



A CAMPAIGN OF THE JUVENILE JUSTICE & DELINQUENCY PREVENTION COALITION

www.act4jj.org

FACT SHEET: GIRLS AND JUVENILE JUSTICE

“I didn’t like how you had to put your hands behind your back, and how they’d restrain you. I was four months pregnant, and this [staff member] slammed me up against the wall. I could’ve miscarried! He knew I was pregnant because I had purple laces. I was in mudroom standing with my hands in a diamond.”¹ – *Dana G., 16, held in a unit at Tyron Girls Center in Johnstown, NY*

What are the current JJDPa provisions related to gender?

To access formula funds under the JJDPa, each state must submit a three-year plan to the Department of Justice, including a plan for providing needed gender-specific services. States must also assure equitable treatment according to gender, race, etc.

In addition, programs for girls and prenatal care for pregnant juveniles are listed as allowable expenditures under the Juvenile Delinquency Prevention Block Grant (Title II), but this program has never been funded.

How should these provisions be strengthened?

- Add an accountability mechanism for the existing state plan requirement, which is often ignored.
- Require at least one member of the State Advisory Group to have expertise in gender-specific services.
- Direct funding to gender-specific prevention and treatment programs under Title V Delinquency Prevention grants.
- Eliminate the Valid Court Order exception for Status Offenders.
- Increase research and information dissemination on effective practices.

Why are these changes needed?

Between 1985 and 2002, the overall delinquency caseload for females increased 92%, while it decreased 29% for males. Even as juvenile crime has declined in recent years, the proportion of girls in the system has continued to increase.²

The juvenile justice system remains under-equipped to handle the increased presence of girls. Because boys have dominated and still dominate the juvenile justice system, juvenile facilities, staffing, policies, and programs have been slow to respond to the girl population.

Research points to **significant differences** in the male and female population that call for a gender-specific approach:

- Girls commit far fewer violent offenses—about one-quarter the rate of boys. Girls are more likely to be arrested for property crimes and status offenses (running away, liquor law and curfew/loitering violations).³ When girls are violent, it is more likely to be against a family member than for boys.
- Girls, more than boys, enter the juvenile justice system with a disturbing history of emotional, physical, and sexual abuse—with estimates as high as 78% or higher of incarcerated girls. Instead of receiving counseling and mental health services, girls are often re-traumatized through dehumanizing treatment and isolation. Girls are also more likely than boys to be sexually victimized while in a facility.⁴
- Girls are disproportionately arrested for running away, accounting for 59% of runaways.⁵ Girls often run away to flee violence or other abuse in the home, and are known to “self-medicate” through alcohol and other illegal substances. Under current law, runaways who violate parole (e.g., run away again) can be—and frequently are—incarcerated.
- Adolescent girls have different health needs than boys, including health education, gynecological exams, and in some cases, pregnancy-related healthcare. Girls in the juvenile justice system face a substantially higher risk for reproductive health problems compared to girls outside of the system.⁶

Case Studies:

- In 2002, an investigation by the Assistant Attorney General of Mississippi reported on girls being placed naked in a windowless, dark isolation cell, with only a drain in the floor, for as long as three days to a week at a time. The facility had no separate logbook to record the use of this isolation cell.⁷
- In 2002, a 12 year-old runaway from New York was taken into custody after she was found on the streets of Washington, D.C. Having no available alternative placement, the girl was sent to the city’s juvenile facility. She was placed in a cell with two other girls, who sexually assaulted her.⁸

Prepared by Girls Inc., 202-463-1881

¹ Lewis, Mie (2006). *Custody and Control: Conditions of Confinement in New York’s Juvenile Prisons for Girls*, New York, NY: American Civil Liberties Union and Human Rights Watch.

² Snyder, Howard N., and Sickmund, Melissa. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

³ *Ibid*

⁴ Snyder and Sickmund, p. 231.

⁵ Federal Bureau of Investigation. (2005). *Uniform Crime Reports for the United States: 2005*.

⁶ Women's Health Issues. (July/August 2007). *A National Overview of Reproductive Health Care Services for Girls in Juvenile Justice Residential Facilities*. Washington, D.C: Official Publication of the Jacobs Institute of Women's Health.

⁷ Boyd, Ralph F., Jr., Assistant Attorney General (June 19, 2003). Letter to The Honorable Ronnie Musgrove, Governor of Mississippi, Re: CRIPA Investigation of Oakley and Columbia Training Schools in Raymond and Columbia, Mississippi.

⁸ "In the City's Hands." *The Washington Post*. Dec. 11, 2002: A32.