



# *NCCD Center for Girls and Young Women*

February 2009

## Getting the Facts Straight about Girls in the Juvenile Justice System

### *Introduction*

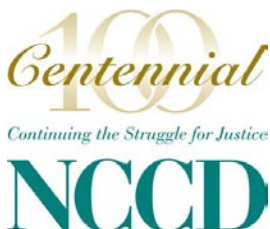
To fulfill one part of its mission, the Center for Girls and Young Women will present the public with an accurate account of girls in the juvenile justice system. Misconceptions abound regarding girls that are detained and incarcerated. Meaningful change is needed at the national, state, and local levels to prevent and respond appropriately to girls' delinquency.

A lack of understanding of what drives girls' offending behaviors can compound an already volatile situation and lead to further negative consequences for girls in care. For example, most girls that get into trouble with the law have already been victimized, and then while in custody they experience additional traumas. The mental and physical health needs of girls in the justice system have been systematically devalued. Programs that ignore how trauma is related to offending behavior will fail. Straightforward facts are critical to establishing policies and practices that will lead to the equitable treatment of girls and young women.

This fact sheet highlights gender-specific issues regarding offense type and severity, age, placement, race/ethnicity, sexual orientation, and other underlying factors that impact girls' delinquency.

### **About the NCCD Center for Girls and Young Women**

*In 2006, the National Council on Crime and Delinquency (NCCD) celebrated its 100-year history in promoting effective, humane, fair, and economically sound solutions to criminal justice problems. The Center for Girls and Young Women is an expansion of current NCCD programs to address the gender-specific needs of girls in the juvenile justice system. The NCCD Center for Girls and Young Women (The Center) is guided by the courageous life experiences of girls caught up in the system. The Center is the passionate voice for activism to ensure equitable, humane, and gender-appropriate responses to improve outcomes for girls and young women. The Center focuses on advocacy, research, assessment services, staff training, and evaluation.*



## Girls in Juvenile Justice: National Data Profile

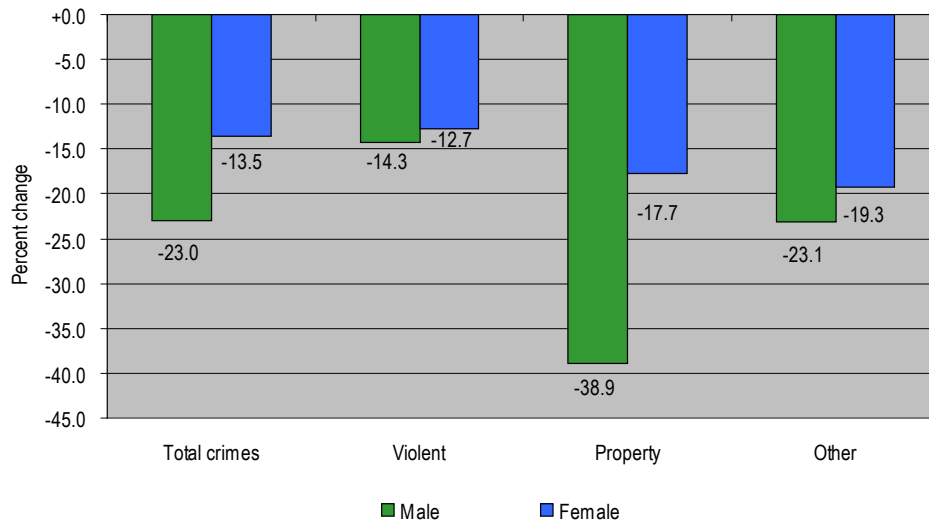
*Current Trends—Girls are the fastest growing segment of the juvenile justice population.*

**Arrests.** Crime rates are decreasing nationally for both girls and boys, but the rate of that decrease has been slower for girls. In 1998, girls made up 27% of the 1.5 million arrests for youth under 18. By 2007, girls constituted 29% of the 1.2 million arrests (UCR, 2007).

**Incarceration.** Nationally, girls represent 15% of the incarcerated population and as much as 34% in some states. A one-day snapshot in 2006 revealed that 7,995 girls under age eighteen were committed to juvenile residential placements and an additional 4,458 girls were in detention across the United States (Sickmund, Sladky, & Kang, 2008).

Since 1997, there has been an 18% decrease in boys' incarceration rates compared to an 8% decrease for girls. The rate of incarceration for girls ages 10-17 decreased from 99 per 100,000 in 1997 to 91 per 100,000 in 2006. However, the female juvenile rate of incarceration has increased more than 30% since 1997 in 14 states. (see Table 1)

Figure 1:  
Ten-year Arrest Trends for Youth under 18, by Gender, 1998-2007



Source: FBI, Uniform Crime Reports, Ten-Year Arrest Trends.

**Table 1:**  
Incarceration of Girls by State

	1997	2006	Percent Change, 1996-2006	2006 Count (N)
<b>United States</b>	<b>99</b>	<b>91</b>	<b>-8.1%</b>	<b>13,943</b>
Alabama	116	153	31.9%	384
Alaska	170	183	7.6%	75
Arizona	109	101	-7.3%	348
Arkansas	37	105	183.8%	159
California	95	88	-7.4%	1,854
Colorado	108	108	0.0%	270
Connecticut	131	80	-38.9%	114
Delaware	53	60	13.2%	27
District of Columbia	92	119	29.3%	30
Florida	85	113	32.9%	1,014
Georgia	158	83	-47.5%	384
Hawaii	32	65	103.1%	42
Idaho	36	127	252.8%	108
Illinois	42	53	26.2%	333
Indiana	146	161	10.3%	564
Iowa	136	218	60.3%	348
Kansas	174	75	-56.9%	114
Kentucky	82	120	46.3%	264
Louisiana	147	90	-38.8%	189
Maine	55	36	-34.5%	24
Maryland	49	30	-38.8%	93
Massachusetts	53	48	-9.4%	138
Michigan	121	106	-12.4%	534
Minnesota	90	95	5.6%	267
Mississippi	27	53	96.3%	90
Missouri	82	66	-19.5%	183
Montana	81	119	46.9%	60
Nebraska	179	250	39.7%	243
Nevada	177	110	-37.9%	150
New Hampshire	56	58	3.6%	36
New Jersey	42	37	-11.9%	177
New Mexico	75	63	-16.0%	72
New York	130	115	-11.5%	876
North Carolina	60	53	-11.7%	183
North Dakota	137	119	-13.1%	39
Ohio	86	88	2.3%	555
Oklahoma	62	57	-8.1%	111
Oregon	110	81	-26.4%	156
Pennsylvania	80	70	-12.5%	462
Rhode Island	82	65	-20.7%	36
South Carolina	119	83	-30.3%	168
South Dakota	193	377	95.3%	162
Tennessee	132	51	-61.4%	162
Texas	67	91	35.8%	1,101
Utah	67	105	56.7%	165
Vermont	9	9	0.0%	3
Virginia	137	75	-45.3%	300
Washington	91	67	-26.4%	231
West Virginia	49	99	102.0%	87
Wisconsin	109	72	-33.9%	189
Wyoming	422	341	-19.2%	93

Source: Sickmund, Sladky, Kang, & Puz-  
zanchera (2008).

*Age—Girls enter the system at younger ages than boys.*

In 2007, there were 2.5 million arrests for females of all ages. Of these, 25% were girls under the age of 18.<sup>1</sup> Of all youth incarcerations, 42% of girls are 15 and younger, compared to 31% of boys 15 and younger.

Figure 2:  
Percentage Distribution of Arrests for all offenses by Age and Gender, 2007

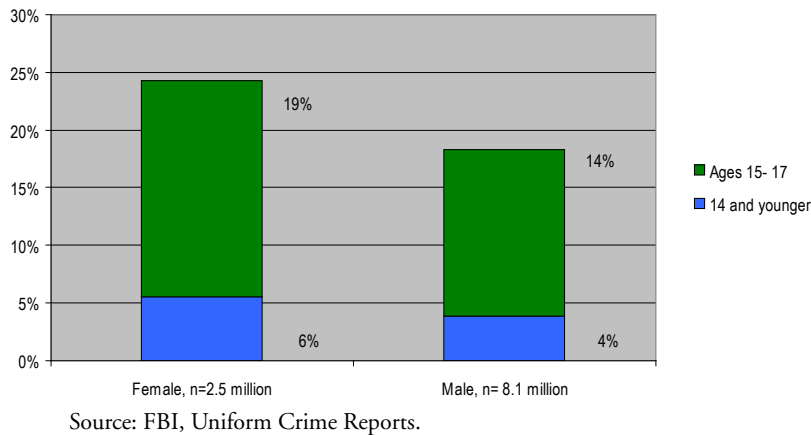
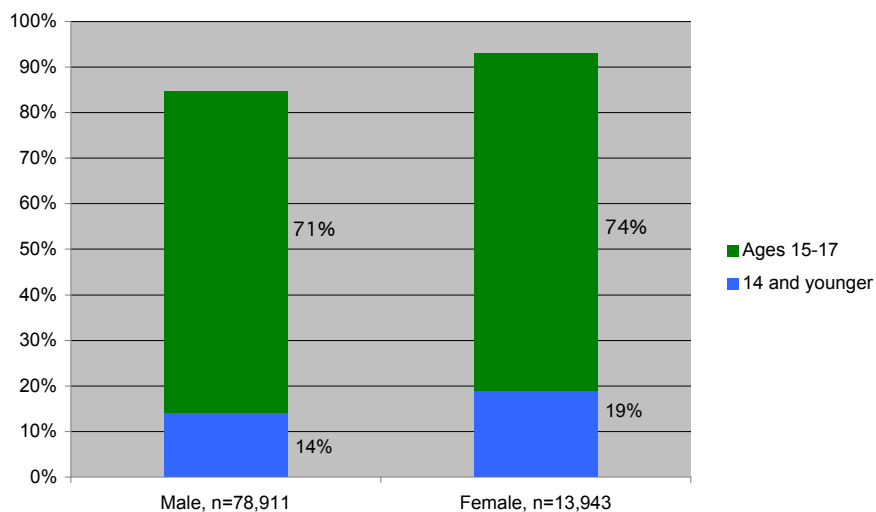


Figure 3:  
Profile of Committed by Gender and Age



<sup>1</sup> In 2007, there were 8.1 million arrests for males. In comparison, only 18% were for boys under 18.

### Offense Type and Severity

**The types of offenses for which girls are arrested and incarcerated are less serious than boys.** Contrary to popular belief that girls are becoming more violent, the arrest rate for violent crimes has decreased 13% for females and 14% for males over the last ten years.<sup>2</sup>

The data show that girls are committed for less serious offenses than boys. Of the 7,995 girls that were incarcerated in 2006, one-third were incarcerated for person offenses such as simple assault; 21% for property offenses; and 15% for technical violations. Among girls, the incarceration rate for violent offenses<sup>3</sup> is almost half that of boys (11% and 24% respectively), but the rate for status offenses<sup>4</sup> is more than twice as high for girls as for boys (18% and 4% respectively).<sup>5</sup> (see Table 3)

Table 2: Comparison of Arrests by Gender and Offense, 2007

	Female	% of Total	Male	% of Total
<b>Violent Crimes</b>				
Murder and nonnegligent manslaughter	76	0%	935	0%
Forcible rape	49	0%	2,584	0%
Robbery	2,564	1%	23,760	2%
Aggravated assault	10,029	2%	33,430	3%
Violent Crimes Total	12,718	3%	60,709	5%
<b>Property Crimes</b>				
Burglary	7,138	1%	54,557	5%
Larceny-theft	99,298	20%	130,539	11%
Motor vehicle theft	3,668	1%	18,598	2%
Arson	645	0%	4,782	0%
Property Crimes Total	110,749	22%	208,476	18%
<b>Other Crimes</b>				
Other assaults	60,959	13%	120,419	10%
Stolen property; buying, receiving, possessing	3,073	1%	13,816	1%
Vandalism	11,298	2%	73,446	6%
Weapons; carrying, possessing, etc.	3,234	1%	29,953	3%
Prostitution and commercialized vice	909	0%	251	0%
Sex offenses (except forcible rape and prostitution)	1,125	0%	10,450	1%
Drug abuse violations	23,181	5%	124,201	11%
Gambling	31	0%	1,553	0%
Offenses against the family and children	1,596	0%	2,609	0%
Driving under the influence	3,264	1%	10,233	1%
Liquor laws	39,861	8%	66,676	6%
Drunkenness	3,289	1%	9,677	1%
Disorderly conduct	50,922	10%	102,371	9%
Vagrancy	852	0%	2,072	0%
All other offenses (except traffic)	74,816	15%	209,280	18%
Suspicion	72	0%	231	0%
Curfew and loitering law violations	33,790	7%	76,025	7%
Runaways	46,265	10%	36,194	3%
Other Crimes Total	361,842	100%	895,483	100%
<b>Total</b>	<b>485,309</b>	<b>485,309</b>	<b>1,164,668</b>	<b>1,164,668</b>

Source: FBI, Uniform Crime Reports, Ten-Year Arrest Trends.

2 UCR: Ten-year arrest trends by sex, 1998-2007, Table 33

3 Violent offenses include criminal homicide, violent sexual assault, robbery, and aggravated assault.

4 Status offenses (actions which are only criminal for a certain class of persons, namely minors) include running away, truancy, incorrigibility, underage drinking, and curfew violations.

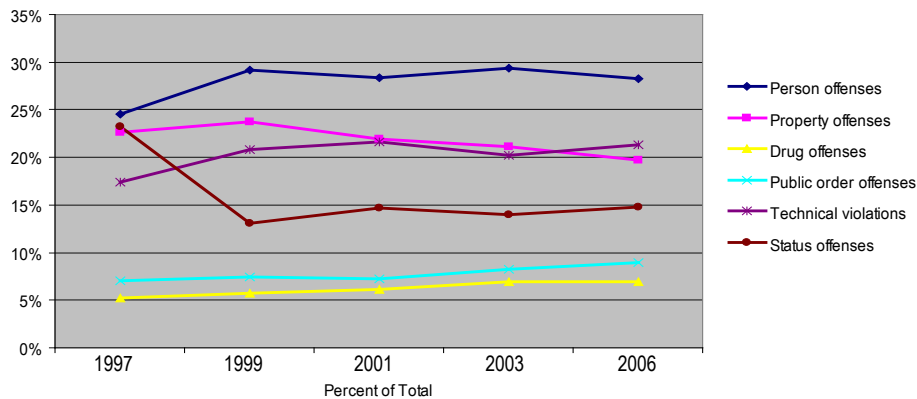
5 Author's analysis of 2006 data from Sickmund, Sladky, & Kang, 2008.

Table 3:  
Most Serious Commitment Offense by Gender, 2006

	Female	% Female	Male	% Male	Total
<b>Person Offenses</b>					
Criminal homicide	31	0%	255	1%	286
Sexual assault	89	1%	4034	9%	4123
Robbery	186	2%	3037	7%	3223
Aggravated assault	656	8%	3245	7%	3901
Simple assault	1174	15%	3464	8%	4638
Other person	202	3%	1279	3%	1481
<b>Property Offenses</b>					
Burglary	345	4%	5315	12%	5660
Theft	561	7%	2474	6%	3035
Auto theft	435	5%	2229	5%	2664
Arson	55	1%	337	1%	392
Other property	346	4%	2272	5%	2618
<b>Drug Offenses</b>					
Drug trafficking	58	1%	823	2%	881
Other drug	551	7%	3117	7%	3668
<b>Public Order Offenses</b>					
Weapons	102	1%	1793	4%	1895
Other public order	555	7%	3246	7%	3801
Technical violations	1191	15%	5827	13%	7018
Status offenses	1458	18%	2014	4%	3472
<b>Total</b>	<b>7995</b>	<b>100%</b>	<b>44761</b>	<b>100%</b>	<b>52756</b>

Source: Sickmund, Sladky, Kang, & Puzzanchera (2008).

Figure 4:  
10-Year Commitment Trends for Girls under 18, 1997-2006



Source: Sickmund, Sladky, Kang, & Puzzanchera (2008).

*Race and Ethnicity*

**There is an overrepresentation of girls of color in the justice system.** Based on the race/ethnic proportion of the general population of youth ages 12-17, overrepresentation is an equity issue affecting both girls and boys. NCCD studies have shown the cumulative disadvantage along the juvenile justice continuum from arrest to detention, judicial handling, commitment, and transfer to adult court for minority youth compared to White youth for similar offenses (see *And Justice for Some*, 2007). Girls of color are overrepresented among youth in residential placement. Compared to White girls:

- African American girls are placed over three times as often
- Native American girls are placed over four times as often
- Hispanic girls are placed at higher rates
- Asian Pacific Islanders are underrepresented.

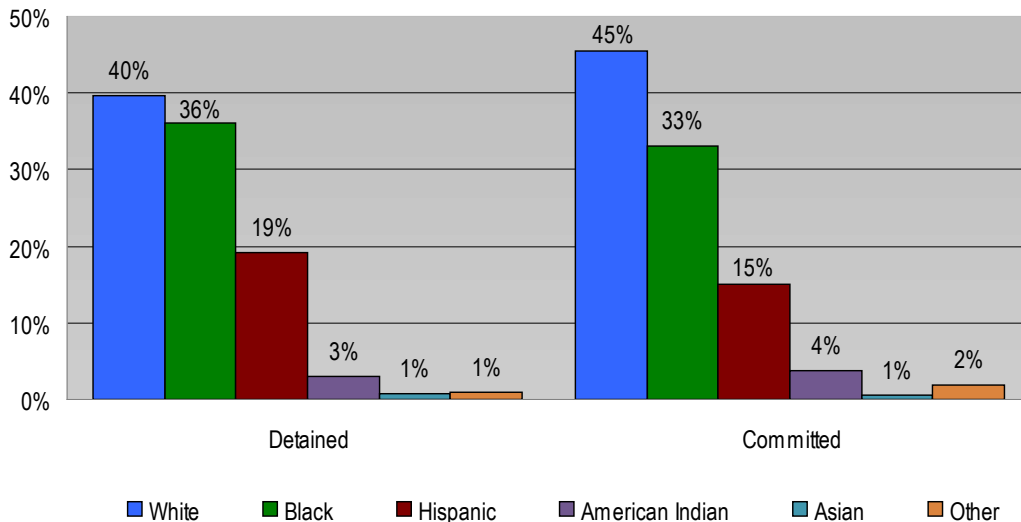
Disparity exists regardless of offense type. Compared to White girls:

- African American girls are detained almost six times as often and committed over four times as often for violent offenses.
- Native Americans are detained five times as often for public order and nine times as often for status offenses, and committed over five times as often for violent and status offenses.
- Hispanic girls are detained almost twice as often for violent, public order, and technical violations.

Girls of color are placed in adult prisons at far higher rates. Compared to White girls:

- African American girls are sent to adult prison over five times as often and Native Americans girls three times as often.

Figure 5:  
Percentage of Girls Committed and Detained by Race



Source: Sickmund, Sladky, Kang, & Puzanchera (2008).

### *Sexual Orientation*

**LGBT youth often experience discrimination and the justice system is ill equipped to deal with their needs.** The Urban Justice Center (2001) reports that LGBT youth comprise 4-10 % of the juvenile justice population. Further, they face threats to their physical and mental safety because of their sexual orientation in addition to the limited sentencing options available, inconsistent or nonexistent policies, and a lack of services and trained staff to meet their needs.

### *Abuse and Victimization*

**Many girls enter the system with histories of abuse and experience further victimization while incarcerated.** Abuse is a common denominator among girls in the system, with estimates ranging from 56-88% of girls who report emotional, physical, or sexual abuse (Acoca & Dedel, 1998). Girls in the system may be three times more likely than boys to have been sexually abused (Hipwell & Loeber, 2006; Bloom et al., 2005). Abuse has been found to be a stronger predictor of offending behavior for females than for males (Makarios, 2007). Based on the Survey of Youth in Residential Placement (SYRP), preliminary data show that 5% of females reported being the victim of sexual assault while in custody (Sedlak, 2008). Most of those reporting sexual assault had been victimized multiple times. The impact of abuse inside institutions, coupled with past life experiences puts girls at great risk for self-harming and high-risk behaviors. When these issues are unaddressed, we can expect that girls will be unable to effectively cope with stress or anger. These emotions manifest in behaviors that staff inside juvenile justice facilities refer to as “acting out,” “drama,” or “lashing out.” Girls are subject to disciplinary infractions and additional trauma when policies mandate controlling the behaviors rather than addressing the underlying issues.

### *Emotional and Mental Health*

**Girls have greater mental health needs.** Some studies have shown that as many as 3 in 4 girls who are detained have a diagnosed mental health disorder (Veysey, 2003). Approximately 70% have been exposed to a traumatic experience. Their rates for post traumatic stress disorder, suicide attempts, and self harming behavior are higher than those for boys.

### *Family Issues*

**Offenses are often committed against a family member, and family problems often contribute to girls' acting out.** NCCD has conducted two cutting edge studies of girls in the juvenile justice system: No place to hide (1998) and Rallying Cry for Change (2006). The researchers gathered valuable information from the voices of girls. The girls in these two studies share similar life experiences and home lives, mirroring the research literature, which demonstrates that family issues such as ineffective parental supervision, frequent parent/child conflict, and family history problems are overwhelmingly linked with girls' delinquency (see Table 4). In Rallying Cry for Change, more than half (61%) of the girls had committed an offense against a family member.



Table 4:  
Family Issues for Girls in CA and FL

	California (n=193)	Florida (n=319)
Positive Relationship with mother	67%	41% close 45% mixed/neutral
Positive relationship with father	46%	31% close 47% mixed/neutral
History of Parent incarceration	56%	56%
History of Sibling Incarceration	67%	57%
Chronic runaway	77%	
Witness Violence	58%	
Experienced Abuse (physical, sexual, and/or emotional)	56-88%	37% by parent 48% by someone other than a parent
Out of home placement	43%	44%
History of Pregnancy	29%	30%
Suicide ideation	24%	9% ideation 29% attempted it

Source: Acoca and Dedel, 1998; Patino, Ravoira, & Wolf, 2006.

## Summary

We must work to better understand the status of girls in the juvenile justice system. The larger structural issues and system inequities include sexism, gender bias, and racism. The Center rejects the assumption that the experience of girls can be summarized in a few bullet points. The causes and correlates of girls' delinquency cannot be narrowly defined. Research on how these factors are experienced differently by girls and the implications for gendered pathways to delinquency must be further explored. We do know, however, that girls are a growing proportion of the system, they are younger, their offenses are less serious and often related to family issues, and they have greater mental health needs. The current system is not designed with these differences in mind. The Center is committed to raising questions about why there is a growing trend of girls in the system and the future direction of interventions for girls.

Please visit the Center for Girls and Young Women website [www.justiceforallgirls.org](http://www.justiceforallgirls.org)

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