

# A 21st Century Strategy

s Americans look back over the 20th century, the increasing criminalization of girls and women and the realization that they now make up the fastest growing segments of the juvenile and criminal justice systems must spark a major public response. Further, as a comprehensive national strategy to promote public safety into the 21st century is developed, the youngest and least visible female offenders—adolescent girls—and their children must be a core focus. Given the developmental and childbearing potential of these young women and the generally low risk they pose to their communities, addressing their needs offers the Nation its best hope of halting the intergenerational cycle of family fragmentation and crime.

### by Leslie Acoca

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ny effort to understand and develop strategies to reverse the accelerating entry of girls into the juvenile justice system must begin with an examination of the current statistical picture. Between 1993 and 1997, increases in arrests were greater (or decreases smaller) for girls than for boys in almost every offense category (Snyder, 1999). The 748,000 arrests of girls younger than 18 years old in 1997 represent 26 percent of all juvenile arrests made that year. This proportion has been climbing slowly since 1986 when girls constituted 22 percent of all juvenile arrests (Chesney-Lind & Shelden, 1998).

data seem to indicate dramatic increases in the proportion and seriousness of delinquent acts committed by girls. However, the reality underlying the statistics is hotly disputed by researchers and policymakers. Are girls becoming more violent, or are recent trends partially an artifact of girls' lower base rate of arrests and delinquency cases since the 1970's (Chesney-Lind & Shelden, 1998)? What influences do changing and often less tolerant family and societal attitudes toward girls, shifts in law enforcement practices (particularly toward gangs), and the increasing availability of weaponry exert on girls' offending? And finally, are girls traditionally

# Are girls traditionally drawn into the juvenile justice system for less serious crimes than their male counterparts?

Buttressing claims that girls are beginning to catch up with boys in terms of their involvement with more serious and violent crimes, the Violent Crime Index arrest rate for girls rose 103 percent between 1981 and 1997, compared with a 27 percent increase for boys during the same time period. In assessing this disproportionate rise, however, one should keep in mind that the arrest rate for juvenile males for these crimes remains five times that for females (Snyder, 1999).

It should also be noted that the greatest increases in arrests of girls between 1993 and 1997 were for drug abuse and curfew violations (Snyder, 1999). The escalating number of girls arrested for drug-related offenses should be of particular concern as should the results of a 1998 survey indicating that substance use and abuse among adolescent girls in the general population are rising (Drug Strategies, 1998). Other studies indicate that the unprecedented increase in the number of incarcerated adult women since the early 1980's has largely been due to drug-related offending (Mauer & Huling, 1995).

There have also been greater increases in the number of delinquency cases involving young women handled by juvenile courts than in those pertaining to young men. Between 1986 and 1995, the number of delinquency cases involving girls increased 68 percent, compared with a 40 percent increase in those involving boys (Sickmund, 1997). Further, paralleling the changes evident in arrest statistics, "the relatively greater increase in cases involving females was due to changes in person offense cases (up 146% for females versus 87% for males) and property offense cases (up 50% among females compared with 17% among males)" (Sickmund, 1997:3).

On the surface, these broad national

drawn into the juvenile justice system for less serious crimes than their male counterparts?

What is beyond dispute is the need to construct a blueprint for a comprehensive continuum of gender-responsive prevention, intervention, and graduated sanctions services that can be tailored to meet the needs of diverse jurisdictions. Equally clear is the requirement that any such blueprint have as its foundation a research-based profile of the characteristics, needs, and life circumstances of girls at risk of entering the juvenile justice system and those already involved with the system. External barriers such as the paucity of programs specifically designed for girls and the anticipated impact of new Federal welfare and adoption legislation on adolescent mothers and their children should also be taken into account. Addressing these issues can no longer be an afterthought. Specific Federal, State, and local legislative and organizational remedies must be sought.

### Characteristics of Girls At Risk of Entering or Involved With the Juvenile Justice System

To address many of the challenges noted above, in 1998, the National Council on Crime and Delinquency (NCCD) conducted a multidimensional study of girls in the California juvenile justice system (Acoca & Dedel, 1998). To obtain an official perspective on female offenders, NCCD accessed juvenile justice system databases and conducted an indepth review of nearly 1,000 case

files from multiple points within the probation systems of four California counties. In an effort to delve beneath the surface of statistical and official profiles and obtain the girls' description of their characteristics and needs, NCCD interviewed nearly 200 girls in county juvenile halls. The following study findings confirm the results from much of the research that has been conducted over the past 25 years by pioneers such as professors Meda Chesney-Lind, Joanne Belknap, and others. The findings also offer additional information that supports the need to teach girls early with intensive intervention and services before they reach the breaking point-that point in early adolescence when so much can go wrong in the lives of girls.

## Victimization and Girls' Pathways to Offending

Leading academics who have examined the constellation of life circumstances typically shared by adult and juvenile female offenders have posited that they follow a unique route into the justice system. According to Belknap and Holsinger, "The most significantly and potentially useful criminological research in recent years has been the recognition of girls' and women's pathways to offending" (Belknap & Holsinger, 1998:1). These and other scholars have consistently identified victimization physical, sexual, and emotional - as the first step along females' pathways into the juvenile and criminal justice systems and as a primary determinant of the types and patterns of offenses typically committed by girls and

Key findings of the 1998 NCCD study of girls in the California juvenile justice system confirm the pathways approach and closely parallel the findings of a 1995 survey of 151 adult female State prisoners; this survey revealed that one of the most universally shared attributes of adult female prisoners was a history of violent victimization (Acoca & Austin, 1996). Ninety-two percent of the juvenile female offenders interviewed in 1998 reported that they had been subjected to some form of emotional, physical, and/or sexual abuse (Acoca & Dedel, 1998). Despite their age, however, a higher number of the younger women interviewed reported that they had been physically abused, including 25 percent who reported that they had been shot or stabbed one or more times (Acoca & Dedel, 1998). Of critical importance to understanding why many women and girls begin to commit offenses are the early age at which they suffer abuse and the negative repercussions of this abuse on their lives.

The ages at which adolescent girls interviewed were reportedly most likely to be

beaten, stabbed, shot, or raped were 13 and 14 (Acoca & Dedel, 1998). Not surprisingly, a high proportion of girls first enter the juvenile justice system as runaways, who often were seeking to escape abuse at home (Chesney-Lind & Shelden, 1998). In addition, 75 percent of young women interviewed reported regular use of drugs, including alcohol, which typically began at about age 14 (Acoca & Dedel, 1998:91).

Many academics and practitioners agree (Covington, 1998) and NCCD data reveal that clear correlations exist between the victimization of women and girls and specific high-risk behaviors such as serious drug abuse (Acoca & Dedel, 1998). One reason for this close connection is the capacity of mood-altering chemicals to temporarily dull the psychological devastation wrought by experiences of physical and sexual violation.

Many girls report and, in some instances, NCCD field researchers have observed that certain abuses follow girls into the juvenile justice system. Specific forms of abuse reportedly experienced by girls from the point of arrest through detention include the consistent use by staff of foul and demeaning language, inappropriate touching, pushing and hitting, isolation, and deprivation of clean clothing. Of special concern were the routine nature of these acts and the pervasive atmosphere of disrespect toward the girls that they reported permeates not just juvenile justice settings, but also other community institutions.

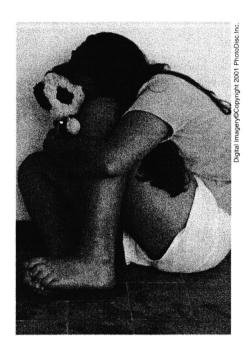
### Family Fragmentation

The data reveal that the families and caretakers of these girls were subject to a wide range of stressors, including poverty, death, and an intergenerational pattern of arrest and incarceration.

According to their case files, more than 95 percent of the girls were assessed as lacking a stable home environment, and 11 percent had experienced or witnessed the death of one or both parents or a sibling. Many of the girls interviewed recalled moving back and forth between relatives while they were growing up or being placed in a foster or group home, typically between the ages of 12 and 14, through the child welfare or juvenile justice system.

More than one-half (54 percent) of the girls interviewed reported having mothers who had been arrested or incarcerated. By contrast, 46 percent of the girls' father had reportedly been locked up at some point, and 15 percent of the fathers were reportedly incarcerated at the time of the interview. Interviews with the girls indicated that some girls had little or no contact with their fathers, which could account for the lower reported percentage of incarcerated fathers.

Extending the theme of family fragmentation into the next generation, "an alarming 83 percent of the young women interviewed who were mothers reported that they had been separated from their infants within the first three months of their children's lives, a pivotal developmental stage" (Acoca & Dedel, 1998:11).



Victimization — physical, sexual, and emotional — is the first step along females' pathways into the juvenile justice system.

## Academic Failure and Schools as a Battleground

Failing in school was almost as universal an experience as victimization in the lives of the girls interviewed. Ninety-one percent of girls reported that they had experienced one or more of the following: being suspended or expelled, repeating one or more grades, and/or being placed in a special classroom. Eighty-five percent of girls had been expelled or suspended, and the median age for the first of these experiences was 13. Of girls placed in special classrooms, only 1 percent said that the placement helped them stay out of trouble. Finally, many girls described school

as a battleground in which sexual harassment, racism, interpersonal rivalries with peers, and inattention from adult professionals made dropping out appear to be a necessary means of escape.

#### Health and Mental Health Issues

Eighty-eight percent of the girls interviewed for this study reported that they had experienced one or more serious physical health problems and more than half (53 percent) stated that they needed psychological services. Twenty-four percent said that they had seriously considered suicide, and 21 percent had been hospitalized in a psychiatric facility on at least one occasion.

Twenty-nine percent of the girls interviewed had been pregnant one or more times and 16 percent had been pregnant while in custody. Of those girls who had been pregnant in custody, 23 percent had miscarried and 29 percent had been placed in physical restraints at some point.

### Nonserious, Nonviolent Offense Patterns

Consistent with studies of the offense patterns of girls conducted since the 1970's, the majority of girls surveyed were charged with less serious offenses (e.g., property, drug, and status offenses) then violent offenses (e.g., murder, assault). The highest percentage (36 percent) of these girls were probation violators, many of whom reported that their first offense was running away, truancy, curfew violation, or some other status offense. Girls in Southern California reported that having a tattoo or wearing baggy clothes that could be perceived as markers of gang affiliation were sufficient to bring them into contact with law enforcement. Once they were placed on probation, any subsequent offense, even another status offense, became a violation of a valid court order and a vector for their greater involvement in the juvenile justice system.

Qualitative analysis of the circumstances surrounding the offenses of the relatively high percentage (34 percent) of girls reporting person offenses (including assault, robbery, homicide, and weapons offenses) revealed a disturbing picture. A majority of the girls' more serious charges fell into the assault category. A close reading of the case files of girls charged with assault revealed that most of these charges were the result of nonserious, mutual combat situations with parents. In many cases, the aggression was initiated by the adults. In some instances, the probation reports describing the assaults indicate the incongruous nature of many of these incidents. In one case, a girl was arrested for throwing cookies at her mother.



### Case files of girls revealed most assault charges to be the result of nonserious, mutual combat situations with parents.

The small number of girls arrested for the most serious offenses—robbery, homicide, and weapons offenses—reportedly committed these crimes almost exclusively within the context of their relationships with codefendants. These relationships fell into two distinct categories, dependent or equal. The first group included girls who were following the lead of male offenders (often adults) who were typically the primary perpetrators of the

The disparate treatment of minorities appears to be an important factor.

crime. The second group included girls functioning in female-only groups or mixed-gender groups (including gangs) as equal partners in the commission of their offenses. Finally, the availability of weapons and an increased willingness to use them appeared to be factors in girls' involvement with serious and violent crime. Although the exact relationship between gang membership and more serious offenses committed by girls was not determined, nearly half of the girls interviewed (47 percent) reported gang affiliation, and 71 percent of these girls stated that they had been "very involved."

The disparate treatment of minorities appears to be an important factor in the processing of girls' cases. Nationally and in the NCCD sample, approximately two-thirds of the girls in the juvenile justice system are minorities, primarily African American and Hispanic. Statistical analysis of the NCCD interview data revealed a significant relationship between the girls' racial status and their drug use, history, and offense type. In summary, although whites reported the most drug use, compared with other racial groups, they were significantly more likely to also report that their most recent charge was a probation violation. By contrast, African Americans and Hispanics, despite significantly less drug involvement, were equally likely to report that their most recent charge was for a drug/property or person offense as they were to report a current probation violation.

#### The Breaking Point

NCCD interviews with girls in the juvenile justice system revealed a remarkable convergence of traumatic experiences and risky behaviors between the ages of 12 and 14. To recapitulate a few of these, the median age at which girls reported first becoming victims of sexual assault was 13 and the median age at which they were first shot or stabbed was 14. Thirteen was the age at which girls were most likely to report becoming sexually active and 14 was the median age at which they delivered their first child. In terms of risky behaviors, girls were most likely to begin using alcohol and other drugs, experience their first suspension or expulsion from school, run away from home, and not surprisingly, experience their first arrest at ages 13 and 14. All these events generally occur in communities in which

### **Latest Statistics**

The latest statistics continue the trend of increasing numbers of girls involved in the juvenile justice system. The following numbers are from *Juvenile Arrests 1999*, by Howard N. Snyder, National Center for Juvenile Justice, published last year by the Office of Juvenile Justice and Delinquency Prevention.

### There were 32% more arrests of girls in 1999 than in 1990

Law enforcement agencies made 670,800 arrests of females under age 18 in 1999. Between 1990 and 1999, arrests of juvenile females generally increased more (or decreased less) than male arrests in most offense categories.

	in juvenil	in juvenile arrests 1990–99	
Most serious offense	Female	Male	
Total arrests	32%	5%	
Robbery Aggravated assault Burglary Larceny-theft Motor vehicle theft	-11 57 -8 6 -24	-17 -5 -34 -24 -52	
Simple assault Vandalism Weapons Drug abuse violations Liquor law violations	93 28 44 190 24	35 -13 -7 124 4	
Curfew and loitering Runaways	139 –12	103 –18	

### In 1999, 27% of juvenile arrests were arrests of females

Females accounted for 22% of juvenile arrests for aggravated assault and 30% of arrests for simple (i.e., other) assaults. Females represented more than half of all juvenile arrests for running away from home.

Most serious offense	Percent juvenile Female	
Total arrests	27%	73%
Robbery	9	91
Aggravated assault	22	78
Burglary	11	89
Larceny-theft	36	64
Motor vehicle theft	16	84
Simple assault	30	70
Vandalism	12	88
Weapons	9	91
Drug abuse violations	14	86
Liquor law violations	31	69
Curfew and loitering	30	70
Runaways	59	41

virtually all institutions — families, schools, and public agencies, including juvenile justice — are failing girls.

# The Paucity of Programs for Girls and the Impact of Recent Legislation

The paucity of services targeting female juvenile offenders is deepening the negative impact of the often traumatic life circumstances described above. Two 1998 national surveys of promising and effective gender-specific programs, one conducted by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and another as part of the 1998 NCCD study, indicate that there are only a relatively small number of such programs nationwide. Moreover, these programs (with a few notable exceptions such as PACE, Jacksonville, FL; the Female

## Particularly scarce are intensive family-based programs tailored to girls' needs.

Intervention Team, Baltimore, MD; and Reaffirming Young Sister's Excellence (RYSE), Oakland, CA) are characteristically small and lack the organizational capacity and funding to collect, manage, and analyze client-related data. Particularly scarce are intensive family-based programs (residential, school, and in-home) that provide girl-specific health, psychiatric, substance abuse, and academic services tailored to girls' needs. Also lacking are programs that build and preserve the teen mother-child bond by providing specialized, developmentally sequenced interventions. Program elements that seldom appear are services that effectively address girls' diverse racial and cultural backgrounds and girls' innate strengths and resiliencies.

Further, recent Federal welfare legislation may reduce access to essential public benefits for low-income teen mothers and their children. Recent adoption legislation may simultaneously reduce the amount of time incarcerated teen mothers whose children are in foster care have to demonstrate

their stability to family court in order to reunite with their children. In 1996, the U.S. Congress enacted the Personal Responsibility and Work Reconciliation Act, known to the public as welfare reform. This Federal legislation effectively ends the entitlement of poor children to ongoing needs-based support by placing strict limits on the amount of time such children may receive benefits (Wald, 1998). In addition to requiring that parents (overwhelmingly single mothers) hold jobs, it also places special restrictions on teen parents. Parents under age 18 who do not live with an adult or stay in school are denied benefits (Quigley, 1998). Naturally, this places special burdens on abused teens who might feel compelled to leave home because of abuse and on those who have dropped out of school because of learning or emotional disabilities.

As female juvenile offenders are highly likely to have experienced both of these problems, they appear to be especially vulnerable. Although establishing paternity can benefit children, there is also concern among legal professionals that States that make receipt of benefits contingent on young women's cooperation in establishing their children's paternity may force pregnant and parenting teens into unwanted marriages (Hoke, 1998).

In addition, the 1997 Adoption and Safe Families Act could further compound the difficulties faced by young female offenders who wish to regain care and custody of their children. Although the Act has the positive goal of protecting the safety and health of the child, it places tighter limits than those imposed by previous legislation on the time and services available to parents (including incarcerated mothers) attempting to demonstrate their stability to the family court (Larsen, in press). Within one year, parents, including adolescent mothers whose children are under the care of the State, must meet all court-imposed requirements or permanently lose custody of their children. When applied to incarcerated women and girls, this could mean that thousands more children will be permanently removed from their mothers and in need of adoptive homes in the 21st century. Unwittingly, this well-intentioned act could potentially lead to establishment of a new, highly vulnerable orphan class of children.

### 21st Century Solutions

Reversing the factors underlying girls' accelerated entry into the juvenile justice system will require a highly organized approach including international, national, State, and local accords, legislation, and initiatives. A key focus of these must be a renewed commitment to eliminating violence

toward girls outside and inside the juvenile justice system.

To this end, the United States should consider its level of compliance with international conventions and standards for the protection of children and ensure that its own legislation and policies match these standards (Amnesty International, 1998). In addition, the development and enforcement of Federal standards pertaining to conditions of confinement must specifically identify and respond to the needs of girls (Acoca & Dedel, 1998). To reduce violence toward women and girls in American society at large, Congress should continue to support the Violence Against Women Office and other Federal child-serving offices that provide programs and services to at-risk and delinquent girls.

# Federal and State Partnerships

Representing an important partnership between the Federal Government and several States and local jurisdictions, OJJDP's Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders (Wilson & Howell, 1993) helps communities develop a working blueprint for measurably reducing

youthful offending (Howell, 1995). Several local pilot sites, including Jacksonville, FL, and San Diego, CA, have completed their strategic plans (a process that involves a community-wide needs assessment). These sites have identified girls in and on the edge of the juvenile justice system as representing one of the least-served juvenile justice populations. As a natural extension of the Comprehensive Strategy, Jacksonville, FL, the home of the PACE program (which by rigorous standards has been identified as a highly effective school-based program for girls), is moving to profile its juvenile female population with research support from NCCD. Further, PACE is working with State and local public and private agencies that serve youth and with NCCD to help design and develop a comprehensive continuum of services for girls and their families, including their children. San Diego County has also extended its Comprehensive Strategy plan to provide specialized programs and services for girls and will receive technical assistance from NCCD while it develops its programs. Based on its research-based profile of at-risk girls, the county has designed an intensive inhome component for girl offenders, which was recently funded by the California State Board of Corrections. Other jurisdictions receiving Federal support to develop a Comprehensive Strategy can now use these

regions as prototypes for the design and implementation of girls' services.

### Juvenile Justice Processing of Girls

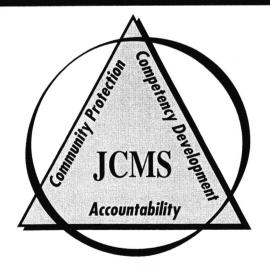
t the State level, the California legislature passed SB 1657, the Juvenile Female Offender Intervention Program, in March 1998. This program would have allocated major funding to eligible counties to develop intervention programs designed to reduce juvenile crime committed by female offenders. Although the Governor of California failed to sign the bill, it may yet be resubmitted in California and used as a model for the development of similar legislation in other States. Other legislative strategies include key changes in the intake and processing of girls through the juvenile justice system (such as those mentioned below) and intensive development of gender-responsive services in every jurisdiction across the United States.1

The process of disproportionately detaining and sanctioning girls for status offenses and subsequent violations of valid court orders should be ended. OJJDP, the National Council of Juvenile and Family Court Judges, members of law enforcement,

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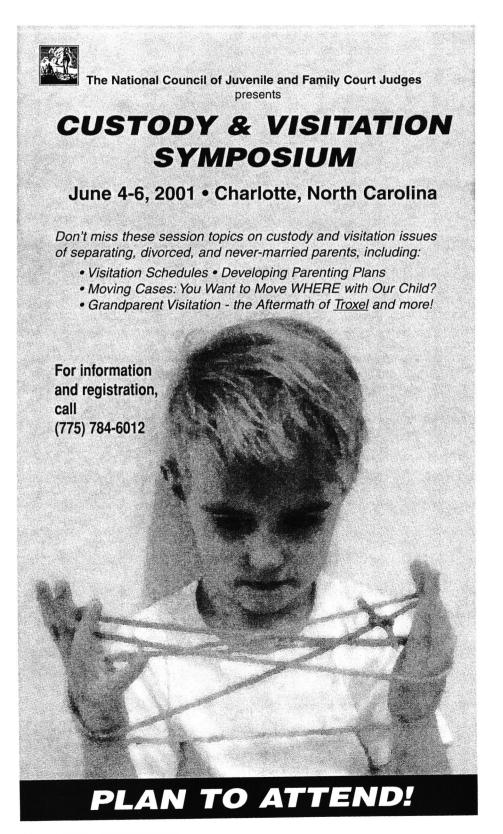
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:| Case Management Systems,**LLC**  and others should be directly enlisted in this effort. Effective diversion and intervention options that specifically address girls' needs and engage their families and caretakers should be developed at the community level. Family-focused programs that intervene in cases of family violence, including domestic combat between rebellious girls and their caretakers, should also be implemented at the

community level.<sup>2</sup> Further, training that provides accurate information on the characteristics and needs of female juvenile offenders and their families and on dispositional alternatives for this population should be available to law enforcement, probation officers, juvenile and family court judges, and child welfare professionals.



# Early Intervention for Preadolescent Girls

s indicated earlier, the continuum of Aprograms and services required to reduce girls' entry into the juvenile justice system must be responsive not only to gender and age but to developmental stage. Although the 1998 NCCD study describes a model continuum providing developmentally appropriate services for girls between the ages of 5 and 18, the focus here is on 8- to 11-year-old girls-those at that crucial developmental stage for which there are few existing services. An optimum environment for at-risk girls of this age would be a community-based all-girls school setting that would anchor other services, including family counseling, substance abuse prevention, specialized educational services (such as learning disabilities assessment), and mentoring serv-

While the provision of an all-girls environment remains controversial, research conducted by Myrna and David Sadker (1994) of the American Association of University Women Educational Foundation (1997 and 1998) and the ongoing evaluation of the Florida PACE programs support this approach. The PACE program, which currently serves more than 2,500 12- to 18-year-old girls in 15 school-based centers statewide, recently committed to opening its first schoolbased program for 8- to 11-year-old girls. Once fully implemented and evaluated, this new program will yield invaluable information on the efficacy of educational and therapeutic services for preadolescent girls.

### **Preserving Family Ties**

If a primary goal of the juvenile justice Lsystem is to protect public safety now and into the 21st century, supporting the development of positive relationships between juvenile and adult female offenders and their children is a critical long-term strategy. This can be achieved in part by ongoing evaluation of the aforementioned Federal welfare and adoption legislation and by funding, at least in part, the Family Unity Demonstration Project (Amnesty International, 1999). In 1998, Congress enacted the Family Unity Act and by doing so recognized the essential need for family strengthening programs linking incarcerated parents and their children. On the threshold of the 21st century, it is imperative to recognize the close relationship between the needs of girls and women and public safety - a relationship based in part on the ability of future generations to remain crime free.

#### NOTES

- 1. See Juvenile Female Offenders: A Status of the States Report (Community Research Associates, 1998) for descriptions of State efforts to address gender issues.
- 2. See Guiding Principles for Promising Female Programming: An Inventory of Best Practices (Greene, Peters, & Associates, 1998) for examples of these programs.

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