Anticipating effects of marriage? Examining pre- and post-marital patterns of criminal offending

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Extended abstract, submission for European Population Conference 2014
Theme 4: Life course

SHORT ABSTRACT

While an increasing amount of studies find marriage to be associated with reduced criminal behaviour, hardly any studies investigated the precise pre- and post-marital patterns of change in criminal offending. In this study, we test contrasting hypotheses on the timing of change in offending, derived from theories on the causal mechanisms behind the association between marriage and offending. Maturation theories ascribe desistance from offending to the aging of the individual, denying any independent effect of life course transitions. In contrast, age-graded social control theory argues that marriage, and especially a good quality marriage, can constitute a turning point in the offender's criminal career, resulting in desistance. Cognitive theories of desistance see marriage as a hook for change, reinforcing a process of cognitive change that starts well before marriage. One step further is the view that desistance from crime and marriage are both a consequence from the desire to settle down, and that the association between the two is a consequence of selection (only those who desist from crime get married). We use person-year data retrieved from criminal records and population registers on a sample of offenders convicted in the Netherlands in 1977. We examine changes in the chance of offending in the years surrounding the year of marriage by conducting logistic multilevel analyses (person-years nested in persons). The findings show a show a sharp decline in offending in the 5 years before marriage. After marriage this decline continues, but is less steep. These findings may support cognitive theories of desistance, but might also reflect the effects of cohabitation before marriage. Our analyses take into account divorce, and we also investigate effects of parenthood and of marrying a criminal vs. a non-criminal spouse.

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EXTENDED ABSTRACT

Introduction

A central idea within life course criminology is the idea of turning points in the criminal career. According to Sampson and Laub (1993), life course transitions act as turning points in people's lives. Marriage is an important life course transition that is associated with a reduction in criminal behaviour among offenders. Sampson and Laub argued that life course transitions yield changes in social control and thereby cause changes in criminal behaviour. Furthermore, they claim that life course transitions are to a large extent "chance events" (Laub & Sampson 2003). This claim has received criticism from scholars who propose that the association between marriage and desistance from criminal behaviour could also be a consequence of selection; offenders who desist are more likely to marry than persistent offenders (Massoglia & Uggen 2011). From a more dynamic perspective on criminal development, Giordano, Cernkovich and Rudolph (2002) argued that a transition such as marriage requires a cognitive change that starts before, yet is reinforced by marriage.

These theoretical perspectives yield different hypotheses on the timing of desistance from crime relative to the timing of marriage. Yet, despite the large amount of studies on the effects of marriage on criminal behaviour, hardly any researchers investigated the development of criminal behaviour in the years surrounding the start of the marriage in detail. Two exceptions are a study by Laub, Nagin and Sampson (1998) and one by Lyngstad and Skardhamer (2013). Among a sample of delinquent American men born around 1925, Laub et al. investigated whether crime already declined before marriage, possibly as a consequence of romantic involvement before marriage (dating). They did, however, only observe a decline after marriage. Lyngstad and Skardhamer used Norwegian register data to study criminal behaviour five years before and after the year of marriage of all men who married between 1995 and 2000. In contrast to Laub et al., they found that criminal behaviour declined before the year of marriage, but they did not find a further decline after marriage. Hence, they find an anticipating effect of marriage, which could be caused by cognitive change, as well as by cohabitation before marriage. As these two studies from different countries and examining different cohorts yielded different results, replication with data from another context is important.

Our study builds on and extends the study of Lyngstad and Skardhamar (2013), using longitudinal Dutch data on a sample of offenders convicted in 1977 (Criminal Career and Lifecourse Study – CCLS). We extend the study by Lyngstad and Skardhamar first of all by taking into account divorce, as many of the marriage of offenders end in divorce. Furthermore, we extend the observation period to ten years after marriage, we investigate whether the association between marriage and criminal behaviour is partly explained by the birth of children, and we compare the effects of marrying a criminal and a non-criminal partner. In addition, we examine the pre- and post-marital patterns of two specific offence types, namely property and violence offences. Finally, we investigate the offending pattern in the years surrounding the year of second marriage.

Theory and Hypotheses

There are several theories which explain the association between marriage and crime. Each of these theories yields different expectations about the development of criminal behaviour in the years surrounding the year of marriage.

First, maturation theories ascribe desistance from crime to the aging of the individual, denying any independent effect of life course transitions such as marriage (Hirschi & Gottfredson 1983). Life course transitions are correlated with age, but the effect of age on crime is not dependent on life course transitions. Hence, according to this theoretical perspective, there is no effect of marriage on offending when controlling for age.

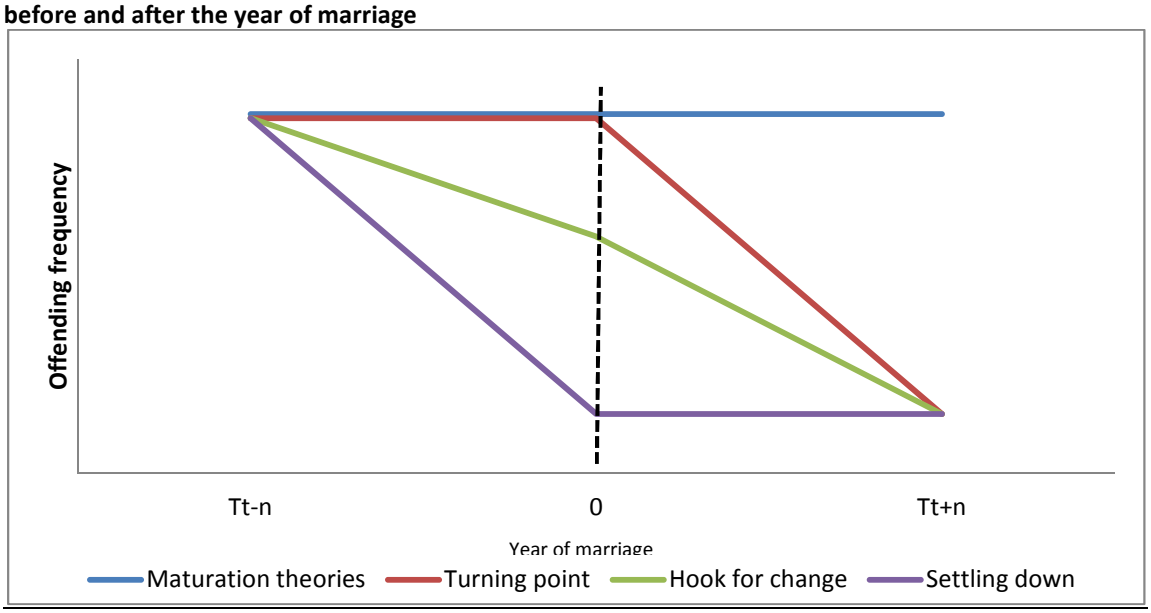
Second, the age-graded social control theory claims that criminal involvement results from a lack of informal social control and that appropriate sources of social control vary throughout life (Sampson & Laub, 1993; Laub & Sampson, 2003). Important life course transitions change the level of informal control and can therefore act as turning points for crime. Marriage implies increased internal and external social control and less opportunities for crime. Especially a good marriage is expected to cause a reduction in crime, as more is at stake.

Third, cognitive theories of desistance from crime argue that marriage and desistance both result from a process of cognitive change and a desire of settling down that starts well before the actual marriage (Giordano et al. 2002). Hence, a life course transition such as marriage will not result in a lasting change in criminal behaviour. This requires a cognitive change; the desire to change one's lifestyle. Life course transitions such as marriage can contribute to the reduction in criminal behaviour (Skardhamar & Savolainen 2012). In this view, transitions are seen as hooks for change. A reduction of crime is not caused by social control, but by an identity change.

Fourth, marriage may be conceived as a consequence of desistance rather than its cause; an adult transition that follows the normal age-varying process of settling down and aging out. Only those offenders who quit or strongly reduce their criminal behaviour, will marry. This perspective goes one step further than the hook for change hypothesis in that it requires sustained behavioural transformation, not mere psychological readiness, as a precondition for marriage (conf. Skardhamar and Savolainen 2012).

Each of these perspectives predicts a negative association between marriage and offending, the average rate of offending is assumed to be higher during the pre-marriage period than during the marriage (though maturation theories claim that his association disappears when controlling for age). The turning point hypothesis predicts reductions in offending following marriage. The hook for change hypothesis predicts that marriage follows the onset of desistance but may further contribute to the process. Finally, the settling down hypothesis predicts that marriage follows a period of desistance, but is not followed by a further decline of crime during the marriage. Theses hypotheses are graphically depicted in Figure 1.

Figure 1: Theoretical (ideal-typical) expectations regarding the development of offending frequency before and after the year of marriage



(Source: Skardhamar and Salovainen 2012)

Method

Data and sample

We used data from the Criminal Career and Lifecourse Study (CCLS). This dataset is based on a representative 4% sample of all cases of criminal offences tried in the Netherlands in 1977. The number of cases for drunk driving being very high, the sample for this type of offence was confined to 2%, whereas less common (mainly serious) offences were oversampled. Abstracts from the General Documentation Files (GDF) of the Criminal Record Office ("rap sheets") were used to reconstruct the entire registered criminal careers of the individuals who committed these offences; from age 12 to 2005 (or year of death if death occurred before 2005). The mean age of the sample in 1977 was 29 (ranging from 12 to 65). In the current study we only took into account criminal offences that were

followed by a conviction or a prosecutorial disposition due to policy reasons. Information on marital and fertility histories and date of death was collected from population registers (GBA). The total CCLS sample consists of 4,597 individuals.

In the current study only individuals who have been married at least once (69%) were included. Furthermore, we restricted our sample to individuals who married at least six years after the offence which selected them into the sample was registered, thereby excluding this so-called index offence (which might reflect a criminally active period) from our observation period. If we would include individuals who married just before or after that offence, our findings would be biased due to the way the sample was drawn. Nearly all index crimes were registered in 1976 or 1977. In this extended abstract we restrict our analyses to men. Hence, our sample consists of 930 ever married men who nearly all married for the first time after 1981 (on average in 1988) and who were all convicted at least once before their first marriage (but that index crime is not covered by the observation period in our study). The average age at first marriage was 32.

Based on these data, a person-year file was constructed, consisting of a maximum of 11 person-years per person, including the 5 years before the year of first marriage, the year of first marriage and the 5 years after the year of first marriage.[3] If the person divorced before the end of the fifth year after the marriage year, the year of divorce and the following years were removed from the person-year file, as divorce is associated with an increase in offending frequency (Blokland & Nieuwbeerta 2005). This resulted in a person-year file consisting of 9,622 records.

Variables

The dependent variable *offending* is a dummy variable scored as 1 if the person committed at least one offence in a given year for which he was convicted (no conviction = 0). The key independent variables consist of a set of 11 dummy variables, indicating for each person-year the number of years before or after the year of marriage, with the year of marriage as the omitted variable (i.e. which year it is relative to the year of marriage). Taken together, these variables capture the trend in offending from 5 years before up to 5 years after the year of marriage.

We included two time-constant control variables. First, *age at marriage*, measured in years.[4] Second, *criminal spouse*; which is a dummy variable indicating whether the spouse has been convicted before the year of marriage (criminal spouse = 1, non-criminal spouse = 0). We controlled for *parenthood* in a time-varying way, with a dummy variable indicating the presence of at least one child in a given year (1 = child, 0 = no child).

Analytical strategy

Following the empirical approach of Lyngstad and Skardhamar (2013), we estimated logistic multilevel regression models of the chance of offending, with person-years nested in persons. A random intercept was included to account for the non-independence of observations of person-years. This approach does not allow for assessing any causal effects of marriage on crime. Instead it allows us to describe how offending develops around the year of marriage. This way we avoid the problem of selection that arises when comparing married to non-married individuals. All analyses were conducted in Stata12.

Results and Conclusion

In this extended abstract we graphically present a selection of the results. Figure 2 shows the odds ratios of offending, representing the relative deviation in offending from the baseline level in the year of marriage. There is a strong decrease in offending toward the year of marriage, the odds of offending in each of the five years before marriage are significantly higher than in the year of marriage. After marriage we observe a further decline in offending. Only in the seventh and the tenth year after marriage the odds are significantly lower than in the year of marriage.

[3] For one analysis, we extend the observation period to up to 10 years after the year of marriage.

[4] By including age at marriage in the analyses, we indirectly control for age in a time-varying manner, as for each person-year a dummy variable indicates which year it is relative to the year of marriage.

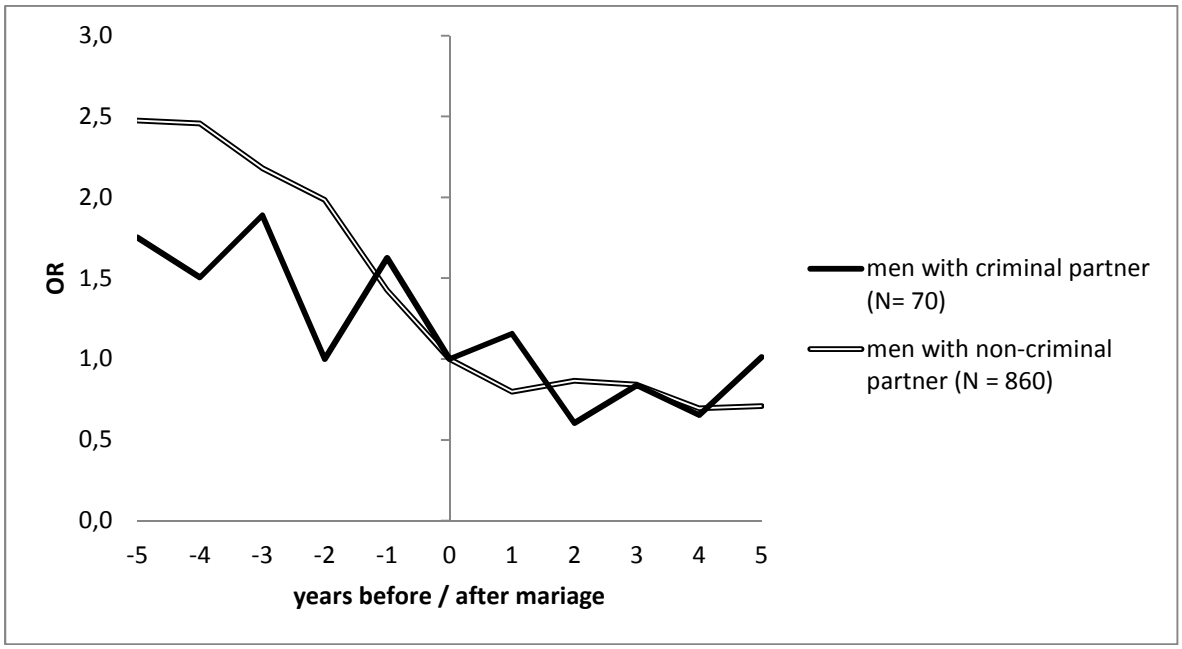
Figure 2: Odds ratios of offending among previously convicted men in the years before and after the year of marriage (N= 930)

When controlling for parenthood (results not presented), the pattern of offending does not change dramatically, although the decline after marriage is slightly reduced, which suggest that the post-marital effect is for a small part explained by parenthood. The direct effect of parenthood on offending is negative.

In Figure 3 we present the pre- and post-marital pattern of offending separately for men who married a criminal partner (indicated by a conviction before the year of marriage) and men who married a non-criminal partner. Although the pre- and post-marital offending pattern among those with a criminal partner is less clear (probably partly due to the smaller N), a decline in offending can be observed.

Our findings may be conceived as (partial) support for the theory of cognitive change (marriage as a hook for change), which predicts a decline in offending before marriage, which continues after the year of marriage. However, marriage does not seem to reinforce this process, as the decline is much steeper before the year of marriage than during the first years of marriage Another possibility is that the decline in offending in the years before marriage reflects the effects of cohabitation. Data on cohabitation, and preferably also on 'dating' and on the quality of the marriage are required to further investigate the mechanisms behind the association between marriage and crime. In the paper, we will present additional analyses, among others focusing on women and and on pre- and post-marital patterns of violent crime and property crime. Limitations (using registered crimes, no cohabitation data) and policy implications of our findings will be discussed.

Figure 3: Odds ratios of offending among previously convicted men marrying a criminal vs. a non-criminal partner in the years before and after the year of marriage (N= 930)



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