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RESEARCH ARTICLE

ESTUDIOS CRIMINOLÓGICOS SOBRE MUJER DELINCUENTE, PUENTE GRANDE, JALISCO, MÉXICO

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ABSTRACT

The purpose of the research is to analyze female delinquency and the causes of their behavior, in a multidisciplinary way from the legal, criminological, psychological and social perspectives, based on the contributions from women inmates in the Women's Rehabilitation and Preventive Center of Puente Grande, Jalisco. In the methodology, the field study was conducted with inmates held for crimes of homicide and robbery in the Preventive and Women's Rehabilitation Center of Puente Grande, Jalisco (2008 to 2013), interviewing 25% of the total prison population (figures provided by the mentioned Preventive Center) between 18 and 35 years of age. Among the results, it was identified that female offenders have problems due to psychological and social alterations: their own crime, denial of the fact, psychological problems, aggressiveness, family and economic problems.

INTRODUCTION

The female criminal problem is constantly evolving, which is why it is necessary to analyze it continuously, based on a multidisciplinary study, in order to understand female criminal behavior from various fields and disciplines. The objectives of the research were established, being one of them, analyze female delinquency and the causes of their criminal behavior in a multidisciplinary manner from the legal, criminological, psychological and social perspectives, based on the information and testimonies, from women imprisoned for robbery and homicide in the Women's Preventive and Rehabilitation Center of Puente Grande, Jalisco, They were interviewed to know and understand the causes that led them to commit a crime, considering the growing crime rate and the change in the crime role of women. Likewise, the results of the research are described, where it was identified that women offenders face serious problems due to psychological and social alterations: their own crime, denial of the fact, psychological problems, aggressiveness, family and economic problems.

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In the same way, the predominant pattern of causal behavior is the psychosocial-cultural one; participating more actively as leaders in the commission of crimes. Finally, it addresses the contributions of research to the problem of female delinquency, identifying the causes that lead women to commit crimes and the necessary participation of governmental and non-governmental institutions to support the issue through efficient strategies.

METHODOLOGY

The research consisted of analyzing the causes that motivate women to commit crimes, as well as their increase, this is why, it was prompted an interdisciplinary work aimed at investigating, studying and proposing solutions to support adequate treatment for this problem. In addition, the modus operandi of the interviewees and the role they played in the past and the current one was also studied. This project was developed in the Women's Preventive and Rehabilitation Center of Puente Grande, Jalisco from 2008 to 2013, taking as its main source, the authorities of the same and the female population interned for the crimes of robbery and homicide. The same variables were used for both crimes and only using the particular crime in the interviews. The purpose of the interviews was to try to find out the causes that motivated the female offender to commit her crime; therefore, the multi-causality of the illicit conduct was considered.

Thus, at the beginning of the application of the questions, it was determined to make a general observation of the place (Women's Preventive and Rehabilitation Center), then (before, during and at the end of the interview), the behavior of each inmate was observed, this together with the item of self perception. There was manifested in the attitude that the inmates had towards, for example, the authorities, being other positive or negative. Then the type of antisocial behavior perceived in the offender was described, also if there exist the factor of dangerous. This way, the following variables were used, broken down into specific questions: a) behavior, physical characteristics of the offender, in the clinical-criminological study, b) general data, school development, c) life stages: childhood, adolescence; human relations: with the partner, conflict with the family, d) work development; history of para and antisocial behaviors: drugs, gangs, vagrancy, use of weapons, d) stigmas (tattoos, nicknames, fights); e) hereditary-family history of para and antisocial behaviors of crime: f) psychological aspect, personality. Likewise, the tables of concepts and aspects to be considered for the elaboration of the *Criminodiagnosis* and the *Establishment of the Clinical Criminological Category* were described: egocentrism, affective lability, aggressiveness, affective indifference; psychological Criminodiagnosis: type of crime; social aspect: family nucleus of origin, formal nucleus of procreation, culture; juridical aspect: legal data, date of arrest, background, data of the crime committed; criminal dynamics (Criminodynamics): actions of the individual around the commission of the criminal act; criminogenic states: criminological classification by category, life in confinement, criminological conclusion, duration of the interview.

The prison population of the Women's Preventive and Rehabilitation Center of Puente Grande, Jalisco (2008 to 2013), incarcerated for the crimes of robbery and homicide, participated in the field study, interviewing 25% of the total prison population (data provided by the mentioned Preventive Center) between 18 and 35 years old. In this work, the criminological, legal and social approaches were used; the first, because it observes the problem from the perspective of the criminal woman herself, the causes and the external and internal influences of her behavior. The second, because it analyzes the laws over time. The last one basically develops the theory of social deviation and the phenomenon of women's criminal behavior. Psychology also helped to understand the behavior and personality of the criminal. Research methods of criminology, law and sociology were used, due to the different aspects related to crime and justice that need to be investigated from a sociological point of view, direct, indirect and systematic observation based on empirical questions, in interaction through observation. Interviews with case studies and life histories of the inmates; in what believes and norms they are controled.

All of these, also is complemented with field observations, with other written material in reference to the problem to be treated, such as judicial documents. As well as, the case study method, which means the sample that was studied, in this case the delinquent woman.

On the other hand, the instrument used to interview the inmates was created by several specialists, based on two aspects to be analyzed, the psychobiological and the social. The interview was conducted personally and anonymously, with closed and open-ended questions, in which the inmates also described their life history. A mixed approach was used, being more qualitative than quantitative. The instrument was applied in two moments, the first from 2008 to 2009 and the second from 2013 to 2014, scheduling individual application sessions, according to the most feasible days for them to participate. The information from the instruments was emptied by calculating the frequencies and the resulting percentages of each variable; the causal correlation between the variables was carried out. Next, the research was analyzed, combining the bibliographic, theoretical and statistical information with the results of the field work. The duration of the interviews ranged from 60 to 180 minutes, according to the problems and life history of each of the interviewees.

Research approach: The research approach is mixed, being more qualitative than quantitative.

RESULTS AND DISCUSSION

Within the multidisciplinary study, in order to understand human behavior, it is essential to analyze and understand the dynamic of each society, through its rules, culture and development. Human behavior, which, according to Silva (2007, p. 49), presents a great variety of modalities in terms of its effects on society, ranging from those that promote group cohesion to those that break with all the bonds of union of the collectivity. *The first research on women offenders* was conducted at the *National Center for Scientific Research (CNRS) in Paris, France*. This consisted of a plan, with the participation of 25 researchers, including: Particular Introductory Studies: a) Particular normative aspects, b) Statistical aspects, c) Psychological aspects, d) Role representation, e) Relational aspects, f) Very deep psychological aspects and problems (Lima, 1991, p. 97).

The study of behavior is formed in a closed circle, from a society to the individual and from the individual to the society. As a whole, individuals come to form strata or social levels, where they manage to divide and subdivide in various ways, resulting in several cultures and subcultures within the same society and, therefore, various societies with multiple cultures and subcultures. A pyramid is formed within the same society and a reciprocity with other societies, which in turn divide and subdivide. The importance of this, is that some societies feed on others, and these in turn feed on those societies, making the study of crime more complex, both internally and externally. The aforementioned is extremely important to investigate criminal behavior and, specifically for the research carried out, of women in the past, present and future.

Female criminal behavior needs to be understood from a multidisciplinary angle, because the criminal phenomenon encompasses various areas for its analysis, bringing support and knowledge. In this way, all disciplines and sciences are necessary for a complete review of women's criminal problems, since each of them provides important explanations of the complex female personality. Furthermore, after a thorough study of the research and theories that attempt to explain female criminality, it would be wrong to say that only one criminogenic factor is responsible for the criminal behavior of women, since they are an integral being and, therefore, all aspects of their lives must be taken into account: How were they born, ¿in what environment? What aspects of heredity does she have in her person? What were the stages of her life? What vices does she have? What have her interpersonal and sexual relationships been like? When and why did her behavior change? How much has culture and education influenced her? What kind of psychological problems does she suffer from? among others. And what we could tentatively affirm at a given moment, is to apply to each aspect or factor a percentage of affection to her person; therefore, it is very important to carry out a multidisciplinary research on the problem of the delinquent woman. This relationship to other sciences and disciplines that support Criminology is very important, since they help to find the possible motives or causes that lead a person to commit a crime, to understand human behavior and personality; and because it is from these behaviors, which are "abnormal" for some scholars, that the so-called "social conflicts" begin. These conflicts are interrelated with several factors surrounding the female offender, such as the family, education, the economy and the environment, among others. The family is represented by the parents, education by society (although this is taught in any of the groups mentioned above), the environment, mainly by friends, then by any person who has contact with the woman, the structural violence, the patriarchal establishment, and the inequality among society. Multidisciplinary work began to be carried out in this research to find out all the aspects that affect women offenders and lead them to commit crimes and, in this way, proposals have been made to deal with this problem. It is now openly recognized that violence is part of women's daily lives, in addition to other factors such as the development of explosive emotional crises (due to the sum of all the violence) and the consequent violent and destructive reactions, which create a criminal triggering process that is sometimes more atrocious than those generated by men.

And among the crimes with the highest incidence are robbery and to a lesser degree, but more dangerous, homicide. The research on the delinquent woman was focused on the criminological, anthropological-legal and social currents, since the problem of delinquency has social and cultural roots, in which they have a direct interaction with the criminological study. In addition, because the first one approaches the problem from the person of the delinquent woman, the causes and external and internal influences of her behavior; the second one tells us about the norms and customs that women have had through time, as well as their culture and research on their life history; and the last one, is basically developed in the theory of social deviation and the phenomenon of women's criminal behavior. *Criminology* studies the causes of crime and seeks the reasons why certain criminal behavior occurs. The research on the causes of female criminal behavior was carried out because a progressive increase in women's criminal and antisocial behavior was detected, in addition to the incursion of women into crimes in which they did not participate before. On the other hand, it was identified that their role has changed from collaborator to leader. Another of the reasons for carrying out this work was to expose, through a serious field and bibliographic study, the social reality of the problem of female delinquency, through the results of research, and to support the advancement of the improvement of public policies on crime and prevention. It was also discovered that in women, the polycasual factors that lead to the commission of crimes are left aside, isolating them from each other, including the violence that is present in their lives, which together with other factors such as the development of explosive emotional crises and the consequent violent and destructive reactions, create a criminal triggering process, sometimes of greater atrocity than those generated by men, such as homicides and the most common among them, robbery. In this way, it was thought that, based on case studies of female delinquents, we would reflect on the social conflicts that they experience and, at the same time, those that provoke criminal behavior.

Among other results of the research, it was identified that women offenders face serious problems due to psychological and social disturbances: their own crime, denial of the crime, psychological problems, aggressiveness, family and economic problems. The predominant pattern of causal behavior is psycho-socio-cultural (those imprisoned for robbery); and internal factors and personality dominate in homicides. Of both crimes, they participate more actively where they used to be subordinates and are now leaders, as in the case of kidnapping, homicide, robbery, abortion, infanticide, slander and the whole range of crimes against health. Female delinquency is considered more of a social phenomenon than a legal one; however, the former triggers the latter since it is a problem that stems from and affects the social, having its beginnings in the violence they have suffered since childhood and/or adolescence. In the same way, the influences that affect the female offender to commit crimes are external factors and the other internal ones, where personality plays a preponderant role in comparison with the other variables. From the percentage distribution of the female population (2008) in the Centro Preventivo y de Readaptación Femenil (García, 2011, p. 151) by age, it is determined that women who tend to commit crimes are those between 25 and 38 years old. For the year 2002, the total number of admissions were 67 (sixty-seven) processed and 180 (one hundred and eighty) sentenced, with a total of 247 (two hundred and forty-seven) women. For the year 2003, the total number of female offenders was 379 (three hundred and seventy-nine). On the other hand, according to statements by the President of INMUJERES (García, 2010), "female delinquency has increased, since in 2009 there were 3,000 (three thousand) female offenders and in 2010, there are already more than 11,000 (eleven thousand)". The most frequent crimes committed by women are robbery, fraud, personal injury, abortion, infanticide, slander, homicide, and increasing participation in kidnapping. All of them are distinguished because of the lack of violence to be carried out. It is easier for women to commit theft, both petty and grand theft; many other times they work as support for their partner or another type of person. They also participate in drug trafficking, as support or accomplice to the partner in other crimes, in kidnappings, abandonment of children, swindles, false denunciations

and abortion. The criminal behavior of a woman is the expression of an individual psychopathology of her psychological and social alteration, but the offender is not only a sick person, but is the emergent of a sick family nucleus, which the woman translates through aggression, the anxieties and conflicts of the intra-family group (Marchiori, 2009, p. 79). Therefore, female delinquency is considered more as a social phenomenon than a legal one; however, the former triggers the latter since it is a problem that comes from and affects the social, having its beginnings in the violence they have suffered since childhood and/or adolescence, and it is then where it should be attacked from that point. The problem in female offenders is multifactorial, where it is shown that the socioeconomic level is determinant, but correlated with other agents, such as social, class, sex, culture, family, heredity, age, psychological aspect, and other factors involved in their personality (García, 2011, p. 151). In gender issues, it is necessary to understand how women is defined in society, what they represent and, as Bello (2019) refers to it, that it is necessary, to understand female criminality, to critically review criminological theories, since they are exposed from a sexual and stereotyped approach. We also have the victimization of women who have committed a crime in relation to vulnerability and social exclusion. Picado et.al. (2018) refer that women prevail with low education, with conflictive relationships, without equality in the representative roles of men and women; with a high percentage of abuse and violence. In this sense, incarcerated women are also affected by its gender condition, as Mapelli, Herrera and Sordi (2013) point out, that it is necessary to reflect on the prison system from a gender perspective, in order to opt for effective solutions; and thus avoid violating the human rights of these women, as well as providing them with a dignified and more equal treatment that the inmates receive. So it turns out that prison, Mapelli et.al. (2013) "... It remains a routine, bureaucratized, grey, costly and ineffective means of empowering women in vulnerable situations."

According to Salazar and Cabral (2012), it is important to investigate female criminality from the point of view of social disadvantage in which women find themselves, the inequality, discrimination and violence they suffer. Both authors affirm that, in female criminality, where there is the problem of the game of biopolitics of power due to gender that must be deconstructed and made visible by a critical Criminology, which is open to gender relations. Acale (2017) mentions that gender is a conditioning factor of female victimization and criminality, where it involves prevention based on human rights. Also is necessary to consider that, prison depersonalizes women more than men, so they continue to endure gender violence. Being so, how then, can we ask these women not to be violent, if gender violence is not eliminated in society, rather it is tolerated and promoted.

CONCLUSION

The research contributed advances in the analysis of why women commit crimes and the changes that have occurred in their participation in this type of behavior, identifying that the causes that motivate women to commit crimes are very complex, especially in female homicides, since in this crime there is an emotional relationship between the perpetrator and the victim of the crime, an emotional process that triggers the crime. Some female criminal behavior cannot be explained, their violent behavior is not understood. As it is a multifactorial problem, it should not be focused on a single motive, since all the factors are interrelated, and in women the problem is even more complex than in men, given their nature. Therefore, there must be greater flexibility to understand female criminality, with the participation of governmental and non-governmental organizations, which provide proposals aimed at preventing it, to promote legal, criminological and social analysis, including the environment of these women; this can enable comprehensive actions aimed at preventing this criminality, and to solve the specific problem, through greater opportunities in family, educational, employment and economic relations. Likewise, the results of this research will be an initiation for the existence of substantial elements necessary to update criminal laws and raise awareness of the endogenous and exogenous factors that determine

the incidence of female crimes; favoring the increase of strategies for the detection and possibility of implementing the respective prevention of female offenders or those at risk of committing crimes. The causes of criminal behavior in women are polycausal, determined mainly by their personality. The predominant pattern of causal behavior in female offenders is psychosocial-cultural. Robbery and homicide are the main and representative crimes in women. The first one, has a high incidence, while the second is lower, but more shocking due to its sadism. Other important factors that motivate women to commit crimes are impulsivity, aggressiveness, feelings of guilt, apathy, lack of self-control and, in general, the emotional state in which the offender finds herself. The multidisciplinary study of women's behavior is very important to try to understand the origin of their behavior and to try to reverse it through scientific interrelation, the elimination of controversies, objectivity and a more open attitude, aimed at achieving real and effective solutions. Female delinquency is considered more a social phenomenon than a legal one, but the first one is the cause of the second one, considering it is a problem that comes from and affects the social sphere, having its beginnings in the violence they have suffered since childhood and/or adolescence. In addition, the family structure, its disintegration, the physical characteristics of the home and the historical context, family conflicts, delinquent, cruel, negligent and punishing parents affect behavior. The following are also considered risk factors, although with less consistency: the large size of families and poverty, as well as egocentrism, which drives the young person to rebel, ignoring the rules of conduct. Another problem is when adolescents are not well guided by their parents, in order to solve antisocial and/or criminal behavior, such as sexual relations, drug and alcohol consumption, or petty theft.

These actions are risk factors that trigger criminal personalities. Sometimes parents detect some transgressions of their offspring, but they do not have control over them, and the police authorities are more effective. Hence the importance of establishing good communication channels between parents and children to prevent certain behaviors. According to the results of the research conducted on female offenders held in the Women's Preventive and Readaptation Center of Puente Grande, Jalisco, the phenomenon of education is very important in the generation of female delinquent behavior; since the age at the beginning of their school life and type of school, they begin to report school evasions or absences, learning problems or flunking presented during their school development, reported behavioral problems, if he/she was a member or leader of a school group such as an escort, group leader, gang member or leader, reason for dropping out, parents' attitude towards the intern's school development (supportive, indifferent, not supportive, preferring that he/she dedicate himself/herself to work activities); the values or anti-values learned from their parents. In the female inmates, the *beginning and/or growth of antisocial and/or criminal behavior was detected in adolescence, where they had their first sexual and/or sentimental experiences, drugs, bad friendships, among others, which contributed to poor school performance or definitive absence in their primary or secondary education. Homicidal women have a low level of education (primary, secondary); they all developed in conflictive environments, whether family and/or environmental; tending to occupy themselves, from a young age, with household chores and/or working outside the home in self-destructive activities exposed to learning crime and victimization by the type of work they do, (for example, in bars, prostitution, nightclubs).*

Finally, the causes of criminal behavior in women are polycausal, determined mainly by their personality. The study of female criminal behavior should be done in a multidisciplinary way, as an integral being. The causal behavior pattern that predominates in female offenders is the psychosocial-cultural one.

REFERENCES

- Acale Sánchez, M. (2017), El género como factor condicionante de la victimización y de la criminalidad femenina. Papers, 102/2. Universidad de Cádiz. Departamento de Derecho Internacional Público, Penal y Procesal. En: file:///D:/Users/Dell/Downloads/2337-Texto%20del%20art%C3%ADculo-8766-1-10-20170228.pdf
- Bello San Juan, P. (2019) Sesgos de Género en Criminología: La construcción socio-jurídica de la mujer delincuente, [Tesis de Grado: Criminología-Derecho en Universidad Rey Juan Carlos]. En: <https://burjcdigital.urjc.es/bitstream/handle/10115/16668/TFG%20Criminolog%C3%ADa%20Patricia%20Bello.pdf?sequence=1&isAllowed=y>
- García Álvarez, M. F. (2011) Análisis de la Conducta Delictiva Femenina, desde la Perspectiva Sociojurídica y Criminológica en Jalisco, México, [Tesis de Doctorado en Ciencias Políticas y Sociales, presentada en el Centro de Investigación y Docencia en Humanidades del Estado de Morelos].
- García Gaytán, R. (20. Octubre. 2010)Noticiero Guadalajara, Jalisco [Nota periodística].
- Lima Malvido, M. de la L. (1991), *Criminalidad Femenina*, Editorial Porrúa, S.A. de C.V., México, D.F.
- Mapelli Caffarena B.; Herrera Moreno M. y Sordi Stock B., (2013), La exclusión de las excluidas ¿atiende el sistema penitenciario a las necesidades de género?: una visión andaluza. Estudios Penales y Criminológicos. Vol. XXXIII. Sevilla, España. En: file:///D:/Users/Dell/Downloads/1340-Texto%20del%20art%C3%ADculo-5379-1-10-20131226%20(1).pdf
- Marchiori, H. (2009) Personalidad del Delincuente, Editorial Porrúa, S.A. de C.V., México, D.F.
- Picado Valverde E.M.; Yurrebaso Macho A.; Martín Sánchez F. y Álvarez Mateos F. (2018), Análisis de los factores de victimación en mujeres delincuentes, Boletín Criminológico, Instituto Andaluz Interuniversitario de Criminología (Sección Málaga). Artículo 3/2018 (n.º 177). Málaga, España. En: file:///D:/Users/Dell/Downloads/Dialnet-AnalisisDeLos FactoresDeVictimizacionEnMujeresDelin-6494534.pdf
- Salazar, T.; Cabral, B. E. (2012), Miradas de género a la criminalidad femenina. Fermentum. Revista Venezolana de Sociología y Antropología, vol. 22, núm. 64, mayo-agosto, 2012, pp. 222-248. Universidad de los Andes, Mérida, Venezuela. En: <http://www.redalyc.org/articulo.oa?id=70538666006>
- Silva Rodríguez, A. (2007), *Criminología y Conducta Antisocial*, Editorial Pax México, Librería Carlos Cesarman, S.A. México, D.F.
