

Why Young Girls Die Behind Bars

16 year-old Gynnya McMillen died after just one night.

Andrea J. Ritchie Oct 2, 2017 10:23AM EDT

On January 10, 2016, 16 year-old Gynnya McMillen, was living in a group home in Hardin County, Kentucky, following the death of her father in 2014. She was moving toward being reunited with her mother, with whom she had what has been described as a “strained” relationship. She was on a home visit when **her mother called 911**, claiming that Gynnya had hit her. Gynnya denied it. When the police responded, they arrested Gynnya. Instead of taking her back to the group home where she was living, they took her to a juvenile detention facility. There, she was assaulted by officers who used a martial arts restraint to force her to remove her hoodie. The staff then neglected to check on her every 15 minutes as required by the rules, instead falsifying over 60 reports. Gynnya was found dead the next morning.

Like Sandra Bland, 16 year-old Gynnya McMillen died in a cell. In both cases, the cause of death is contested by their families. And, in both cases, the police interactions and court decisions that put Sandra and Gynnya in the cells they died in are the real culprits.

In Sandra Bland’s case, it was a police officer stopping her for driving while Black and arresting her for asking questions, and a court setting bail she couldn’t pay that set off the chain reaction that ended in her death. In Gynnya’s, it was police officers’ decision to arrest her following a dispute with her mother instead of simply taking her to a place where she would be safe and receive the support and care she needed, and a judge’s decision to send her to the juvenile detention facility where she died.

Arrests of young women during fights with family members such as the one that led to Gynnya’s incarceration are unfortunately all too frequent. According to *Unintended Consequences*, a report by the National Girls Initiative of the federal Office of Juvenile Justice and Delinquency Prevention, “under state domestic violence laws, many law enforcement officers, arriving in homes in which girls are fighting with their parents or caregivers...often respond by making an arrest.” As a result, “in-home conflict is a significant pathway for girls’ involvement in the justice system and many of girls’ arrests are for simple assault of their mothers or caregivers with no or minor injury.” In fact, one study of **320 domestic violence calls** in Massachusetts found that police were more likely to arrest young women in cases of disputes with parents and among siblings than between intimate partners. Nationally, girls of color are **disproportionately arrested** for assaults of family members in their homes. In Washington State, Black and Native youth are arrested for assault at a rate between 2 and 4 times greater than white youth.

Domestic violence charges “often lead to secure detention from 24 hours to one month...” In Gynnya’s case, 24 hours long enough for her to die in custody. Even when the consequences are not as tragic, “the girl is traumatized by arrest, handcuffing, and in some cases shackling, routine strip searches upon entry into detention, and the perception that she is being blamed for what is a family problem.”

For Black girls, these realities are compounded by what a recent study calls “adultification.” In *Girlhood Interrupted: The Erasure of Black Girls’ Childhood*, researchers found that adults see Black girls as “less innocent and more adult-like than their white peers.” Particularly, adults perceive Black girls like Gynnya as “needing less protection and nurturing,” and “view their behavior as intentional,

threatening, or otherwise non-compliant,” leading to harsher treatment by law enforcement and different decisions by judges and other officials in the juvenile justice system. Stereotypes like these no doubt contributed to the police officers’ and judge’s determination that Gynnya should be taken to a juvenile detention facility after the fight with her mom instead of back to the group home where she lived, where, according to a worker there, “she loved everybody and everybody loved her.”

Gynnya’s sister LaChe described her as a funny, bright, and vibrant young woman who had never before been arrested, was a straight A student who had made honor roll since 3rd grade, and was a participant in a Black achievement program. She was also a girl who liked to hang out with her friends, dance, and sing. “Now, she’ll never get to graduate high school, or pick a college,” LaChe said on an April 2016 conference call.

In the wake of Gynnya’s death, local activists with **Voices Unheard** came together to demand justice in Gynnya’s case, holding a vigil outside Lincolnville and a protest at the state capitol. Several schools created Black student groups focusing on teen girl leadership and empowerment, and how young Black women could show up for Gynnya. National organization **Color of Change** launched national petitions calling for **release of video footage**, termination of all staff involved in Gynnya’s detention and of the superintendent of the Kentucky Department of Juvenile Justice, and **closure of the facility** where Gynnya died. In the end, 150,000 people from across the country signed petitions demanding Justice for Gynnya. The head of the Kentucky Department of Juvenile Justice was fired a month after Gynnya’s death, and **two staff members at the facility were fired** and prosecuted for official misconduct. Earlier this year, the facility where Gynnya died was **scheduled to be shut down**.

While these victories are to be celebrated, there is more to be done. “Not only do we have to grieve her loss, we have to go on fighting every day,” Gynnya’s sister LaChe urges. LaChe set up a Facebook page called **Justice for Gynnya** where people can stay updated on her case.

One way we can fight for justice is to pay as much attention to the gendered racial dynamics at play in police officers’ responses to family conflict involving Black girls like Gynnya McMillen as we do to the patterns of traffic stops, police brutality and bail setting that contributed to Sandra Bland’s death. We can work, as the *Unintended Consequences* report recommends, toward “reducing girls and women’s interactions with the juvenile and adult criminal justice systems, increasing respect for their rights and dignity, and reshaping responses to violence to uphold young women’s agency and resilience.” For instance, the **New York City Council Young Women’s Initiative**, led by a Young Women’s Advisory Council, recommended that a task force be set up to rethink policies that require an officer responding to a domestic violence call to arrest someone. And we can make sure that the voices of young women like Gynnya are front and center in conversations about how we transform responses to family conflict so that they never again lead to a young woman’s death alone in a cell.

*This piece by Andrea J. Ritchie is part of **Kids Incarcerated**, a Teen Vogue series on youth incarceration in the United States for National Youth Justice Awareness Month. Ritchie is a Black lesbian immigrant and the author of *Invisible No More: Police Violence Against Black Women and Women of Color*, and co-author of *Say Her Name: Resisting Police Brutality Against Black Women*. She is a Researcher-in-Residence at the Barnard Center for Research on Women.*