

Executive Summary

The number of girls involved in the juvenile delinquency system in Wisconsin has increased dramatically in recent years, and similar increases have been observed across the country. This increase has occurred despite an overall decrease in juvenile delinquency rates both in the state and nationally. Changes in the way that the system works with girls are necessary to better meet their needs. Currently girls are not given the gender-specific programming that is required to meet their unique developmental, social, and emotional needs. Further, girls are more often retained in the system due to status offenses and probation violations, which continues the cycle of their detention in secure facilities.

In this report I recommend that changes be made in the way the juvenile justice system works with girls. These changes will lead to more gender-competent and culturally responsive service delivery. Specifically, I recommend the establishment of a statewide task force to closely examine the needs of girls in the juvenile justice system in Wisconsin. This task force should be comprised of leaders at all levels of the system, which will likely increase buy-in and give real power to the task force. Further, I recommend that training be given to individuals at all levels of the system, to help increase the chances of gender-competent programming being provided to the girls in the system. It is likely that people working with girls would be more successful if they better understood the girls unique developmental, emotional, and social needs.

Problem Definition

The number of girls in the juvenile delinquency system in Wisconsin has increased dramatically in recent years, and similar increases have occurred across the country. This has occurred despite the fact that juvenile crime rates overall have dropped. Girls are now the fastest growing segment of the juvenile justice population. This increase in female involvement has surprisingly not been followed by a substantial increase in girl-specific programs and approaches. The approach to female juvenile offenders has typically been to simply replicate the approach used for male juvenile offenders.

Research has shown that this approach is not effective at meeting the needs of girls, and in fact fails to recognize their unique developmental and gender-specific needs as young women. Further, girls of color are fairing even worse within the system. I recommend that changes be made to the way the juvenile justice system in Wisconsin approaches female juvenile offenders to better meet their needs and provide gender-competent services. Because this is a long-standing systemic issue, it will take collaboration and support from many sources to implement changes successfully.

Statistics

The United States has seen a dramatic rise in delinquency cases involving girls. The national rate of female involvement in the juvenile justice system increased by 83 percent between 1988 and 1997.¹ There has been an exponential increase in the number of girls in detention, jail, and prisons. Similar increases have been reported in Wisconsin.

¹ *Justice by Gender: The Lack of Appropriate Prevention, Diversion, and Treatment Alternatives for Girls in the Justice System*. 2001. Washington, DC: American Bar Association and the National Bar Association.

From 1988 to 1995 the number of young women admitted to Wisconsin correctional facilities increased by over 150 percent.²

Typical Offenses

While girls' overall arrest rate for violent crimes is increasing, girls are predominantly arrested for non-violent crimes.³ These crimes are most often status offenses (running away, curfew violation, truancy) and other non-violent offenses such as prostitution and substance abuse related crimes. One study reported "girls are 170 percent more likely than boys to be referred to juvenile court for status offenses".⁴

Once the girls are in the system, they often stay in the system due to a violation of a court order, probation violations, or a contempt charges. This practice is called "bootstrapping" and often results in female offenders remaining in the system for extensive periods of time without having committed new offenses.⁵ As a result, many girls end up in secure detention for these status offense violations.

Characteristics of girls in the system

Girls have different developmental issues than boys and are at higher risk than boys for problems during puberty. During this transition, girls experience many emotional and psychological challenges, and are working to establish their own identity, redefine their relationships with adults in their lives, explore their sexuality, and develop

² Office of Juvenile Justice and Delinquency Prevention. 2004. "Juvenile Female Offenders: A Status of the States Report."

³ Child Welfare League of America. 2004. "Girls in the Juvenile Justice System."

⁴ Child Welfare League of America. 2004. "Girls in the Juvenile Justice System."

⁵ *Justice by Gender: The Lack of Appropriate Prevention, Diversion, and Treatment Alternatives for Girls in the Justice System*. 2001. Washington, DC: American Bar Association and the National Bar Association.

their own belief systems. This is a difficult task in itself, but it is made much more difficult by the persistent sexism that girls experience and observe in the world around them. They are bombarded by mixed messages about the role and worth of women in society.⁶ Many girls may become frustrated by the lack of female acceptance in careers they wish to pursue. Many girls also feel pressure to be liked by boys and react to these pressures by trying to please others rather than asserting their own feelings and beliefs. There is extensive research that girls at this age experience a significant drop in self-esteem and lowered confidence.⁷ It has also been found that female offenders show high rates of mental health problems such as depression and anxiety.

Further, girls in the juvenile justice system have extremely high rates of abuse and trauma. Girls in correctional facilities report “more physical and sexual abuse than boys, with more than 70 percent of girls reporting such experience”.⁸ Girls in the general population report abuse rates of 23-34 percent.⁹ The high rate of abuse for girls in the system is correlated with high rates of Posttraumatic Stress Disorder (PTSD), with nearly 50 percent meeting diagnostic criteria.

Another risk factor that many girls in the system share is substance abuse. Studies show that 60-87 percent of female juvenile offenders need substance abuse treatment. It is possible that these young women are self-medicating to cope with mental health issues such as anxiety and depression. Further, research has shown a strong correlation between past abuse and trauma and substance abuse among young women.

⁶ Poe-Yamagata, E., and J.A. Butts. 1996. “Female Offenders in the Juvenile Justice System: Statistics Summary,” Office of Juvenile Justice and Delinquency Prevention, Washington, DC.

⁷ Child Welfare League of America. 2004. “Girls in the Juvenile Justice System.”

⁸ National Mental Health Association. 2004. “Mental Health and Adolescent Girls in the Justice System.”

⁹ Williams, Linda. 2004. “Uncovering Links Between Childhood Abuse and Delinquency in Girls,” Available at <http://www.wcwonline.org>, accessed April 23, 2004.

Girls in the system typically have unstable family lives and experience extensive family fragmentation. Many have at least one parent incarcerated and often their caretakers are under extreme stress due to poverty. Further, many girls in the system are parents themselves and have experienced separations from their children. This leads to a higher risk of delinquency for their children and psychological distress for both mothers and children.

Another factor that most girls in the system share is a history of poor academic performance. These girls have extremely high rates of truancy, suspension, and expulsion. Often these girls felt unsuccessful or unwanted at school and chose to not attend. Those who did attend often acted out and were suspended or expelled. It is important to note that girls of color experience higher rates of suspension and expulsion due to institutional racism in the schools.

The disparate treatment of people of color also seems to be a significant factor in the involvement of girls of color in the juvenile justice system. Nationally, approximately two-thirds of the girls in the juvenile justice system are people of color, primarily African-American and Hispanic. Girls of color are subject to disparate treatment at every level of the system, from arrest to referral and sentencing. They are detained at a rate three times that of white girls.¹⁰ This disparity in treatment is an area that needs to be examined to determine appropriate responses to eliminate the institutional racism that is occurring.

¹⁰ Stafford University Law School. 1999. "Retorts & Rhetoric: And Justice for Some," Available at <http://law.suffolk.edu/academic/jjc/torttxt.html>, accessed May 11, 2004.

Past policies

In the past, girls were simply placed into the programs already in place for delinquent boys. In Wisconsin, juvenile offenders sentenced to correctional placements were housed at one of the State's two juvenile correctional facilities, Ethan Allen or Lincoln Hills. In 1994, the State finally opened Southern Oaks, an all-female correctional facility.

Girls were also placed into other programs designed for boys. These programs typically did not meet girls' unique developmental and gender-specific needs. Often the programs were based on male models, such as the alternatives to aggression model, which in fact can re-traumatize female participants. Research has shown that females have very different needs in the area of aggression treatment and that commonly used male programs do not work for females.

In addition to being placed into programs designed for boys, girls were often placed in treatment programs with boys. Research has shown that placement with boys is often detrimental to girls treatment progress and not recommended. When girls are placed in programs with boys they tend to focus more on pleasing the boys than on meeting their own needs.

Gender-Competent Programs

The federal government recognized the issues facing girls in the juvenile justice system and passed the 1992 Reauthorization of the Juvenile Justice Delinquency Prevention Act, which required states applying for federal formula grants to identify gaps in their services to female offenders. It also required states to develop gender-specific

programs for juvenile delinquency prevention and treatment services. Congress also authorized grants for states to address gender-specific issues such as bias in placement and treatment of juveniles. The goal of these changes was to better meet the unique needs of females in the juvenile justice system.

What Successful Gender-Competent Programs Look Like

Research has shown that effective programs consider girls unique needs. Therefore, it is essential to increase awareness about the factors that place girls at risk for delinquency. Successful programs recognize girls' developmental needs, past abuse issues, pregnancy and motherhood issues, alcohol and drug abuse issues and mental health needs, and provide culturally competent services. This approach helps to build girls confidence and self-efficacy. It is widely believed that girls with increased self-confidence will be likely to be less delinquent.

A Specific Example of a Gender Responsive Program: PACE Center for Girls

One example of a successful gender-responsive program is the PACE Center for Girls, a statewide program run in Florida. This program was recognized by the "Child Welfare League of America" for its success in meeting the needs of girls. This program was initially started in 1985 as an alternative to incarceration program. Since the program's inception, 5,000 girls have completed the program, with 93 percent of those girls succeeding at avoiding re- involvement in the juvenile justice system. The program cites one key factor in its success: the understanding of the relationship between victimization and juvenile crime involvement by girls. PACE is founded on the belief

that girls need a safe place to share their stories and begin to resolve their past abuse issues. The program focuses on strengths rather than using a deficit model, which is often the case in delinquency programs. The program provides gender-specific counseling, education, as well as training and advocacy. This is accomplished through partnerships with local school districts. Each girl is given individual attention and has her own unique assessment and treatment plan. Girls are provided life-skill training to help them better manage their stressful lives. They are also given therapeutic services such as individual, group, and family counseling. In addition, an adult staff member is available to them twenty-four hours a day, seven days a week.

The program also requires parental involvement, with in-person and phone sessions on a regular basis. Parents are also invited to attend groups to help them better understand the needs of their daughters. Girls are required to participate in volunteer service projects to promote their sense of self-worth and involvement in their communities.

The program also provides up to three years of follow up for any girl who attends the program for more than thirty days. This is in place to ensure that the girls meet their goals and helps them continue their education, employment and treatment plan.

The PACE program's success is likely due to its unique approach to meeting the needs of girls in the juvenile justice system. The program appears to follow many of the following recommendations often made regarding programming for girls:

- Treat girls in the least restrictive setting possible, considering treatment needs and concerns for community protection

- Address girls unique programming needs including health care, education, mental health treatment, mutual support and mentoring opportunities, substance abuse prevention and treatment, job training, and family support and strengthening services
- Address girls' unique needs related to complex relationships with family members and boyfriends
- Treat girls in a setting close to their home
- Treatment programs work best when focus on issues unique to female development
- Programs should be all girls or when coed should have an equal number of women and men
- Use cross-system collaboration whenever possible (lawyers, advocates, service providers)

Wisconsin and Dane County

As stated previously, the State of Wisconsin has experienced similar issues to the rest of the country in regards to female delinquency issues. There has been a significant rise in female juvenile delinquency in the past two decades. According to leaders in this area, there are not nearly enough gender-specific programming options available to meet the needs of the girls currently in the system. According to the Director of Juvenile Court Services for Dane County, James Olds, work needs to be done to educate providers on issues of girls' development and strategies that work for girls. Often in Dane County girls are placed into programs designed for boys because there is not enough funding on a regular basis to make it cost-effective for the county to invest in

these gender-specific programs. It would be helpful for Dane County to establish a program similar to the PACE program, which would likely be successful over time and give the county a girl-specific program that could acquire funding on a regular basis.

Andre Johnson, Supervisor of the Dane County Department of Human Services Community Supervision Unit, also feels that more training of individuals at all levels of the system is essential. He supervises the unit that provides monitoring of the county's most delinquent children. The kids in his program are on Intensive Supervision with the County, in hopes that they can be diverted from a correctional placement. He reports that he has in fact seen a rise in the violence of the girls in his program. It is difficult to know if this differs from national trends, as his program only works with a very small number of girls in the juvenile justice system. He believes that this rise in violence is also related to an increase in female gang activity. He reported that a Madison female gang, which calls themselves the "Blockburners" has risen to a membership of 100 girls this year. This gang and two other female gangs in the area have recently committed many violent offenses that in the past were typically not seen in the female juvenile population.

Andre Johnson also stated his concerns about the lack of groups and programs for girls in the county. He stated that he only knows of one group specifically designed to meet girls' needs. He expressed concern that when funding cuts are made, the girl-specific programs, although highly essential, are often the first programs to be cut. He did report that his delinquency program recently separated the girls and boys groups and that the girls group does focus more on issues related to girls' development and relationships. He has established a partnership with the public health department, which

has female staff who occasionally serve as group facilitators for the group when topics such as self-esteem, pregnancy prevention, body image, and relationships are being discussed. Mr. Johnson also reported that most girls in his program have unmet trauma and abuse issues that need to be addressed. He believes that the county would be more successful in meeting these girls' needs if they got involved at a much younger age and helped break the generational cycles that occur in families where the mother is gang-involved or system-involved and her daughter falls in her footsteps into similar activities.

Mr. Johnson stressed the need for continued community partnerships to meet the needs of girls in the juvenile justice system. He stated that one girls group that he believed was successful at working with delinquent girls resulted from a partnership between a local agency that specialized in delinquency and the Girl Scouts of America. He expressed concern that this was a rare partnership in the county and that much more effort needs to be put into addressing this gap in services for girls.

Recommendations for Wisconsin:

I recommend that the State of Wisconsin work to establish a statewide task force to address the needs of girls in the juvenile justice system and work to implement gender and culturally competent services. This task force could closely examine each county and identify areas where success is occurring as well as areas where changes need to be made. It will be essential for this task force to be comprised of key community and state leaders, as it will be a difficult and challenging task to make the necessary changes. It will be very important to involve key juvenile court leaders as well, as they will be essential in implementing changes.

Further, I recommend that the task force specifically examine the issues facing girls of color in the system and what changes are necessary to make the system more culturally responsive. In addition to working to eliminate the racism inherent in the system, it is important for the task force to work to identify the areas where institutionalized sexism is occurring. There needs to be a new sense of accountability for the system itself to change these problems that have been plaguing the system since its inception.

In addition to convening a task force, I recommend that the State work to develop a training program specifically designed for anyone working with girls in the juvenile justice system. This training would be available to judges, attorneys, providers, and educators. Individuals at all levels of the system must understand the unique needs of girls before this problem can be solved. This training should also include specific information on how to build successful collaborations across agencies and programs. Because of current budget constraints, it is unlikely that many individual programs will have enough funding to meet girls needs by themselves. It is much more likely that strong partnerships will need to be built. Collaboration is a difficult task that involves bridging differing agency cultures and often training is necessary to help people learn these important collaboration skills.

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