



*Gender Responsive Juvenile Justice: A Girls Court
Literature Review Update*

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Project Background

CCYJ initiated work on gender-responsive justice in 2013. During this time, CCYJ conducted a thorough review of research on justice-involved girls' unique needs, risk factors, pathways, and experiences in the system, and on gender-responsive programming intended to respond directly and effectively to justice-involved girls. CCYJ's research culminated in a [literature review, titled *Gender Responsive Juvenile Justice*](#) and completed in 2015. The literature review concluded that girls are indeed different than boys, but despite these clear differences, the justice system has been largely unresponsive to girls' needs and often retriggers the trauma that pushed them into the system initially. The conclusions from this literature review set the stage for CCYJ's continued work on gender-responsive justice and contributed to CCYJ's momentum to initiate Washington's first *Girls Court*, a project aimed at building a more relationship-guided and juvenile justice system for girls. *Gender Responsive Juvenile Justice: A Girls Court Literature Review Update* builds on the original research CCYJ conducted in 2015 by examining early research and developments since 2015, including evidence, reforms, and practices that will help direct the model for the *Girls Court* pilot program.

Overview

The literature review update summarizes articles, papers, research, and reports that analyze and describe girls involved in or at-risk for involvement in the juvenile justice system. Although the research primarily focuses on the United States, the update includes some international research as well. Literature reviewed includes pieces on the histories, service/treatment needs, risk factors, pathways to system involvement, intersectional system experiences, and resiliencies of justice-involved and at-risk girls, as well as on reforms and pilot programs/practices aimed at providing gender-responsive services to these girls. The update includes a brief section on key conclusions based on the research findings and a section with summaries of each piece of literature that was reviewed, sorted by general issue category.

Key Conclusions

- 1) **Girls' involvement in the juvenile justice system is either increasing** while boys' involvement is decreasing **OR girls' involvement is decreasing at a slower rate** than boys', depending on the country, state, or county.
- 2) **Girls are more likely than boys to initially become justice-involved for lower level offenses**, such as status and misdemeanor offenses. Feminist literature argues that this historical and current trend tends to occur due to a paternalistic desire to protect girls and/or control girls' bodies, sexuality, and decision-making. Qualitative research indicates that LBQ girls are more marginalized than their heterosexual female counterparts in the juvenile correctional setting due to their non-conformity to traditional gender roles.
- 3) Although girls are more likely to be justice-involved for lower level offenses, **the number of girls being arrested for violent offenses has steadily increased** in many countries, states, and counties. Some researchers associate this increase with statutory and policy reforms, such as mandatory arrest laws for domestic violence. Others suggest that girls committing violent offenses act at the direction of significant others (typically, older males), traffickers, or gangs. A few researchers suggest that girls have historically been

engaged in ongoing violent behavior, which has been largely unreported in criminal history.

- 4) **Justice-involved girls have greater histories of trauma and other adverse childhood experiences** than justice-involved boys. Unlike boys, the prevalence of adversity is highly correlated with offending and other high-risk behaviors, including trafficking and gang/group involvement, for girls. Learning disabilities and adolescent parenthood among justice-involved girls are associated with higher risk for mental health challenges and substance use, and greater reliance on public assistance in the future.
- 5) **Family violence, parental divorce, and cumulative childhood risk factors, but not juvenile justice referrals, are significant predictors of adult arrest for women** whereas, for men, juvenile justice system involvement is a significant predictor of adult arrest and adult felony offending.
- 6) **Justice-involved girls commit a wide range of offenses, primarily low-level, at different points in time, initiate offending behavior early by the commission of less serious offenses, and do not conform to specific delinquency patterns, sequences, or pathways** into the juvenile justice system. Substance abuse plays a significant role in offending behavior for girls.
- 7) **Justice-involved girls are diverse, with varying histories, needs, risks, and identities.** A one-size fits all approach, response, or program will not be effective for all girls in need of gender-responsive services. Girls with lower needs and less prior systems involvement often respond poorly to intensive services. LGBTQIA+ girls, girls of color, girls with a history of child welfare involvement, and girls whose families are impoverished have unique service and program needs.
- 8) There is a general consensus by practitioners and researchers that gender-responsive reforms (policy, practice, and programs) are needed to respond to justice-involved girls' unique risk factors and needs. Despite this consensus, **gender-responsive reforms have often been limited and temporary, and comprehensive, rigorous evaluations of these reforms have also been limited.** For gender-responsive practices, programs, and policies that have been evaluated, quantitative outcomes are both limited and mixed, but qualitative assessments of youth and staff response are consistently positive.
- 9) **Adaptations of evidence-based programs, which include gender-responsive elements, have shown some promise with girls.** Multi-systemic Therapy (MST) and Multidimensional Treatment Foster Care (MTFC) have been the most frequently evaluated programs for girls.
- 10) In light of recognition of girls courts as individualized programs within the juvenile justice system that aim to fulfill the rehabilitative mandate of juvenile justice, **legal challenges to girls' courts based on equal protection are likely to survive even heightened levels of scrutiny by courts.**

Literature Summaries

Child Maltreatment & Trauma

1. Child Maltreatment Victimization by Type in Relation to Criminal Recidivism in Juvenile Offenders

- Claudia E. van der Put & Corine de Ruiter
 - *BMC Psychiatry*, 2016
- This study examines the relationship between different types of child abuse victimization and criminal recidivism among juvenile offenders. Secondary analyses were conducted on data collected with the Washington State Juvenile Court Assessment and general recidivism. The sample consisted of female (n = 3,502) and male (n = 10,111) juvenile offenders. The study found that, for male juvenile offenders, neglect and physical abuse victimization are significantly, but weakly associated with both general and violent recidivism. For female juvenile offenders, neglect and physical abuse are weakly associated with general recidivism, but not with violent recidivism. Sexual abuse is not related to either general or violent recidivism in either male or female juvenile offenders. The study further found that for male juvenile offenders, neglect victimization is uniquely related to general recidivism, whereas physical abuse victimization is uniquely related to violent recidivism – over and above dynamic risk factors for recidivism. In contrast, for female juvenile offenders, none of the maltreatment variables are uniquely related to general or violent felony recidivism.

2. Gender Differences in the Impact of Abuse and Neglect Victimization on Adolescent Offending Behavior

- Jessica J. Asscher, Claudia E. Van der Put, & Geert Jan J.M. Stams
 - *Journal of Family Violence*, 2015
- Ample research demonstrates the negative consequences of child maltreatment, defined as emotional abuse, neglect, sexual abuse, physical abuse, or any combination thereof, on child development. There is empirical evidence demonstrating that child maltreatment is associated with increased likelihood of juvenile delinquency. This study examines gender differences in association with abuse and neglect during childhood and sexual and violent offending in juvenile delinquents. The study found that compared to males, female juvenile delinquents are more frequently victims of sexual and physical abuse and had a history of neglect and maltreatment. Further, the relationships between victimization and offending are stronger in male juvenile offenders than in females – specifically, a history of sexual abuse was related to sexual offending while a history of physical abuse was related to violent offending. Also, male juvenile offenders commit more sexual and felony offenses against persons while female juvenile offenders commit more misdemeanor offenses against persons and report violence not included in criminal history. Interventions should consider the negative consequences of abuse victimization in male offenders and of

PTSD for female juvenile offenders, which is likely related to the consequences of experienced abuse.

3. The Nature of Co-Occurring Exposure to Violence and of Court Responses to Girls in the Juvenile Justice System

- Merry Morash
 - *Violence Against Women, Sage Publications, 2015*
- This article examines the co-occurrence of different types of victimization and violence exposure, and the effects of court interventions for girls in juvenile court. A life history interview methodology was used to collect qualitative data from 27 girls who had penetrated deeply into a treatment-oriented county court system. The study revealed that early abuse and violence in the home makes girls vulnerable to later intimate partner violence and sexual assault despite their leaving to avoid continued victimization. Whereas some court interventions have helped girls, others have re-victimized them. Implications for helpful court practices and future research are presented and discussed.

4. The Prevalence of Adverse Childhood Experiences (ACE) in the Lives of Juvenile Offenders

- Michael T. Baglivio, Nathan Epps, Kimberly Swartz, Mona Sayedul Huq, Amy Sheer, & Nancy S. Hardt
 - *OJJDP Journal of Juvenile Justice, 2014*
- Research on adverse childhood experiences (ACEs) and their negative repercussions on adult health outcomes is well-documented. In a population of insured Californians, a dose-response relationship has been demonstrated among 10 ACEs and a host of chronic physical health, mental health, and behavioral outcomes. Less widely studied is the prevalence of these ACEs in the lives of juvenile offenders, and the effect of ACEs on children. This study examines and reports the prevalence of ACEs in a population of 64,329 juvenile offenders in Florida, assigns an ACE composite score across genders and a risk to reoffend level classification, and compares these with ACEs studies conducted on adults. Analyses indicated that offenders report disturbingly high rates of ACEs and have higher composite scores than previously examined populations. This study also examines the gender differences in ACEs in this population and highlights significantly higher rates of sexual assault and interpersonal victimization for girls and higher rates of witnessing violence for boys. Policy implications underline the need to screen for and address ACEs as early as possible to prevent reoffending and other adverse outcomes.

5. Onset of Juvenile Court Involvement: Exploring Gender-Specific Associations with Maltreatment and Poverty

- Charlotte Lyn Bright & Melissa Jonson-Reid
 - *Child and Youth Services Review*, 2008
- This research addresses the question of the differential impact of maltreatment and poverty on the onset of status and delinquent petitions for girls compared to boys. A sample of youth born in 1982–1986 in the Midwest was examined. The independent variables were poverty, maltreatment, or both. The risks of delinquent petitions and status petitions were analyzed using separate models by gender. The study found that there is an increased likelihood of juvenile court petitions based on the combination of poverty and maltreatment risk factors for both girls and boys. However, unlike for boys, there is no significant difference in the increased risk for girls who experienced only maltreatment and for girls who experienced both maltreatment and poverty. The authors conclude that targeted interventions for girls who have experienced maltreatment, with or without poverty, are a promising pathway forward.

Commercial Sexual Exploitation of Children (CSEC)

6. Juvenile Court Practitioners' Construction of and Response to Sex Trafficking of Justice System Involved Girls

- Valerie Anderson, Kara England, & William Davidson
 - *Victims & Offenders Journal*, 2016
- The commercial sexual exploitation of children (CSEC) is a growing domestic health and policy concern. Exploited girls may be at heightened risk for entering the juvenile justice system. The purpose of this study is to explore the needs of CSEC victims and resources available for system-involved girls. Data included semi-structured interviews, case discussions, and residential placement meeting observations with juvenile justice personnel. Findings revealed labeling issues related to (1) how court workers construct female victims of CSEC through exploitation myths, (2) the importance of trauma history and relational contexts, and (3) system-level barriers. Recommendations for practice are discussed.

7. Penal Welfare and the New Human Trafficking Intervention Courts

- Aya Gruber, Amy J. Cohen, & Kate Mogulescu
 - *Florida Law Review*, 2016
- This law review article acknowledges the heated “sex war” debate, currently playing out on the local, international, and national stages, where one side of the ideological divide views commercial sex as employment and believes the state should regulate it through non-criminal means to reduce harm and improve the material well-being of sellers (the sex-worker position) while the other side, known as the ‘new abolitionist’ or ‘neo-abolitionist’ position, views all commercial sex as human trafficking and encourages the state to prioritize dismantling the institution of prostitution, primarily by criminal enforcement against buyers and promoters. The article discusses a “revolutionary” statewide initiative, announced in the fall of 2013 by New York State’s Chief Judge, Jonathan Lippman, with the potential to address both sides of the divide: Human Trafficking Intervention Courts (HTICs). The initiative occurred amidst a burgeoning consensus that prostitution is human trafficking and women who engage in prostitution are largely victims of exploitation and violence. With the goal of “eradicat[ing] the epidemic of human trafficking,” and the view of prostitution as trafficking, HTICs were envisioned as courts that prosecute traffickers, where victim-witnesses enjoy special protections. However, the authors note that HTICs tend to be criminal diversion courts where mostly female defendants are prosecuted for prostitution offenses, and are offered mandated services in lieu of criminal conviction and jail. Nevertheless, many commentators have heralded HTICs as the “model” approach to prostitution/trafficking despite that they involve the criminal processing and incarceration of sex-trafficking victims. The authors of this article argue that a key piece of this puzzle is a phenomenon known as “penal welfare” – that is, states’ growing practice of using criminal courts to provide social services and benefits. In an era in which “mass incarceration” is a familiar term and tough-on-crime and

broken windows ideologies are falling into disfavor, penal welfare enables entrenched institutions of criminal law to continue to function despite a growing crisis in public confidence. Based on a qualitative empirical study, the authors conclude that HTICs may sustain arrests and prosecutions of the presumptively victimized women they seek to protect, stunt the development of alternate forms of assistance and resources, and reinforce stigmatizing ideologies and discourses.

8. Diverting Victims of Commercial Sexual Exploitation from Juvenile Detention: Development of InterCSECT Screening Protocol

- Emily J. Salisbury, Jonathan D. Dabney, & Kelli Russell
 - *Journal of Interpersonal Violence*, 2014
- Qualitative studies, providing detailed accounts of victimization, are prevalent among the research literature investigating Domestic Minor Sex Trafficking (DMST) or Commercial Sexual Exploitation of Children (CSEC), yet there is very little reliable or valid data demonstrating the prevalence of CSEC in the United States. Identifying CSEC victims in the juvenile justice system is a challenging complexity requiring a concerted organizational commitment. This study is the first to systematically identify and divert youth victims of CSEC in a juvenile custody setting. Using a three-tiered, trauma-informed screening process, a 3½ month pilot intervention was implemented in Clark County Juvenile Court (Washington) to identify trafficking victims in an effort to connect them to community youth advocates and sexual assault resources. A total of 535 boys and girls (ages 9-19) were screened during intake, and 47 of these youth, who reported risk factors associated with CSEC, were subsequently referred to community advocates. Six youth (all girls) were confirmed CSEC victims, were currently involved with CPS/DSHS, and all were successfully diverted from juvenile detention. Study results suggest that juvenile justice and child welfare agencies need to become educated on the risk factors to triage victims to services earlier.

Girls' Courts & Equal Protection

9. Hawai'i Girls Court: Juveniles, Gender, and Justice

- Tamar Lerer
 - *Berkeley Journal of Criminal Law*, 2013
- Gender-responsive programs are promoted and funded by federal and local government and the private sector; however, legal scholars have yet to undertake a thorough examination of the strength of the legal footing of the programs. In this law review article, the author analyzes the Hawai'i Girls Court, a specialized gender-based, alternative court program in the juvenile justice system in the context of the prevailing theory in gender-responsive studies that the juvenile justice system is ill-equipped to address the unique problems of girls and also lacks the capacity to make basic programming for boys available to girls on an equal basis. Assuming the veracity of this theory, the author's analysis makes two related claims: first – that the Girls Court, which relies heavily on gender-based classification, is legal, and second – that despite the Court's defensibility as special treatment for girls based on characteristics shared by their gender, this conception by the Court is unsatisfying. Regarding the author's first claim, gender-discriminatory prison policies were historically subjected to a heightened scrutiny by courts. Since the U.S. Supreme Court's 1987 decision in *Turner v. Safley*, however, contemporary jurisprudence has underscored deference to officials within the criminal justice system. Under the latter analysis and operating under the assumption that Girls Court is first and foremost a program operated by officials within the criminal justice system, the author concludes that it is quite unlikely that Girls Court would be found to violate equal protection or that any reviewing court would take issue with its use of gender classification. Regarding the second claim, the author argues that instead of conceptualizing Girls Court as special treatment based on gender-specific characteristics, Girls Court should be thought of as an individualized program that seeks to fulfill the mandate of the juvenile justice system – the holistic rehabilitation and treatment of young offenders. The author notes that the challenge with this argument is that conceiving Girls Court in this way obscures any reason not to make similarly individualized treatment available to boys, and suggests a duty to provide equitable gender-responsive programming to all juvenile offenders. The author concludes that despite a few serious concerns – including the potential for exacerbating gender-role stereotypes, hyper-focusing on girls as a 'monolithic class' thereby ignoring oppression based on class, race, and sexual orientation, and reinforcing the inferior status of girls in society by labeling them as victims – Girls Court is a step in the right direction due to its goal of treating each child as an individual, which serves to fulfill the mandate of a rehabilitative juvenile justice system.

10. When Individual Differences Demand Equal Treatment: An Equal Rights Approach to the Special Needs of Girls in the Juvenile Justice System

- Francine Sherman and Marsha L. Levick
 - *Wisconsin Women's Law Journal*, 2003
- In their article, the authors assert that girls are denied equality in the juvenile justice system when girls are denied access to certain procedural and programmatic alternatives available to boys, and when programming fails to pay attention to the specific needs of girls. Establishing that girls in the juvenile justice system often have distinct needs from boys and the juvenile court is statutorily required to meet the individual needs of all youth who appear before it, the authors turn to a discussion of equal rights strategies to enforce the mandate. The authors argue that the disparities faced by girls in the juvenile justice system can be remedied by employing an equal rights analysis, including federal Equal Protection Clause, state Equal Rights Amendments, and Title IX of the Education Amendments of 1972. The authors suggest that this strategy would fare better for girls even though litigation by adult women prisoners, challenging gender-based disparate conditions, policies, and practices under the Equal Protection Clause of the Fourteenth Amendment and Title IX, has been met with mixed success and despite that jurisprudence under the state Equal Rights Amendments is quite limited with respect to prison conditions and practices. The authors offer a blueprint in this article for legal challenges that may be brought to remedy the disparities and disadvantages girls face, arguing that: (1) whether or not adult women and men prisoners are “similarly situated” under an Equal Protection analysis, the juvenile court’s focus on the individual offender’s needs minimizes the risk that individual differences will trump equality of treatment in challenges brought by girls; (2) the higher standard of review afforded sex-based classifications by most of the state equal rights provisions should elevate judicial review of sex-based claims in the juvenile system above the rational relationship test currently applied to most constitutional challenges in the adult prison context; (3) because the adoption of the rational relationship test for adult offenders was motivated by penological concerns that favor deference to prison administrators, the juvenile court’s rehabilitative emphasis makes these concerns less compelling in the face of similar claims by girls; and (4) Title IX’s protection of equality in educational programming and activities is particularly applicable to alleged discrimination in juvenile justice programming and services, where juvenile residential programs must serve a dual role as residential schools for their school-age residents who retain their state-created rights to basic and special education even while in placement.

Gang Involvement

11. Girls and Gangs: Improving Our Understanding and Ability to Respond

- Angie M. Wolf, Andrea Bogie, Estivaliz Castro, Caroline Glesmann, & Aishatu Yusuf
 - National Council on Crime & Delinquency, 2017
- This study presents the authors' quantitative and qualitative findings of 114 gang-involved girls and young women in eight cities in California from 2012 to 2015. Semi-structured interviews on individual, family, and community factors affecting girls' experiences with and desistance from gangs and gang-related crime were conducted with key stakeholders and gang-involved girls and young women, ages 14-25 (median: 18 years). The goals of the study include: (1) identifying girls' reasons for joining gangs, (2) their experiences and (3) activities related to gang involvement, and their motivations and strategies for transitioning away from gangs. The study found that gang membership status, experiences, and activities tend to be fluid and nuanced. Girls play various roles in gangs and join gangs as a result of family membership, geographic proximity to gangs, the desire for belonging and acceptance, and to maintain friendships and relationships with gang-involved peers. Trauma from exposure to violence and victimization, sexual exploitation, and loss of relationships due to incarceration and/or death are commonly reported among gang-involved girls, and although substance use is high among girls, there is not a statistically significant relationship to gang membership or activity level. Most girls identifying as "inactive" and "gang-affiliated" engage in various activities for the gang – most commonly, committing violent acts, dealing drugs, and carrying or hiding guns - while statistically significant numbers of girls identifying as "gang members" and "active" commit public order and person offenses more often. Further, the study found that the most commonly reported reasons for transitioning or desisting from gangs include pregnancy/ parenting, maturing out and desiring a better lifestyle, and fear of incarceration and re-traumatization. The study concludes with recommendations for practitioners, policymakers, and others interested in improving outcomes for gang-involved girls—specifically, using intentional and respectful language to describe gang-involved girls, considering the intersectionality of each girl's experience and their level of entrenchment in providing tailored services, building on girls' strengths, and addressing system-level factors that contribute to girls' involvement in gangs.

12. Girls, Gangs, and Getting Out: Gender Differences and Similarities in Leaving the Gang

- Eryn Nicole O'Neal, Scott H. Decker, Richard K. Moule, Jr., & David C. Pyrooz
 - *Youth Violence and Juvenile Justice*, 2014
- In recent decades, substantial advances have been made in examining the place of women – and gender – in the study of gangs. Although these advances have shed light on gendered differences in gang membership and dynamics and have resulted in burgeoning literature on disengagement from gangs generally, research on experiences during disengagement from gangs has been largely underdeveloped. Studies examining reasons

why females disengage from gangs have generally focused on motherhood, criminal justice system involvement, and sex-specific motives and methods – with mixed results. The authors’ study examines the differences for males and females in catalysts and consequences of gang disengagement to inform programming efforts aimed at identifying points of intervention and provision of resources to gang members. The authors conducted an analysis of data on 143 former gang members (35 female) interviewed in 2011 in Los Angeles, CA and in Phoenix, AZ. Study participants were intentionally contacted at community-based outreach programs, offering assistance for gang members and former offenders, and respondents were interviewed using both a structured questionnaire and mixed-methods format. The study specifically assessed whether there were gender differences across three interrelated components for disengaging from gangs: (1) the motivations for leaving the gang, (2) sources of support in the exit process, and (3) real consequences and perceived residual concerns in transitioning out of the gang. The study found no statistically significant differences in terms of age, race, parents’ education levels, number of children, and immigration status for male and female respondents. However, females report desistance from gangs, on average, three years earlier than their male counterparts. Similarly, no statistically significant differences between males and females exist with regard to reasons for leaving the gang, but tiring of gang life and starting a family are the main sources of influence, regardless of gender. Finally, there are no statistically significant gender differences regarding sources of assistance, but family and employment play major roles in the disengagement process while social service agencies and law enforcement play no major role. The study found that females report continued concerns about threats to their families while males report continued police harassment. Findings suggest that the social and ecological factors found in disadvantaged communities and group processes within gangs – indicative of embeddedness – may influence the disengagement process, independent of gender. Accordingly, the authors suggest that intervention efforts should focus on helping gang members to build prosocial ties rather than implementing gender-specific services. Noted limitations of the study include a relatively small sample size, a short-period of assessment, and results that cannot be extrapolated to different community types. Further research is encouraged to uncover the pathways and mechanisms promoting disengagement and how these may differ across gang membership.

Individual & Treatment Needs

13. The Heterogeneity of Treatment Needs for Justice-Involved Girls: A Typology Using Latent Class Analysis

- Sarah Cusworth Walker, Asia Bishop, Paula Nurius, & Patricia Logan-Greene
 - *Journal of Criminal Justice and Behavior*, 2016
- Current efforts to identify the treatment needs of juveniles typically examine girls as a homogeneous group and recommendations for gender-responsive services tend to generalize the needs to all girls. Research on within-girl heterogeneity suggests that this approach is shortsighted as treatment needs vary among justice-involved girls; however, little is known about how treatment needs cluster in this population. This study uses a latent class analysis to identify treatment needs within a sample of 1,731 female adolescents formally charged for the first time in juvenile court in Washington State. The analysis identified four classes of need representing High Family Conflict and Trauma (20%), Complex Treatment Needs with Antisocial Peers (30%), Low Adverse Experiences with Substance Abuse Needs (38%), and Mental Health Needs with Strong Social Assets (10%). The findings indicate unique service needs of particular clusters of justice-involved girls and the authors recommend increasing service capacity of systems to serve the spectrum of gender-specific needs better.

14. Court-Involved Girls' Perceptions of the Attainability of a Desired Possible Self and Its Connection to Past Adversity and Current Behavior

- Marva Goodson & Merry Morash
 - *Journal of Feminist Criminology*, 2016
- Identity-based motivation theory recognizes individuals' perceptions of attainable possible selves as the future-oriented component of self-concept that is a necessary first step in an adolescent's goal-setting and motivation for action. This study analyzed qualitative data from interviews with 27 court-involved girls, ages 17 and older, from the state of Michigan. The study found that girls with histories of sexual assault and emotional abuse are less likely than their female peers without these histories to have attainable possible selves. Further, girls with unattainable possible selves break the law as adults and drop out of school more often than those with attainable possible selves. The authors conclude the study by recommending strategies for improving court-involved girls' outlooks and perspectives on their self-development.

Intersectional Experiences: Gender Identity, Sexual Orientation, Race, & Class

15. Lesbian, Bisexual, Questioning, Gender-Nonconforming, and Transgender (LBQ/GNCT) Girls in the Juvenile Justice System

- Angela Irvine, Aisha Canfield, & Jessica Roa
 - *Gender, Psychology, and Justice*, 2017
- This article examines new data and research to justify a recommendation for using an intersectional lens to design, implement, and evaluate gender-responsive juvenile justice programming. Data from a recently completed survey of seven detention halls around the country shows that 86% of detained girls are of color, 32% are lesbian, bisexual, or questioning, and 17% are gender-nonconforming or transgender (collectively, LGBTQNCT). With this data in mind, the article examines three case studies to make the argument for offering services to system-involved girls with an intersectional lens. The article focuses on services being more responsive to LGBTQNCT girls, but also discusses the implications of other intersectional identities including race.

16. Plea Bargains Among Serious and Violent Girls: An Intersectional Approach Exploring Race in Juvenile Court

- Patrick G. Lowery
 - *Feminist Criminology*, 2017
- Recent research has focused on the context of race in decision-making related to sanction and severity, and ample scholarship on the decision-making process in the juvenile court exists. While analyses have included a variety of processes in juvenile court, types of offenders, and theoretical frameworks to better understand the decision-making processes, there are some gaps – particularly in the use of the intersectional framework in explaining the plea bargaining process among serious and violent girls. Framed through an intersectional lens and a Black feminist perspective, this study attempts to bridge the gap by intersecting the impact of race and gender, as well as extralegal factors, on plea bargaining outcomes. Using case processing data from a juvenile court in one southern state during the years 2007 to 2012, the study found some evidence that race alone plays a significant role in defining the plea bargaining process. Black juveniles are less likely to be offered a plea concession, and were therefore disadvantaged in the plea process. There is also some evidence to support the interaction between race, legal variables, and quasi-legal variables as significant predictors of the plea decision. Black offenders, compared with White offenders, are significantly less likely to be offered a plea in violent offense (e.g., assault) cases. Finally, the study found that the intersection between race and extralegal factors creates advantages and disadvantages within the plea bargaining process – in particular, the intersection between being White and living in a single parent household increases the likelihood of being offered a plea concession, but the opposite is true for being Black and living in a single parent household. The author

recommends that future research expand upon these findings with mixed methods, more juvenile demographic information, and across multiple states.

17. Global War on Girls? Policing Girls' Sexuality and Criminalizing their Victimization.

- Meda Chesney-Lind & Alida V. Merlo
 - *Women & Criminal Justice*, 2015
- An apparent disconnect exists between the global discourse on girls' issues – primarily focused on girls' rights, and most particularly, the right to be free from victimization – and the American focus on girls, which is far more concerned with “bad” or “violent” girls. During the past thirty years, there has been a 200% increase in girls' arrests in the United States for offenses like simple assault and a concomitant increase in girls' share of juvenile court populations (1 in 3 girls) despite that according to self-report data from the National Survey of Children Exposed to Violence (NatSCEV), there is little evidence that patterns of violent behavior among girls have changed in that period. For black girls, the increase in arrest rates has been more pronounced. The authors of this article assert that the maltreatment of girls is at the heart of such a shift in light of the prominence of cross-over or dual status youth (youth who have experienced both victimization and criminalization) in the female court population. Boys and girls experiencing victimization at higher rates than the comparison groups (e.g., victims only or delinquents only) report committing more delinquent acts than any comparison groups. Boys and girls who were both delinquent and victims report 6.4 different kinds of victimization that year. More than 50% of delinquent girls and 40% of delinquent boys report sexual victimization. Boys and girls in the delinquent victim category are found to have more mental health symptoms than other groups and less social supports. These girls also experience higher rates of inconsistent or harsher parenting. Although there is evidence of increased reporting of child victimization to law enforcement, there is also evidence that less obvious victimization by family members or peers may be underreported. As a result of the relationship between the failure to protect American girls from harm and these patterns, the authors advocate for gender-responsive programs that focus on reducing harm to girls so as to prevent their future delinquency. These programs, such as Girls Court in Honolulu and California, integrate trauma that youth have experienced into the treatment plan and have demonstrated some success with girls in the justice system.

18. Damaged Daughters: The History of Girls' Sexuality and the Juvenile Justice System

- Lisa Pasko
 - *The Journal of Criminal Law & Criminology*, 2010
- Throughout transformations and legal changes in juvenile justice, the character and constitution of the female juvenile offender population has changed very little, with girls infrequently charged with serious law violations and commonly judged in terms of their moral welfare and sexual behavior. This article examines the treatment of girls' sexuality in the justice system from the early reformatories to the contemporary

era. It further assesses at how juvenile courts and girls' correctional institutions have traditionally constructed and controlled girls' sexual choices, sexual abuse histories, identities, and orientations. Specifically, the study shows how, over the past 100 years, legal actors and correctional practitioners have consistently focused on girls' sexuality and identified similar causes for girls' sexual deviance – to wit: disrupted families, economic deprivation, educational and vocational deficits, and unhealthy relationships with older men –but have framed such causes, as well as their responses, differently. Interviews and excerpts show the use of detention or sanctions to control girls' sexuality.

19. Setting the Record “Straight”: Girls, Sexuality, and the Juvenile Correctional System

- Lisa Pasko
 - *Social Justice*, 2010
- While there is growing academic interest in female juvenile offenders, studies on girls, sex, and juvenile corrections remain neglected and fairly scarce in the field of criminal and social justice. Specifically, the literature fails to show how the institution of youth corrections deals with LBQ and how management techniques consequently affect girl offenders' identities and relationships. The author examines the interaction of the juvenile justice system with girls. Long-criticized for being a heterosexist, masculinist organization, the system has upheld the constitution of the female juvenile offender, commonly judging girls in terms of their moral welfare, despite more recent reforms. The author argues that a dominant script reinforces institutional rules and understanding of LBQ girls, mandates environments devoid of tolerance for LBQ issues, disallows open and flexible discussions of girls' personal sexual agency, sees difficulty in distinguishing between sexual activity and identity, and stresses heteronormative rules for sexual behavior - especially setting these girls “straight.” The author concludes that as a result of this script, LBQ girls' sexuality has been subject to psychiatrization, invalidation, and criminalization, and sexual stereotypes and heteronormative practices have marginalized LBQ girls in the juvenile correctional setting, leaving few options for treatment and services that are open to and understanding of LBQ girls' experiences and resulting in a profound negative impact on LBQ girls' identities. In response, the author recommends that researchers and practitioners advance research on LBQ girls and their perspectives, develop LBQ-sensitive programming, and educate professionals and other staff on sexuality, heterosexism, and LBQ issues.

Offending Behaviors, Predictors, & Influences

20. Are Canadian Girls Becoming More Violent? An Examination of Integrated Criminal Court Survey Statistics

- Jennifer Silcox
 - *Criminal Justice Policy Review*, 2017
- Girls often find themselves at the center of a moral panic surrounding youth crime with claims that their behavior is “out of control” in national news media. While media often readily suggests that crime among girls is on the rise, there is little scholarly consensus on this point. This study explores Canada’s Integrated Criminal Court Survey to analyze (1) whether guilty findings among girls are rising, (2) what can be said about girls’ involvement in crime and violence over the past few decades, and (3) how legislation changes and ideological shifts have altered how youth in conflict with the law have been treated. The study found that, overall, juvenile delinquency has been recently declining and that delinquency for girls is also declining, but less quickly than for boys. The author explains that much of the data indicating the opposite – that girls’ delinquency is rising – is a result of the implementation of new Canadian policies changing how delinquency is defined and responded to.

21. Sex Differences in Predictors of Violent and Non-Violent Juvenile Offending

- Zoe Stephenson, Jessica Woodhams, & Claire Cooke
 - *Aggressive Behavior*, 2013
- In Britain, like in the U.S., the incidence of crime committed by female juvenile offenders is rising at a disproportionate rate. Of particular concern is the increasing rate of violent crime being carried out by juvenile females – this domain of offending being the fastest growing of all offense types. This study aims to identify predictors of violent offending in female offenders. Data was extracted from the risk assessments of 586 male and juvenile female offenders (ages 11-17), conducted between 2005 and 2009 by the Youth Offending Service in a country in England. Information regarding the young people’s living arrangements, family and personal relationships, education, emotional/mental health, thinking and behavior, and attitudes to offending was recorded. Comparisons were made between the violent male offenders (N=185), the violent female offenders (N=113), the non-violent male offenders (N=150), and the non-violent female offenders (N=138) for these variables. Using a multinomial logistic regression analysis, the study’s findings indicate that engaging in self-harm is the best predictor of being a female violent offender, with the predictors of giving into pressure from others and attempted suicide nearing significance. Furthermore, the study found that non-violent females are significantly less likely to lose control of their tempers and more likely to give in to pressure from others than their violent counterparts. Non-violent males are significantly less likely to lose control of their tempers and more likely to self-harm and give in to pressure from others than violent males. Although many similarities exist between the sexes

for predictors of violent offending, the findings of this study suggest that more attention needs to be paid to the mental health of female offenders. Based on the findings, the authors recommend that successful interventions need to be gender-specific with a focus on mental health issues experienced by violent juvenile females in order to address underlying psychosocial risk factors for deliberate self-harm, such as familial issues, depression, anxiety disorders, and poor problem-solving skills. Further, these interventions should undergo evaluation and be developed based on the criminogenic needs of juvenile offenders.

22. Developmental Sequences of Girls' Delinquent Behavior

- David Huizinga & Shari Miller
 - *Office of Juvenile Justice and Delinquency Prevention, 2013*
- According to data from the Federal Bureau of Investigation between 1991 and 2000, arrests of girls increased more (or decreased less) than arrests of boys for most types of offenses. By 2004, girls accounted for 30% of all juvenile arrests. However, questions remain about whether these trends reflect an actual increase in girls' delinquency or changes in societal responses to girls' behavior. To find answers to these questions, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) convened the Girls Study Group to establish a theoretical and empirical foundation that would guide the development, testing, and dissemination of strategies to reduce or prevent girls' involvement in delinquency and violence. The Girls Study Group series, of which this bulletin is a part, presents the Group's findings and examines issues such as patterns of offending among adolescents differentiated by gender, risk and protective factors associated with delinquency and differentiated by gender, and causes and correlates of girls' delinquency. Analyzing data from the Denver Youth Survey and the Fast Track Project, the study found that truancy is the most prevalent offense – particularly during adolescence and at an increased rate with age – followed by minor property and public disorder offenses, serious property and runaway offenses, and serious assault and drug sale offenses. The study further found that substance use plays a significant role in offending behavior and the prevalence of general delinquency increases with age, peaking at age 15. Finally, the study found that delinquent girls commit a wide range of offenses at varying points in time, initiate offending behavior early on by committing less serious offenses, and do not conform to specific delinquency patterns, sequences, or pathways to the system. The findings suggest that service providers should be concerned about girls' delinquent behaviors; program and interventions should not be generalized due to no single or dominant delinquency sequence for girls; and intervention efforts should consider the offending patterns of girls to avoid extending offending careers.

23. Girls with Emotional Disturbance and a History of Arrest: Characteristics and School-Based Predictors of Arrest

- Nicholas Gage, Nikki L. Josephs, & Kimberly Lunde
 - *Education and Treatment of Children, 2012*

- Research suggests that girls receiving special education services for Emotional Disturbance (ED) experience bleak short and long-term outcomes, including increased rates of arrest, and present many challenges to schools, families, and communities. However, gender differences for students identified with ED have not been delineated across behavioral and academic performance. This study examines characteristics of girls with ED and a history of arrest. Classroom-based behavioral performance from elementary school was examined using logistic regression to identify whether or not early predictors of arrest could be identified. Results indicate that girls with ED and a history of arrest are suspended from school less often than boys with ED, but the rate of later arrest is equivalent. Comparisons between girls with ED only and girls with ED and an arrest history demonstrate that low-income, urban, African American girls with ED are more likely to be arrested. Lastly, girls with ED, exhibiting elevated hyperactivity during elementary school, are more likely to have a history of arrest by middle or high school. Future research should explore whether early predictors remain as girls with ED continue into late high school and adulthood, and should collect more targeted longitudinal data on girls with ED and a history of arrest. Studies should further examine interventions that reduce impulsive and hyperactive behaviors exhibited by young girls and determine whether or not the interventions have a positive, lasting effect on reducing court involvement for girls with ED. The authors note that the findings related to hyperactivity and impulsivity in elementary school as significant predictors of later arrest have direct implications for practice: girls with ED need targeted and effective evidence-based interventions, including function-based and small group social skills interventions, to address their behaviors of concern, whether external or internal. Further, disproportionate representation of African American girls with ED should be addressed.

24. Juvenile Delinquency: Peer Influences, Gender Differences and Prevention

- Renee J. Galbavy
 - *Journal of Prevention & Intervention in the Community*, 2003
- Previous research exploring the formation and influence of peer relationships on male and female delinquency has found a strong connection between friendships with antisocial peers and involvement in delinquent activity. Although there has been a substantial amount of research exploring these relationships, the majority of studies have focused upon male adolescents. This qualitative study was designed to compare the influence of peer relationships contributing to the delinquent behavior of male and female juvenile offenders. Information was obtained through interviews with 10 male and 10 female incarcerated juvenile offenders. The intent of the study was to seek support for the influence of peer relationships on female delinquency. However, the data analysis revealed themes indicating that family functioning influences are more important than peer relationships for females. The themes for the male delinquents indicated that in contrast, peer relationships have a strong influence on male offending behavior. Other themes found for both males and females are related to school and their feelings regarding the consequences of their delinquent actions.

Outcomes, Juvenile Recidivism, & Adult Offending

25. Girls on Probation: Challenges and Outcomes

- Arina Gertseva
 - *Washington State Center for Court Research, 2017*
- Although boys outnumber girls in the juvenile justice system, national data shows that over the past two decades, girls have increased at every stage of the justice process from arrest to adjudication. This study examines a group of probation-involved girls in Washington State with a focus on their characteristics, participation in interventions, and responses to interventions. The study found that girls on probation in Washington have strikingly different needs than boys, which result in multi-layered behavioral and health issues affecting the lives of girls. Particularly vulnerable subgroups of girls with unique needs and challenges include: minority girls (particularly African American and Native American), girls with a history of out of home placements, girls residing in foster or group homes while on probation, and girls with mental health histories. Girls on probation are less likely to have histories of violence and less likely to be gang-involved, thereby posing a substantially lower risk to the safety of the community. In terms of challenges, the study found that in comparison to boys, girls are far more likely than boys to have severely dysfunctional families, a history of abuse, exposure to violence, and increased risk of poly-victimization, and involvement with the child welfare system. Girls are also at greater risk of academic underachievement, school maladjustment, and dropout, and more likely to abuse substances. In terms of outcomes, the study found that compared to boys, girls on probation are more likely to face barriers to treatment if eligible for at least one evidence-based program; more likely to violate conditions of probation; equally likely to recidivate - particularly if younger (<14 years old), residing in foster or group home, African-American, and having a history of out-of-home placement; and more likely to commit a new status offense a year after being sentenced to probation, particularly with a history of truancy.

26. Gender and Adolescents' Risk for Recidivism in Truancy Court

- Valerie R. Anderson, Ashlee R. Barnes, Nordia A. Campbell, Christina A. Campbell, Eyitayo Onifade, & William S. Davidson
 - *OJJDP Journal of Juvenile Justice, 2016*
- The Youth Level of Service/ Case Management Inventory (YLS/CMI) is a multi-dimensional, criminogenic risk assessment tool designed for juvenile court systems and has been shown to accurately predict recidivism risk among delinquent youth. Multiple universities initiated a study to investigate the predictive validity of the YLS/CLI by gender with a sample of youth (N=911) referred to truancy court in a midsized, mid-western county between 2004 and 2011. The results of this study indicate that the YLS/CMI is a significant predictor of future delinquency for both boys and girls, but is not a significant predictor for future truancy court petitions across gender. Further, while several combined measures of the YLS/CMI

significantly predict any type of recidivism for truant boys, the YLS/CMI measures, in total or combined, fail to predict any type of recidivism for truant girls. The results suggest the need to explore truancy-specific and gender-responsive risk assessment instruments for youth involved in truancy court.

27. Predicting the Transition from Juvenile Delinquency to Adult Criminality: Gender-Specific Influences in Two High-Risk Samples

- Kimberly A. Rhoades, Leslie D. Leve, J. Mark Eddy, & Patricia Chamberlain
 - *Criminal Behaviour and Mental Health*, 2016
- Most juvenile offenders desist from offending as they become adults, but many continue and ultimately enter the adult corrections system. There has been little prospective examination of which variable may predict the latter transition, particularly for women. This study aimed to find out, for men and women separately, which variables identifiable in adolescent offenders predict their continuation of offending into adult life. Participants included 61 male and 81 female adults referred as youth from the juvenile justice system in Oregon for chronic delinquency and recruited into randomized controlled trials comparing Multidimensional Treatment Foster Care with Group Care. Gender differences in childhood risk factors were examined and Cox proportional-hazards models were used to estimate the relationship of potential risk factors to first adult arrest. Results indicated that, for men, juvenile justice referrals alone predict risk of any first adult arrest as well as arrest for felony arrest, specifically. Each additional juvenile referral increased the risk of any adult arrest by 9% and of adult felony arrest by 8% among men. For women, family violence, parental divorce, and cumulative childhood risk factors, but not juvenile justice referrals, are significant predictors of adult arrest. Each additional childhood risk factor increased the risk of adult arrest by 21% among women. Girls who experienced parental divorce and those who experienced family violence are nearly three times as likely to be arrested as adults than those without such experiences. The existence of preliminary evidence of gender differences in childhood risk factors for adult offending lends itself to the potential conclusion that the development and use of interventions tailored differently for girls and boys and young men and young women may reduce their risk of becoming adult recidivists.

28. Females in the Juvenile Justice System: Influences on Delinquency and Recidivism

- David E. Barrett, Song Ju, Antonis Katsiyannis, & Dalun Zhang
 - *Journal of Child and Family Studies*, 2015
- The role of mental health history and family dysfunction or disruption on female juvenile delinquency was examined in this study. Large sample archival data from a state juvenile justice agency in South Carolina was used to examine the behavioral and demographic predictors of repeat offending for a sample of approximately 34,000 females who had been referred for criminal offenses. The data was merged with other data from multiple state agencies to compare the family and mental health histories of the delinquent females with those from a matched control group constructed from

state department of education records. The study found that drug use, familial criminal history, non-severity of first offenses, and early onset of offending behavior are predictors of repeat offending for females in the delinquent sample. Compared with non-delinquent peers, delinquent females are also more likely to be eligible for free and reduced lunch, and are more likely to have been in foster care or child protective services. The strongest predictor of membership in the delinquent sample is a DSM-IV diagnosis of a mental health disorder related to aggression or impulse control. All variables associated with delinquency remain significant when other predictors (race/ ethnicity) were statistically controlled. Generalizability of the findings should be cautiously applied due to limitations of the study, including the sample being drawn from a single state, a lack of availability of background information for the control sample while collected on delinquent youth at intake, exclusion of ethnic groups other than Caucasian and African American girls due to small samples, and inclusion of only the most extreme indicators of family dysfunction or disruption. Findings suggest that while research on effective programming for females at risk for delinquent behavior has been limited, multi-systemic programs in schools, communities, families, and correctional settings that address the young female's need for consistent and nurturing relationships and that provide models for academic and social success may be the most helpful in reducing, if not preventing, female delinquency.

29. Females in the Juvenile Justice System: Who Are They and How Do They Fare?

- Charlotte Lyn Bright, Patricia L. Kohl, & Melissa Jonson-Reid
 - *NIH Public Access*, 2014
- This study enumerates distinct profiles of risk and protection among juvenile court-involved females, examining young adult outcomes associated with these profiles. Administrative data on 700 participants were drawn from multiple service sectors in a Midwest metropolitan region. Latent class and Pearson chi-square analyses were used. Five unique classes are identified, and associated with adverse young adult outcomes. Class 1 is a high-need group living in poor, urban areas with high rates of child maltreatment, income maintenance use, delinquency, recidivism, and adolescent parenthood. Class 2 is a moderate-need group likely living in non-urban environments with higher median incomes. Class 3 is an African American impoverished class with the absence of child maltreatment reports. Class 4 is a primarily white class with a 100% maltreatment report rate. Class 5 is a high poverty, low-income group living outside urban areas in lower poverty neighborhoods. The study concludes that Class 3 is the most likely to experience adverse outcomes, although all 5 groups had high rates of adverse young adult outcomes. Findings highlight the heterogeneity in the female juvenile court population and discrepancies between service needs and service receipt.

30. Young Adult Outcomes of Juvenile Court–Involved Girls

- Charlotte Lyn Bright & Melissa Jonson-Reid
 - *Journal of Social Service Research*, 2010
- This study examines a sample of 700 maltreated and/or impoverished juvenile court–involved females, and analyzes the impact different risk factors for juvenile justice–involved girls have on three adult outcomes: (1) criminal justice system involvement, (2) use of public mental health or substance use services, and (3) income maintenance use (TANF/AFDC). Results indicate that there are distinct predictors associated with the different outcomes, but learning disability and adolescent parenthood for justice–involved girls are associated with higher risk of both mental health/substance use services and income maintenance. The author suggests individual services to prevent these outcomes, including Multi-systemic Therapy and Multidimensional Treatment Foster Care.

Differential Treatment of Girls within the Juvenile Justice System

31. YCJA Bail Conditions: “Treating” Girls and Boys Differently

- Jane B. Sprott & Allan Mansons
 - *Canadian Criminal Law Review*, 2017
- Over the last 25 years, there have been substantial declines in the rates of charging and court processing of youth in Canada. The Youth Criminal Justice Act (YCJA) has helped reduce the rate as the Act strongly emphasizes diversionary measures and non-court alternatives. Concerns, however, have been raised in recent years about the volume and nature of bail release conditions imposed on youth pursuant to the YCJA. Using a representative sample of youth court cases from a large urban court, the authors explore the number of conditions imposed and the imposition specifically of a “treatment-based” release condition in this study. They found that 49% in the sample each have a large number of conditions (N=7) and a relatively broad range of “treatment-based” conditions imposed. Of particular note, the study highlights gender differences in the imposition of treatment conditions. While the nature of the offense, number of charges, and prior history predicts the likelihood of imposition of a treatment-based condition for boys, these factors are not predictive of the likelihood for girls. The authors conclude that treatment-based conditions appear to be imposed more often for girls than boys and other factors appear to be driving the imposition. Findings suggest that additional research is needed to explore any additional factors considered in imposing treatment-based conditions, particularly at higher rates for girls than boys, and warrant more careful consideration of the YCJA’s mandate of treatment at an early stage of youth court processing.

32. Beyond Confinement: The Regulation of Girl Offenders’ Bodies, Sexual Choices, and Behavior

- Lisa Pasko
 - *Women & Criminal Justice*, 2017
- Throughout transformations in juvenile justice, control over girls’ bodies, sexual behavior, and reproductive choices has remained a constant focal point among decision-makers, with girls infrequently charged with serious law violations and commonly judged in terms of their moral welfare and chasteness. Using interview data with 62 court and correctional decision makers, this article examines how the contemporary juvenile justice system responds to girls’ sexual behavior and explores the policies and procedures used to restrain sexual agency and reproductive choices, both physically and cognitively.

33. The Influence of Gender and Traumatic Experiences on Length of Time Served in Juvenile Justice Settings

- Erin Esponosa & Jon Sorensen
 - *Criminal Justice and Behavior*, 2016
- This study examines the influence of gender and history of trauma exposure on the length of time juvenile offenders served in post-adjudicatory placements. Data was drawn from a database that included information on all juvenile referrals from three large urban counties in Texas during a two-year period. The study sample included all juveniles (N = 5,019) placed in local non-secure and county-operated secure facilities. The study concludes that girls are significantly more likely to have experienced trauma prior to justice-involvement and that this trauma was significantly more likely to be family-related. Findings indicate that female juveniles serve significantly longer periods of confinement in local facilities than boys, even when controlling for other influential variables such as offense severity, prior record, age at referral, and facility type. Lastly, findings also suggest that girls with histories of trauma serve longer periods in confinement than boys for violating their court-ordered conditions of probation.

Gender-Responsive Systemic Reforms & Principles

34. System-Level Juvenile Justice Reforms for Girls

- Justice for Girls Coalition
 - Justice for Girls Coalition Policy Brief, 2017
- The Justice for Girls Coalition provides policymakers, citizens, and the media with the information they need to understand critical and emerging issues, and improve outcomes for Washington State’s girls and their communities. This policy brief is one in a series of issue briefs by the Coalition, which summarizes data, research, and best practices for girls, especially those entering or at risk of entering the juvenile justice system. Current data provide a sharp understanding of how to better meet the needs of system-involved girls, who continue to be a growing percentage of youth arrested and detained in Washington. The lack of comprehensive statewide data on the unique needs presented by especially vulnerable girls in the system, aggressive or punitive system responses to socially unacceptable behaviors by girls – often, manifestations of trauma – and the failure of current treatment models to account for gender or varied risk and protective factors for girls has contributed to girls’ growth in the juvenile justice system. The brief encourages policymakers to focus on gender, which provides an opportunity to consider differences in girls’ pathways into the system, treatment needs, and the effectiveness of programs when compared with boys, and brings girls and the diversity of their needs front-and-center in policy discussions. Specific policy recommendations include: (1) researching and implementing effective alternatives to detention for status offenses, technical violations of probation, simple assault, family-based offenses, running away, and prostitution-related charges committed by girls; (2) ensuring that girls in custody receive validated trauma-screening and assessment, and that all parties use trauma-informed approaches to improve court culture for girls; (3) providing comprehensive health screening and services for girls in the juvenile justice system, including pregnant and post-partum girls; (4) working collaboratively with stakeholders to ensure amended arrest policies for domestic violence, focusing on intimate partner violence and adults – not on girls who may be victims of intra-family conflict; (5) offering effective, strengths-based probation services to provide off-ramps from deep-end system involvement to girls; (6) funding and scaling research-based, gender-specific programs and practices; (7) facilitating exploration of best practices and promising models by advocates, school leaders, teachers, and justice system professionals to close racial and gender disparities in discipline; (8) ensuring best practices are in place to help girls cope with challenges that result from crossover or dual system involvement; and (9) fully implementing the Prison Rape Elimination Act and its regulations.

35. Gender Injustice: System Level Juvenile Justice Reforms for Girls

- Francine T. Sherman & Annie Balck
 - *Boston College of Law Digital Commons*, 2015
- Sherman’s and Balck’s research highlights that despite progress in juvenile justice reform and special attention to the female juvenile offender population in the past decade, the proportion of girls in the juvenile justice system has increased and their challenges have persisted, resulting in deeply rooted systemic gender injustice. At

present, girls comprise a larger share of the juvenile justice population at every stage of the process. Over the past two decades, sizeable increases among girls in the juvenile justice system include arrests - up 45%, court caseloads - up 40%, detentions - up 40%, and post-adjudication placement – up 42%. Much of the literature highlights the pathways, needs, and risk factors of girls in the juvenile justice system as well as the helpful programs for these girls. However, the lack of intentional focus on how systems can be redesigned to protect public safety and support the healing and healthy development of girls, as well as the failure to modify reforms for girls – or at a minimum, measure the impact of reforms on girls – has resulted in a system that over-intervenes, pulls girls further in, and exacerbates trauma – setting girls up for reentry. Sherman and Balck propose using a developmental approach to meet girls’ needs and reduce justice system involvement, setting forth nine concrete recommendations designed to reform the system in a manner that is fair, effective, and meets the needs of girls in a balanced and thoughtful way, including: (1) decriminalization of behaviors caused by damaging environments and beyond the control of girls; (2) engagement of families throughout the juvenile justice process; (3) use of pre-petition diversion to redirect traumatized girls from the formal court process; (4) prohibition on the use of secure detention for technical violations that pose no public safety threat and are environmentally-driven; (5) use of trauma-informed approaches by parties to improve court culture for girls; (6) adoption of strength-based, objective approaches to girls probation services; (7) use of federal funds for evidence-based practices and programs to address the health needs of girls based on trauma; (8) limitation of secure confinement for girls; and (9) support for emerging adulthood among young women with juvenile justice histories.

36. Principles in Practice: A Multistate Study of Gender-Responsive Reforms in the Juvenile Justice System

- Sarah Cusworth Walker, Ann Muno, & Cheryl Sullivan-Colglazier
 - *Crime & Delinquency*, 2012
- Currently, there is widespread interest in and increased focus on gender-responsive programming in the juvenile justice system. While epidemiological research literature and program evaluation studies provide substantial information about the needs of girls and their pathways into the justice system, critical information on how jurisdictions operationalize findings and principles in practice is lacking. The authors use research literature, online surveys, and site visits relevant to the gender-responsive movement to recommend reforms in Washington State. Per epidemiological literature, specialized approaches to treatment and consideration of gender variations – including culture and group differences – are warranted in light of the experiences of girls that influence development. The authors note that although program evaluation studies have not identified interventions qualifying at more than “promising” status and sustainability has been challenging due to the limited numbers of girls in the juvenile justice system, a multistate study of gender-responsive practices and site visits has yielded valuable lessons on effective components of “model” programs and guided the development of a

set of four core principles to be implemented across successive stages of the juvenile justice continuum (from arrest to parole). These principles include (1) diverting girls from deep-end services and ensuring internal services that promote safety; (2) adopting a relational frame for girls' programming; (3) focusing on holistic assessments, safety, engagement, skills and strength-based approaches, and natural supports for reentry; and (4) ensuring sustainability of practices by developing a diverse coalition to ensure use of data-driven approaches to garner support, piloting of programs to demonstrate effectiveness, and redirecting funds where appropriate.

37. Justice for Girls: Are We Making Progress?

- Francine T. Sherman
 - *UCLA Law Review*, 2012
- This article discusses the history of federal leadership on girls' issues in the juvenile justice system and then considers the impact current trends towards developmentally centered and data-driven juvenile justice have on girls. The author argues that data-driven decision making has the potential to reduce embedded gender bias and particularly, bias at the intersection of race and gender. The author also discusses the impact of increased use of assessment instruments on girls, including concerns about one-size-fits-all approaches to gender-responsive justice. The author ultimately concludes that justice trends for girls are a justification for greater interventions in the system to ensure that girls' issues are being effectively considered and addressed.

38. One Size Does Not Fit All: Research and Recommendations for Gender-Responsiveness in Alabama's Criminal Justice System

- The Commission on Women and Girls in the Criminal Justice System (Alabama)
 - The Alabama House of Representatives, 2008
- This report is a comprehensive policy research report commissioned by the Alabama Commission on Women and Girls in the Criminal Justice System. The Commission was tasked with investigating the gender differences in incarceration for adults and juveniles. Ultimately, the Commission found that, compared to men, women and girls tend to be incarcerated more for non-violent crimes, have different motivations for breaking the law, and have greater family responsibilities. Data from Alabama's criminal justice system consistently shows that drivers of justice involvement for women and girls include substance abuse, exposure to violence and substance abuse through their intimate relationships, and fraud to meet the survival needs of their families. Personal histories of female offenders are more likely to include mental illness and physical and sexual abuse. The Commission's recommendations include: (1) expanding community-based alternatives to incarceration/detention, (2) establishing a gender-informed case management process, (3) implementing systemic reentry policies and practices, and (4) ensuring women and girls leaving custody have basic survival needs met.

39. Detention Reforms for Girls: Challenges and Solutions

- Francine Sherman
 - *JDAI Pathways to Detention Reform*, 2005
- This report is part of the Juvenile Detention Alternatives Initiative's (JDAI) Pathways to Detention Reform Series, sponsored by the Annie E. Casey Foundation. It describes the urgent need for juvenile justice systems to focus on their female populations and presents an overview of the pathways girls take to detention in the United States with a focus on justice system policies and practices that lead to unnecessary and disproportionate detention of girls. It further identifies promising policies, practices, and gender-responsive approaches drawn from JDAI sites, which can reduce girls' detention rates and improve their outcomes. Guiding principles for gender-responsive detention reform include acknowledgements that (1) girls are different than boys; (2) gender-responsive policies and practices are fundamental to a constitutional and individualized juvenile justice system; (3) system leaders must examine both decision-making processes and attitudes toward girls; (4) data collection and analysis are critical to effective detention reform for girls; (5) inter-system collaboration is essential to addressing gender disparities; (6) detention facility conditions should address girls' needs and vulnerabilities; and (7) gender-responsive strategies should be strengths-based rather than deficit-driven. The report concludes with systemic strategies to eliminate gender bias and promote gender responsiveness. The strategies call for gender-responsive detention reforms, which include practices, policies, and programs that address systemic inequities resulting in inappropriate confinement of girls and that recognize girls' unique needs and pathways into detention. Although there is no single list of gender-responsive program elements embraced by everyone in the field, there is a consensus that girls' programs should be comprehensive, safe, empowering, community and family-focused, and relational. Further, key principles for gender-responsive legislation and policies include providing equal access and gender-responsive programs as a matter of state policy, adequate funding for girls' programs to serve the number of girls in the justice system and address girls' unique needs, gender-responsive programming for all youth, and equal access and equitable funding for specific types of services and programming.

40. Gender-Responsive Programming in the Justice System – Oregon's guidelines for Effective Programming for Girls

- Marcia Morgan & Pam Patton
 - *Federal Probation*, 2002
- This article outlines a 1993 Oregon law (ORS 417.270) that requires state agencies, serving children under 18 years of age, to ensure that girls and boys have equal access to appropriate services, treatment, and facilities. The article describes the unique needs of system-involved girls which are used to justify the law (eating disorders, depression, violence/abuse, homelessness/running away, and CSEC risk). The author also discusses the inherent male bias present in "gender neutral" systems as these

systems have historically served boys and are ineffective at serving girls. Much of the remainder of article describes the guidelines for the Oregon law and implementation of gender-specific programming.

Evaluations of Programs and Practice Models

41. Bringing Gender-Responsive Principles into Practice Evidence from the Evaluation of the PACE Center for Girls

- Louisa Treskon & Charlotte Lyn Bright
 - MDRC (formerly Manpower Demonstration Research Corporation), 2017
- This article provides background and justifications for gender-responsive programming, including girls' health, family relationships, school engagement, and histories of abuse. The authors note that despite the call for evidence-based programming to address these differences, few programs have been piloted and rigorously evaluated. This article outlines and describes the PACE Center for Girls in Florida and shares brief evaluation results from the program. The PACE Center provides non-residential programming to girls in a gender-responsive and safe environment. The evaluation thus far is largely qualitative, but interviews with staff and participants show positive results for the gender-based trainings offered to staff, counselors, and others even though staff turnover is a significant barrier to maintaining the safe, gender-responsive culture outlined in program visioning.

42. Dialectical Behavior Therapy Techniques for Counseling Incarcerated Female Adolescents: A Case Illustration

- Breanna P. Banks & Melinda M. Gibbons
 - *Journal of Addictions & Offender Counseling*, 2016
- Compared to male juvenile offenders, female juvenile offenders more commonly are sentenced to secure detention facilities for status offenses, enter the justice system with histories of sexual, physical, and emotional abuse in the home, tend to experience more sexual abuse inside and outside of the home, meet either partial or full diagnostic criteria for PTSD, anxiety, depression, and other symptoms of personality disorders, and demonstrate poor impulse control, emotional dysregulation, and parasuicidal behavior. Mental illness and environmental factors may contribute to externalizing antisocial behavior – in particular, juvenile delinquency – and internalizing behavior in more profound ways for female adolescents than their male counterparts. The authors note that Dialectical Behavior Therapy (DBT) has shown effectiveness in adolescents with various mental health disorders, including those most prevalent among girls, and theorize that modification to structural and temporal components of DBT, as opposed to the clinical content, may be an effective means of delivering components and overcoming barriers to implementation in a detention setting. Proposed components include: (1) a concentrated and intensive version of DBT, (2) referrals from other counselors, detention staff, and case managers only for clients exhibiting or reporting internalizing behaviors, and (3) substitution of 24-hour phone coaching with security staff trained in crisis intervention. A case illustration of an individual counseling relationship that uses an amended form of DBT demonstrates delivery of program components to an adolescent female offender in an

institutional setting. The authors conclude that irrespective of limitations and implications, delivery of best practices to clients should be ensured and family therapy in the detention center considered.

43. Risk, Outcomes, and Evidence-Based Interventions for Girls in the U.S. Juvenile Justice System

- Leslie D. Leve, Patricia Chamberlain, & Hyoun K. Kim
 - *Clinical Child and Family Psychology Review*, 2015
- The proportion of girls in the juvenile justice population is increasing, yet few evidence-based models have been evaluated and implemented with girls in the juvenile justice system. Although much is known about the risk and protective factors for girls who participate in serious delinquency, significant gaps in the research base hamper the development and implementation of theoretically-based intervention approaches. Identified risk and protective factors that correspond to girls' involvement in the juvenile justice system have been shown to largely parallel those of boys, although exposure rates and magnitudes of association sometimes differ by sex. In this study, the authors analyze empirically-validated, evidence-based interventions for juvenile justice involved youths that have been tested with girls (FFT, MST, MDFT, and TFCO), summarize findings, and propose recommendations to advance research and intervention agendas for girls in the juvenile justice system. While the authors conclude that existing evidence-based practices (EBPs) appear to be effective for girls, outcomes should be cautiously interpreted as few studies have been specifically designed to permit conclusions about whether sex-specific interventions would yield better outcomes for girls than would interventions that already exist for both sexes and that have a strong base of evidence to support them. Nevertheless, all four EBPs share a common set of principles that are highly relevant to girls' risk and protective factors: a family-based treatment model, a focus on targeting identified risk and protective factors like avoidance of delinquent peer associations, drug use and risky sexual behavior, and high levels of parental monitoring, and behavioral orientation and manualized protocol for fidelity monitoring. Research recommendations include: (1) addressing the question of whether existing EBPs work as well for girls as they do for boys, (2) pooling data across samples of girls within existing EBPs, (3) analyzing system-level outcomes for EBPs being implemented, (4) using existing risk assessment tools to individualize services, and (5) conducting cost analyses to measure the costs of poor mental and physical health outcomes. Intervention recommendations include: (1) developing preventative interventions in child welfare and school settings to prevent entry into the juvenile justice system, (2) providing booster services as juvenile justice girls transition to young adulthood, (3) considering expansion of treatment components to address co-occurring problems for girls, and (4) increasing the research base regarding implementation efforts.

44. Effectiveness of Multi-systemic Therapy for Minority Youth: Outcomes Over 8 Years in Los Angeles County

- Terry Fain, Sarah Michel Greathouse, Sarah Michel Greathouse, Susan F. Turner, & H. Dawn Weinberg
 - *OJJDP Journal of Justice*, 2014
- Previous research on Multi-systemic Therapy (MST), an intensive family and community-based treatment for juvenile offenders between 12 and 18 years of age, has been based on small samples that have included very few Hispanic youth. This paper examines juvenile justice outcomes and costs for 757 MST participants and 380 comparison group youth over an 8-year period in Los Angeles County. Approximately 77% of both groups were male. More than 90% of youth were either Hispanic or Black. Hispanic MST participants have significantly more positive outcomes on three of six juvenile justice measures, compared to Hispanic comparison youth. However, Black MST participants do not show more positive outcomes than Black comparison youth. The study found no significant difference in success between male and female participants, indicating that MST may be an effective response in all gender settings.

45. “She’s Way Too Good to Lose”: An Evaluation of Honolulu’s Girls Court

- Janet T. Davidson, Lisa Pasko, & Meda Chesney-Lind
 - *Women & Criminal Justice*, 2011
- This evaluation of the Honolulu Girls Court examines the efficacy of a gender-specific, problem-solving court with heavy and specialized case management for girl offenders. Official statistics, interview data, and focus group data were utilized to determine whether the court is achieving its stated goals of reducing recidivism, risky behaviors, and confinement for the girls who attend this court program. Quantitative and qualitative findings demonstrate that the program does seem to be effective in terms of reducing both recidivism and risky behavior as well as increasing the development of prosocial and healthy relationships. In the follow-up period (1 to 4½ years), Girls Court participants committed substantially fewer criminal offenses, had fewer status offenses, runaways, days on the run, detention admissions, and days in detention compared to the matched comparison group. Correspondingly, Girls Court participants and parents reported improved behaviors and relationships at home, healthier lifestyles and enhanced systems of support, and reengagement in education and higher life aspirations – all attributable to the court environment and staff. The authors conclude with lessons learned from the implementation of this court program as well as ideas for future research – specifically, including firm assessment and selection criteria to ensure girls’ suitability for the program and accuracy in comparison group matching; improving the education of staff on girl offender issues and selecting committed and supportive program staff, including a consistent judicial leader; solidifying step-down and after-care components of the program; and conceptualizing the expansion of Girls Court to girls who do not have active parents/guardians.

46. Multidimensional Treatment Foster Care for Girls in the Juvenile Justice System: 2-Year Follow-Up of a Randomized Clinical Trial

- Patricia Chamberlain, Leslie D. Leve, & David S. DeGarmo
 - *Journal of Consulting and Clinical Psychology*, 2007
- Longitudinal and developmental research suggests that girls' involvement in the juvenile justice system often follows from exposure to trauma and abuse and often co-occurs with anxiety and mood problems, negative interpersonal relationships, and social aggression. The increasing awareness of the developmental pathways to delinquency for girls, coupled with concerns about serving girls in existing male-oriented programs and institutions, speaks to the need for gender-sensitive services. This study is a two-year follow-up of girls with serious and chronic delinquency who were enrolled in a randomized clinical trial conducted from 1997 to 2002 comparing Multidimensional Treatment Foster Care (MTFC) and Group Care (N=81). Girls were referred by juvenile court judges and had an average of over 11 criminal referrals when they entered the study. A latent variable analysis of covariance model, controlling for initial status, demonstrates maintenance of effects for MTFC in preventing delinquency at two years, as measured by days in locked settings, number of criminal referrals, and self-reported delinquency. A latent variable growth model, focusing on variance in individual trajectories across the course of the study, also demonstrates the efficacy of MTFC. Older girls exhibit less delinquency over time relative to younger girls in both conditions. Limitations of the study include a lack of diversity, small sample size, and the need to verify findings by replication. Despite these limitations, the results suggest that girls, like boys, could be more effectively treated for delinquency in well-trained and supervised community foster homes and that recruitment and retention of those foster homes is feasible.

47. Intervention Outcomes for Girls Referred from Juvenile Justice: Effects on Delinquency

- Leslie D. Leve, Patricia Chamberlain, & John B. Reid
 - *Journal of Consulting and Clinical Psychology*, 2005
- Because an increasing number of girls are entering the juvenile justice system, there is a clear need for effective prevention and treatment approaches for girls. Intervention programs designed for delinquent girls have not been examined empirically. This study examines 12-month outcomes of a randomized intervention trial for girls with chronic delinquency (N=81). Girls were randomly assigned into adapted version of Multidimensional Treatment Foster Care (MTFC), an experimental condition, or into Group Care (GC), a control group. MTFC stresses one-to-one adult mentoring with girls living in a family setting away from delinquent peers while GC emphasizes peer-focused interventions using shift staff in aggregate care settings. The study found that at the 12-month follow-up, MTFC youth had fewer delinquent behaviors as rated by their caregivers, fewer days in locked settings, and 42% fewer criminal referrals than GC youth. Limitations of the study include a

lack of ethnic diversity, which is needed to examine the efficacy of MTFC in non-Caucasian ethnic groups, and a lack of effective interventions to reduce mood disorders in light of the high levels of co-occurring mental health problems among delinquent girls.