

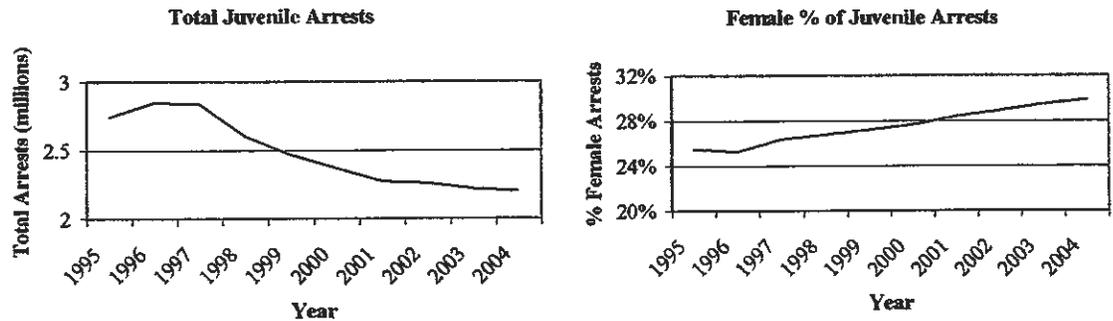


Inspiring all girls to be strong, smart, and boldSM

GIRLS AND JUVENILE JUSTICE

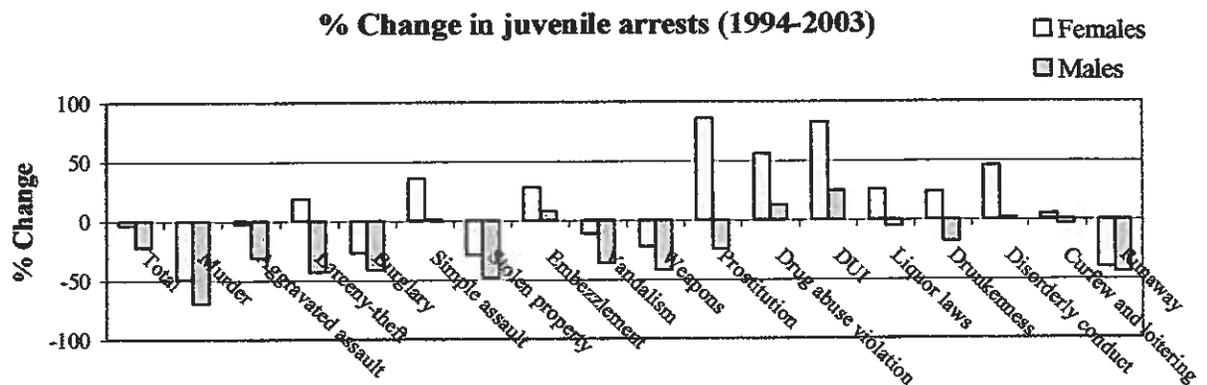
Girls Inc. believes that a strong federal role in juvenile justice administration is essential to protecting girls in the system, and to stemming the increase in female juvenile arrests. Nearly 70 local Girls Inc. affiliates serve girls on referral from the juvenile justice system, offering proven, research-based programs to reduce violence and substance abuse among girls, and informing our advocacy in this critical area.

Overall juvenile offending has decreased over the past decade, but the proportion of female juvenile offenders has steadily increased, continuing a 20-year trend. Between 1985 and 2002, the overall delinquency caseload for females increased 92%, while it increased 29% for males.¹ More recently, from 1994 to 2003, juvenile arrests declined 18% overall but only 3% for girls.²



(Source: FBI Uniform Crime Reports for the United States, 1995-2004)

The proportional increase in female juvenile offending holds across almost all offense categories. Girls' arrests have either increased more or decreased less than boys' in 24 out of 28 offense categories.³

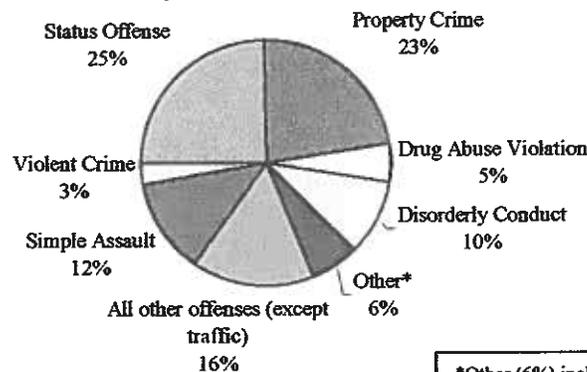




The juvenile justice system remains under-equipped to handle the increased presence of girls. Because boys still dominate in the juvenile justice system, a system that evolved largely to respond to offenses committed by boys, juvenile facilities, staffing, and policies have been slow to respond to the girl population. Extensive research has documented shortcomings, failures, and even dangerous situations for both boys and girls that must be addressed. At the same time, research points to significant differences in the male and female population that call for a gender-responsive approach:

- **Girls rarely commit violent offenses.** Of the offenses girls commit, only 15% involve physical violence. The majority of offenses committed by girls are property crimes and status offenses (running away, liquor laws, curfew and loitering laws violations).

Percentage of arrests of juvenile females, 2005, by offense⁴



*Other (6%) includes, but is not limited to:

- Prostitution and commercialized vice: 0.2%
- Sex offenses (except forcible rape and prostitution): 0.24%
- Offenses against family and children (e.g. abuse, neglect): 0.3%

- **Girls are disproportionately arrested for running away from home.** Though girls represent 29% of total juvenile arrests made in 2005, they accounted for 58% of the runaway arrests.⁵ Girls often run away to flee violence or other abuse in the home, and are known to “self-medicate” through alcohol and other illegal substances if they are depressed or being abused. Under current law, runaways and other status offenders who violate parole can be, and frequently are, incarcerated.
- **Girls often enter the juvenile justice system with a history of emotional, physical, and sexual abuse.** Of girls in juvenile correctional facilities, 61% had been physically abused, and 54% had been sexually abused.⁶ One federal study found that females with histories of childhood abuse or neglect were 73% more likely than those without such histories to be arrested for property, alcohol, drug, and misdemeanor offenses, a higher effect than for boys.⁷



- **Girls are often re-traumatized once incarcerated.** Girls are more likely than boys to be sexually victimized while in a facility.⁸ Many girls are subjected to excessive physical force by staff in response to minor rules violations that pose no threat to security or safety. They are often denied mental health, educational, and other rehabilitative services they need.⁹ One report of girls in New York girls' facilities described frequent strip searches and forcible restraints, which are physically and mentally scarring.¹⁰
- **Female juvenile offenders have a high prevalence of mental and substance abuse disorders.** One federally funded study found that nearly three quarters of girls in juvenile detention have at least one psychiatric disorder (compared with two thirds of detained boys and 15% of youth in the general population).¹¹

Systemic problems within the juvenile justice system are especially hard on girls. Many girls in facilities are not under the care of adequately qualified or trained staff.¹² Also, too many girls are housed in co-ed facilities that were designed through research on boys.¹³ A lack of oversight of facilities' conditions and a lack of response to inmates' grievances further emphasizes the need for reform within the juvenile justice system.¹⁴ To cite a particularly grievous example, an investigation by the Assistant Attorney General of Mississippi found an instance of girls being placed naked in a windowless, dark isolation cell, with only a drain in the floor, for as long as three days to a week at a time. The facility had no separate logbook to record the use of this isolation cell, resulting in no documentation of these abusive punishments.¹⁵

Like boys of color, girls of color are overrepresented in all stages of the juvenile justice system. While youth of color represent 34% of the nation's population, they account for 67% of youth committed to public facilities. African American youth are six times more likely to be incarcerated than white youth for comparable offenses, and ethnic bias among female juvenile offense cases is evident. Seven of every 10 cases involving white girls are dismissed, compared with only three of every 10 cases involving African American girls.¹⁶

Recommendations

Girls Inc. calls on Congress to reauthorize the Juvenile Justice and Delinquency Prevention Act in the 110th Congress with an increased emphasis on prevention; specific funding for programs to address girls' needs; deinstitutionalization of status offenders; improvements in education, health (including mental health), and safety for incarcerated youth; and monitoring and staff training for facilities.



¹ Snyder, Howard N., and Sickmund, Melissa. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

² *Ibid.*

³ *Ibid.*

⁴ Federal Bureau of Investigation. (2005). *Uniform Crime Reports for the United States: 2005*. Washington, DC: U.S. Government Printing Office. Property Crime: Burglary, larceny-theft, motor vehicle theft, arson; Status Offense (violations only for minors): Liquor laws, runaways, curfew and loitering law violation; Violent Crime: Murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault; All other offenses (except traffic): Vary by state, but may include littering, trespass, blackmail, or bomb threats.

⁵ *Ibid.*

⁶ Cook County Commission on Women's Issues. (Aug 2006). *Girl Violence and Aggression: Problems and Solutions*. Chicago, IL: Cook County Commission on Women's Issues.

⁷ Cathy S. Wisdom and Michael G. Maxfield. (2001). "An Update on the 'Cycle of Violence'." *Research in Brief*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

⁸ Snyder and Sickmund.

⁹ Lewis, Mie (2006). *Custody and Control: Conditions of Confinement in New York's Juvenile Prisons for Girls*, New York, NY: American Civil Liberties Union and Human Rights Watch; Krisberg, Barry, Ph.D. (2006). *Stopping Sexual Assaults in Juvenile Correctional Facilities: A Case Study of the California Division of Juvenile Justice*, Oakland, CA: National Council of Crime and Delinquency; Boyd, Ralph F., Jr., Assistant Attorney General (June 19, 2003). Letter to The Honorable Ronnie Musgrove, Governor of Mississippi, Re: CRIPA Investigation of Oakley and Columbia Training Schools in Raymond and Columbia, Mississippi; Kim, Wan J., Assistant Attorney General (May 9, 2007). Letter to The Honorable Ted Strickland, Governor of Ohio, Re: Investigation of the Scioto Juvenile Correctional Facility, Delaware, Ohio.

¹⁰ Lewis.

¹¹ National Institutes of Health (December 9, 2002). *Psychiatric Disorders Common Among Detained Youth*. National Institutes of Health.

¹² Lewis; Krisberg; Boyd; Kim.

¹³ Center on Juvenile and Criminal Justice. *CJCJ: Girls in the Juvenile Justice System*. 31 July 2007 <http://www.cjcj.org/jjic/girls_jj.php>.

¹⁴ Lewis; Krisberg; Boyd; Kim.

¹⁵ Boyd.

¹⁶ American Bar Association and National Bar Association (2001). *Justice by Gender: The Lack of Appropriate Prevention, Diversion and Treatment Alternatives for Girls in the Justice System*. Washington, DC: ABA and NBA.