety	65%	71%
Sex offender treatment	25%	14%
Are sex offender laws working?		
Yes, state laws are working	55%	57%
No, state laws are not working	25%	15%
Insufficient data to determine	15%	30%
Unforeseen consequences of sex offender laws		
Laws overreach and apply to too many low-risk offender	43%	48%
Negative consequences for residence/proximity restrictions	15%	17%

70% of the male legislators and 57% of the female legislators pointed to high-profile sex crimes against children as the primary motivation for their sex offender bill sponsorship. Here is an example from a male respondent explaining why he put his sex offender bill(s) forward:

There have been a number of high-profile cases with kidnappings and sexual assaults that resulted in murder. We had a case where a newspaper delivery person abducted these girls and he was a sex offender. These horrible crimes lead to increasing legal penalties and, often, to new laws. See, . . . the emotional reaction to a sex offender is pretty significant and then we in the legislature have to do something about it. (Male legislator from a Western state)

A female legislator also spoke about stranger victimizations against minors as the primary reason she became active in sex offender policymaking. For instance,

A year doesn't go by where we have some guy in a van pulling up to little kids trying to coax them into a car and take off with them. There was an article just yesterday in our newspaper in [City Name] where this guy tried to pick up two 10-year-old girls. We get a heightened awareness to these crimes and learn about the victims and something has to be done. (Female legislator from a Midwest state)

As these excerpts exemplify, male and female legislators were both likely to reference stranger-assailant child victims as the primary reason behind their sex offender bills. However, about 60% of the female policymakers in this investigation also specifically included women and children of family violence and other forms of violence against women as an additional catalyst for their sex offender bill sponsorship. This finding was not evident among the male respondents, nor were (adult) male victims of sexual assault mentioned as a rationale for sex offender bill sponsorship among either

group of legislators. Given the growing public awareness of sexual victimization against males this oversight might be corrected in forthcoming legislative sessions. Here are two examples of women legislators speaking about other forms of victimization that were instrumental in their sex offender bill sponsorship:

Anytime children are molested sex offender laws come out. We've also had other cases where adult victims—the crime was so bad, something had to be done . . . We realized after this case where a husband had tried to arrange the rape and beating of his wife by a third party that there were not adequate laws to handle some situations. (Female legislator from a Southern state)

I've been in office for 8 years now and each time we have turned our attention to sex offender laws it's always some kind of catalyst. We had a tragic rape and murder of a 12-year-old girl by a step-father and that trial is coming up now. The very next session there was a lot of pressure on all us legislators to enact some kind of new law to protect against sex offenders. Then, another time I was involved in drafting a sex offender bill—it was after a well-known rapist and murderer was preying on women for a number of years over several different crimes against women. He eventually got caught and served his time but the people of our state were very worried he would commit another crime and sure enough he traveled to X (a neighboring state) and raped another woman but this time we found him before he could kill her. (Female legislator from a Northeastern state)

In sum, although male and female policymakers both cited child victims by stranger assailants as a catalyst for their own sex offender bill sponsorship, female policymakers were also moved into legislative action by violence targeting women or instances of familial abuse. Most female respondents were members of state legislatures with a sizable minority of women serving in office (i.e., constituting a critical mass) and this may have impacted their different policymaking.

Male and Female Legislators Discuss Policy Goals

Male respondents (65%) and female respondents (71.4%) stated that public safety was the primary goal of their sex offender bill. Here is an example of how a male policymaker discussed public safety goals:

The most obvious goal of my sex offender law and others is to protect our citizenry. But, just as important is the transparency of whom it is that you're communing with in your day-to-day lives. Part of these laws are designed to take people who would do harm off the streets. But beyond that, we're singularly focused on trying to make our citizens aware of who is a potential threat. (Male legislator from a Western state)

Here is an example of a female legislator discussing the goal of public safety:

To keep people protected. We believe that people should be aware of who's living in their area and their neighborhood, especially around schools because we have a large portion of our students that are walkers to and from school. We also feel it is important that our

crime laws reflect what is going on in the community. For example, because we know that domestic violence is on the rise, we had a task force come up with these recommendations in the last year, we have 24-hour shelters with monitoring programs, to see if that is going to help and keep women and children safer. (Female legislator from a Northeastern state)

This female legislator's reference to domestic violence and safe houses for victims was not unusual among the female policymakers. Female Democratic Party members (8 of the 13) and female Republican Party members (4 of the 8) intertwined their discussions of sex offender laws with their knowledge and concerns of family violence and other crimes against women and children. Again, this trend was not present among the male respondents. The 12 female respondents that discussed sex offender bill sponsorship as related to the larger social problem of violence against women and children came from legislatures where institutional factors such as a sizable minority of women legislators may have impacted these women's policymaking decisions. Many of these respondents also served in an influential position, in some capacity, within the legislature.

Are Sex Offender Laws Working?

More than half of the male (55%) and female (57%) legislators stated that they believed their state's sex offender laws were meeting their goals and objectives. There was a similar pattern along political party lines. Below is an example of how a male legislator framed his perception of success:

Yes, I would say that the sex offender laws I've written are working. The laws I just passed in the last session will make sure that the sex offender is removed from society for a longer period of time, especially the child sex offender. Yes, the goals are going to be met to protect children. (Male legislator from Southern state)

Slightly more than half of the female legislators also believed that their sex offender legislation was operating effectively. See the following excerpt:

Yes, I do believe the laws are working. This has been the hallmark of my legislative career—to pass legislation regarding sex offenders. The folks that are out there on the front line say it is working. My job is to give them the best possible tools so they can succeed. We are doing that. (Female legislator from a Southern state)

However, all sex offender policymakers were not convinced of the legislative efficacy of sex offender laws. Twenty-five percent of male legislators and about 15% of female legislators stated that they did not believe that their sex offender laws were working. Finally, 15% of male policymakers and nearly 30% of female policymakers (and 30% of the Democrats and 28% of Republicans) said there was insufficient data to know whether the sex offender laws were working or not. Here are examples of how a male and female legislator expressed their skepticism about sex offender law efficacy:

It is incredibly hard to know what is actually going on because sexual crimes go unreported so its nearly impossible to get any legitimate data from which to draw from but I have yet to see any data that supports the argument that implementation of sex offender laws . . . achieves the goal of crime reduction. (Male legislator from Western state)

I am sure that some legislators and members of the public honestly believe that registration and community safety zones and other forms of sex offender laws limit re-victimization. More realistically, and why I sponsored the bill that I did, was to prevent our state from becoming a haven for sex offenders from other states. If our laws are more lax than theirs, it makes our state a desirable location. A few years ago this actually happened. Our neighboring state temporarily enacted a much more extensive community safety zone than us and there was a significant migration of sex offenders from that state to us. But whether the laws actually work, I am not aware of any studies that prove sex offender laws are effective to prevent re-victimization. And I would be skeptical of such studies. (Female legislator from Midwest state)

In conclusion, although a slight majority of the lawmakers believed that their sex offender laws were operating effectively, a sizable percentage of respondents were not convinced of this position, in part, because scientific data demonstrating the effectiveness of these laws are lacking or inconclusive. These skeptical policymakers seemed more “tuned in” to the state of scientific knowledge on sex offender recidivism and outcome studies on policy (e.g., SORN as well as residence restrictions).

Unforeseen Complications of Sex Offender Laws

Nearly all of the male and female policymakers—irrespective of party affiliation—noted at least one unforeseen consequence associated with the sex offender laws in their state. The most frequently cited problem by both the male legislators (42.5%) and female legislators (47.6%) is that today’s sex offender laws overreach by extending to too many low-risk offenders. See below how a male legislator framed this issue:

Our state has been very aggressive in sex offender legislation. We have always been in the forefront on these crimes. I would warn legislators about doing too much, too soon because you can create problems with these laws. We have seen that but it’s hard to hold back because there is an inherent political benefit to being tough on crime but with some reflection I think we need to take a step back and make sure we are being smart on crime. There are definitely a few instances where we have over-reached with our sex offender laws, especially with 18-year-olds. If this person has a 15-year-old girlfriend he could end up on our sexual predator list. That was not my initial legislative intent. But because of a rush to judgment and people wanting tough action, unfortunately you get some unintended consequences. (Male legislator of a Northeastern state)

In comparison, here is an excerpt from a female policymakers on the overly broad nature of sex offender laws:

One of the main problems with our sex offender laws is that we are having to pour more and more resources into managing the sex offender registry, managing geographical restrictions on all these individuals—not that I want to be an advocate of sex offenders because I want to be re-elected and that will not get you re-elected—but we are spending so many of our state dollars registering and tracking low-risk offenders. I don't think we are getting the benefit given the cost. (Female legislator from Western state)

The next most frequent response from male (15%) and female (17%) policymakers regarding the negative consequences for sex offenders laws in their state was related to residence or proximity restrictions.² Examples regarding residence restriction concerns were as follows:

The one thing I am aware of about unanticipated consequences is the growing number of homeless sex offenders in our state because our residence restriction law creates such stringent limits about where they can reside. They [sex offenders] can't provide an address that meets the criteria. (Male legislator from Midwest state)

The issue of limiting where sex offenders can live has started to become a big unanticipated problem. We have the same dynamic as other states who have passed residence restrictions where our offenders are living under bridges because there is no where they can reside legally and you [law enforcement] can't find them and you discover that they are missing because they fail to check in with probation or parole. (Female legislator from Midwest state)

Thus, most sex offender policymakers were aware of the far reaching consequences of sex offender laws and the limits of their state's ability to effectively respond to sex crimes and sex offenders through legislative means.

Women's Final Words on Sex Crimes and Sex Offenders

Sixty-one percent of the female Democrats (8 of 13) and 50% of the female Republicans (4 of 8) discussed violence against women and familial forms of abuse as part of their narrative on sex offender legislation. These female legislators referenced domestic violence, domestic violence shelters, restraining orders against intimate partner violence (IPV) offenders, men killing their intimate partners, rape, date rape, incest, familial child molestation, and various other forms of family violence. Some of these women cited their membership in their legislature's women's caucus as an influential factor in their policymaking both from an educational perspective on violence against women and as a platform for agenda setting on women's issues. Other female respondents held positions of seniority within their political party or were chairpersons on influential committees. Such institutional factors are linked with successful bill sponsorship. While none of the female policymakers spoke in "feminist terms" more than half of the women (57%) connected their concern about sex crimes to their views about women's victimization and violence in the home. Here are examples of women policymakers speaking about women's issues and familial abuse:

I think education is key in stopping sexual violence. I'm very involved in our family and domestic violence program in the City of X. I've been president of the YWCA, which runs the domestic violence program. I think that educating people about how violence starts and then what to do about it is important. I think sex offenders have a violent victimization of some sort in their past too. (Female legislator from Northwestern state)

When I was a prosecutor there were children victims and I would try and figure out why did this happen, how did this person have access to the family, and then you meet the mom. And then you know. Mom too was a victim of molestation. Her boundaries were broken but she never got help and now it's happened all over again. That story was almost every case I ever had. (Female legislator from a Midwestern state)

We also have to move beyond the sex offender education platform of stranger danger to also talk about incest. We have cases right in our town where the father, uncle or brother was the perpetrator and it was kept as a big family secret. (Female legislator from Northwestern state)

Your questionnaire made me realize that we need to have some form of a study as to whether our goals and objectives about protecting women and children are adequate, and if they are met. I will propose that idea to our women's legislative caucus. I'm wondering because we've had a couple of very violent and very sad domestic violence murders and one when the ex-boyfriend killed both the mother and the teenage daughter and it just shocked the community. We had another domestic violence case where the ex-boyfriend went to the attorney's house—of his former girlfriend—and shot the attorney. So, what's been in the press and in the public's conscience is much more the domestic violence than the sexual violence. (Female legislator from a Western state)

Last year there was this young woman who was raped by her step dad. When the police came to investigate, they actually made the victim reenact the rape with the pouncing on her and forcing her down and then the hospital institution she was taken to did the same thing to her. And I have seen this happen many times with rape victims. To make them recreate the very drama and the horrifying nightmare that she had been through. The cops need sensitivity training but the leadership in the legislature is pulling away the money for training. (Female legislator from a Southern state)

The connections these female legislators made to other forms of violence and victimization and their broader characterization of victims (women, children, victims of domestic abuse crimes) suggest that many female policymakers view sex crimes more broadly than their male counterparts. Their unique perspectives on violence against women seem to impact their support of sex offender bills in disparate ways from that of their male colleagues. These female respondents offered a "different voice" and demonstrated an "ethic of care" regarding the help and support that was needed but often absent from people's lives. Examples of this concept are found in the reference of the mothers of sexually abused children who were also molested during their childhood, allowing a cycle of violence to continue. An "ethic of care" is also present in the telling of a victim's callous treatment by the criminal justice system after she reports

a rape by her stepfather. The perceived relationship between offending behaviors and negative life experiences, such as prior victimization, is consistent with Kathlene's (1995, 2005) work on female legislators. Her evidence of a "different legislative voice" was derived in part from women lawmakers' perceptions of criminals as the product of their environment and experiences while their male colleagues generally perceived offenders as rational individuals that made a deliberate choice to commit a crime. These different views on criminality are associated with different legislative responses.

Conclusion

By using various sources of data, this study was a first attempt to better understand the role of gender in sex offender bill sponsorship. Results indicate that although male and female legislators share many views on sex offender laws, female policymakers are more likely to perceive sex crimes as affecting larger victim populations and intertwined with violence against women, while male legislators discussed sex crimes in more monolithic terms. More specifically, female respondents often linked sex crimes and sex offender bills to the larger social problem of violence against women and children, which included child molestation by family members, date rapes, and IPV. In contrast, male respondents referenced only sex crimes against children and primarily child victimizations perpetrated by non-family members (i.e., child sexual predators). These gendered outcomes are not unlike Lyn Kathlene's (1995, 2005) research in which male legislator's viewed crime and crime policy more narrowly while women's "different legislative voice" provided a gendered perspective that fostered a broader, societal conceptualization of crime and crime policy. Whether this difference is a product of their gender socialization, their life experiences, the institutional context of their respective legislature, or a combination of factors is unclear and deserves further study.

Results also indicate that institutional factors can be influential on women's policymaking. As indicated earlier, 18 of the 21 female respondents came from states where the legislature has a sizable minority (20%-35%) of female legislators. Different policymaking by women under these structural circumstances has been linked theoretically and empirically to critical mass theory. In addition, several of these respondents were also either part of the women's caucus, and/or a ranking member of their political party, or a committee chairperson. A legislator's access to powerful positions is another institutional factor associated with greater levels of influence and legislative success and may have further impacted the women's ability to legislate differently than men.

Furthermore, the mixed-method approach used in this study helped reveal findings that may not have been discovered otherwise. Statistical summaries of sex offender bill sponsorship alone failed to adequately convey the important, yet subtle, differences that existed between how men and women policymakers view and respond to sex crimes. Because men and women appear to legislate differently—at least in some instances—diversifying state legislatures is likely to produce a more balanced and representative perspective on important social and gendered issues like sexual

victimization. Additional research should be conducted to determine if these findings are replicated in other samples of female policymakers, especially in studies with more racial and ethnic diversity. Ultimately, research that evaluates the public policy outcomes associated with women's legislative accomplishments should be undertaken.

There are, of course, limitations to this study. First, the sample size of male ($n = 40$) and female ($n = 21$) state legislators makes generalizing these findings problematic. Also, disaggregating the findings by race and ethnicity (i.e., there were only seven non-Whites in the sample) and political affiliation (i.e., there were only eight Republican women) would have been ideal but was not feasible given the small numbers. Also, because this is the first attempt to disentangle the effect of gender on a specific type of bill sponsorship (e.g., sex crimes), the application of these lessons to the larger discourse on how women legislate is unclear. Nevertheless, these results are important because they offer insight into the hearts and minds of male and female legislators from across the country that sponsored bills in a growing and important area of legislation (e.g., sex offender laws).

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Notes

1. Because the samples are relatively small (men = 40 and women = 21; Democrat women = 13 and Republican women = 8; non-White males = 3 and non-White females = 4), the qualitative analysis containing direct quotes from respondents does not include references to a legislator's race, ethnicity, political affiliation, or specifics on the type of his or her sex offender bill as these could jeopardize their anonymity and, perhaps, make them politically vulnerable.
2. The remaining respondents mentioned anti-therapeutic components to the laws, tracking problems of sex offenders, laws creating a false sense of security, vigilantism, and funding problems.

References

- Acker, J. (1992). Gendered institutions: From sex roles to gendered institutions. *Contemporary Sociology*, 21, 565-569.
- Barrett, E. J. (1997). Gender and race in the state house: The legislative experience. *Social Science Journal*, 34, 131-144.
- Bratton, K. A. (2002). The effect of legislative diversity on agenda-setting: Evidence from six state legislatures. *American Politics Research*, 30, 115-142.
- Bratton, K. A. (2005). Critical mass theory revisited: The behavior and success of token women in state legislatures. *Politics & Gender*, 1, 97-125.

- Bratton, K. A., Haynie, K. L., & Reingold, B. (2006). Agenda setting and African American women in state legislatures. *Journal of Women, Politics & Policy*, 28(3-4), 71-96.
- Carroll, S. J. (2002). Representing women: Women state legislators as agents of policy-related change. In S. J. Carroll (Ed.), *The impact of women in public office* (pp. 3-21). Bloomington: Indiana University Press.
- Carroll, S. J., Dodson, D., & Mandel, R. B. (1991). *The impact of women in public office*. New Brunswick, NJ: Center for American Women and Politics, Eagleton Institute of Politics, Rutgers University.
- Carroll, S. J., & Sanbonmatsu, K. (2013). *More women can run: Gender and pathways to the state legislatures*. New York, NY: Oxford University Press.
- Center for American Women and Politics. (2014). *Women of color in elective office 2014: Congress, statewide, state legislature*. New Brunswick, NJ: Center for American Women and Politics, Eagleton Institute of Politics, Rutgers University. Retrieved from http://www.cawp.rutgers.edu/fast_facts/levels_of_office/documents/color.pdf
- Collins, P. H. (2000). Gender, Black feminism, and Black political economy. *ANNALS of the American Academy of Political and Social Science*, 568, 41-53.
- Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *University of Chicago Legal Forum*, 140, 139-167.
- Dahlkemper, L. (1996, July/August). Growing accustomed to her face. *State Legislatures*, 37-45.
- Dolan, K., & Ford, L. E. (1995). Women in the state legislatures: Feminist identity and legislature behavior. *American Politics Quarterly*, 23, 96-108.
- Ehrenreich, B. (1990, November). The road to equality: Sorry, sisters, this is not the revolution. *Time Magazine Special Issue, Women: The Road Ahead*, 15.
- Ford, L. E., & Dolan, K. (1995). The politics of women state legislators: A South/Non-South comparison. *Southeastern Political Review*, 23, 333-348.
- Fraga, L., Lopez, L., Martinez-Ebers, & Ramirez, R. (2006). Gender and ethnicity: Patterns of electoral success and legislative advocacy among Latina and Latino state officials in four states. *Journal of Women, Politics, & Policy*, 28, 121-145.
- Gay, C., & Tate, K. (1998). Doubly bound: The impact of gender and race on the politics of Black women. *Political Psychology*, 19, 169-184.
- Gilligan, C. (1982). *In a different voice: Psychological theory and women's development*. Cambridge, MA: Harvard University Press.
- Githens, M., & Prestage, J. (1977). A minority within a majority. In M. Githens & J. Prestage (Eds.), *Portraits of marginality: The political behavior of the American woman* (pp. 339-345). New York, NY: David McKay.
- Grey, S. (2002). Does size matter? Critical Mass and New Zealand's Women's MPs. *Parliamentary Affairs*, 55(1), 19-29.
- Hawkesworth, M. (2003). Congressional enactments of race-gender: Toward a theory of race-gendered institutions. *American Political Science Review*, 97, 529-550.
- Hawkesworth, M., Casey, K. J., Jenkins, K., & Kleeman, K. (2001). *Legislating by and for women: A comparison of the 103rd and 104th Congresses*. New Brunswick, NJ: Center for American Women and Politics.
- Hedge, D., Button, J., & Spear, M. (1996). Accounting for the quality of Black legislative life: The view from the states. *American Journal of Political Science*, 40, 82-98.
- hooks, b. (1984). *Feminist theory: From margin to center*. Boston, MA: South End Press.
- hooks, b. (1989). *Talking back*. Boston, MA: South End Press.

- Jenkins, P. (2004). *Moral panic: Changing concepts of the child molester in modern America*. New Haven, CT: Yale University Press.
- Kanter, R. M. (1977). Some effects of proportions of group life: Skewed sex ratios and responses to token women. *American Journal of Sociology*, 82, 965-991.
- Kathlene, L. (1994). Power and influence in state legislative policymaking: The interaction of gender and position in committee hearing debates. *The American Political Science Review*, 88, 560-576.
- Kathlene, L. (1995). Alternative views of crime: Legislative policymaking in gendered terms. *Journal of Politics*, 57, 696-723.
- Kathlene, L. (2005). In a different voice: Women and the policy process. In S. Thomas & C. Wilcox (Eds.), *Women and elective office: Past, Present, and Future* (2nd ed.) (pp. 213-229). New York, NY: Oxford University Press.
- Kenney, S. (1996). New research on gendered political institutions. *Political Research Quarterly*, 49, 445-466.
- Kenny, M. (2007). Gender, institutions, and power: A critical review. *Politics*, 27, 91-100.
- Kittilson, M., & Schwindt-Bayer, L. (2012). *The gendered effects of electoral institutions: Political engagement and participation*. Oxford, UK: Oxford University Press.
- Leader, S. (1977). The policy impact of elected women officials. In L. Maisel & J. Cooper (Eds.), *The impact of the electoral process* (pp. 265-284). Beverly Hills, CA: Sage.
- Little, T. H., Dunn, D., & Deen, R. E. (2001). A view from the top. *Women & Politics*, 22(4), 29-50.
- Mackay, F. (2004). Gender and political representation in the UK: The state of the "discipline." *The British Journal of Politics & International Relations*, 6, 99-120.
- Meloy, M., Curtis, K., & Boatwright, J. (2013a). Policy-makers' perceptions on their sex offender laws: The good, the bad, and the ugly. *Criminal Justice Studies: A Critical Journal of Crime, Law, and Society*, 26, 273-288.
- Meloy, M., Curtis, K., & Boatwright, J. (2013b). The sponsors of sex offender bills speak up: Policy makers' perceptions of sex offenders, sex crimes, and sex offender legislation. *Criminal Justice & Behavior*, 40, 438-452.
- Meloy, M. L., Miller, S. L., & Curtis, K. M. (2008). Making sense out of nonsense: The deconstruction of state-level sex offender residence restrictions. *American Journal of Criminal Justice*, 33, 209-222.
- Miller, S. L., & Maier, S. L. (2008). Moving beyond numbers: What female judges say about different judicial voices. *Journal of Women, Politics & Policy*, 29, 527-559.
- National Conference of State Legislatures. (2013). *Party composition of state legislatures*. Retrieved from <http://www.ncsl.org/legislatures-elections/elections/statevote-charts.aspx>
- National Conference of State Legislatures. (2014). *Legislator demographics*. Retrieved from <http://www.ncsl.org/research/about-state-legislatures/legislator-demographics.aspx>
- Reingold, B. (2000). *Representing women: Sex, gender, and legislative behavior in Arizona and California*. Chapel Hill: University of North Carolina Press.
- Reingold, B. (2006, May 25-27). *Women as office holders: Linking descriptive and substantive representation*. Paper prepared for presentation at the "Political Women and American Democracy" Conference, University of Notre Dame, South Bend, Indiana.
- Rosenthal, C.S. (1998). *When women lead: Integrative leadership in State Legislatures*. New York: Oxford University Press.
- Rosenthal, C. S. (2000). Gender styles in state legislative committees. *Women & Politics*, 21(2), 21-45.

- Saint-Germain, M. (1989). Does their difference make a difference? The impact of women on public policy in the Arizona Legislature. *Social Science Quarterly*, 70, 956-968.
- Sample, L., & Kadleck, C. (2008). Sex offender laws: Legislator's accounts of the need for policy. *Criminal Justice Policy Review*, 19, 40-62.
- Seidman, I. (2006). *Interviewing as qualitative research: A guide for researchers in education and the social sciences*. New York, NY: Teachers College Press.
- Sturges, J., & Hanrahan, K. (2004). Comparing telephone and face-to-face qualitative interviewing: A research note. *Qualitative Research*, 4, 117-118.
- Sutherland, E. (1950). The diffusion of sexual psychopath laws. *American Journal of Sociology*, 50, 142-148.
- Swers, M. L. (2002). *The difference women make: The policy impact of women in Congress*. Chicago, IL: The University of Chicago Press.
- Swers, M. L., & Larson, C. (2005). Women in Congress: Do they act as advocates for women's issues? In S. Thomas & C. Wilcox (Eds.), *Women and the elective office: Past, present and future* (pp. 110-151). New York, NY: Oxford.
- Thomas, S. (1991). The impact of women on state legislative policies. *Journal of Politics*, 53, 958-976.
- Thomas, S. (1994). *How women legislate*. New York, NY: Oxford University Press.
- Thomas, S. (1998). Introduction: Women and elective office: Past, present, and future. In S. Thomas & C. Wilcox (Eds.), *Women and elective office: Past, present, and future* (pp. 3-25). New York, NY: Oxford University Press.
- Vega, A., & Firestone, J. M. (1995). The effects of gender on Congressional behavior and substantive representation of women. *Legislative Studies Quarterly*, 20, 213-222.
- Welch, S. (1985). Are women more liberal than men in the U.S. Congress? *Legislative Studies Quarterly*, 10, 125-134.
- Welch, S., & Thomas, S. (1991). Do women in public office make a difference? In D. L. Dodson (Ed.), *Gender and policymaking: Studies of women in office* (pp. 13-20). New Brunswick, NJ: Center for American Women and Politics.
- Wengraf, T. (2001). *Qualitative research interviewing: Biographic, narrative, and semi structured methods*. Thousand Oaks, CA: Sage.
- Wolbrecht, C. (2000). *The politics of women's rights: Parties, positions, and change*. Princeton, NJ: Princeton University Press.

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