



## National Juvenile Justice Network Fact Sheet Detention Reform and Girls: Challenges and Solutions<sup>1</sup>

- There has been a dramatic increase in the numbers of girls being detained and, although they are detained for less serious offenses than boys, they spend more time in detention than do boys.<sup>2</sup>
  - From 1990-1999 there was a 50 percent increase in the number of female delinquency cases entering detention compared with a four percent increase for boys. The girls' upward trend continued through 2001.<sup>3</sup>
- Girls are more likely than boys to be detained for status offenses, technical violations and warrants.
  - In 2001, girls comprised 19 percent of detained youth, but 24 percent of those detained for technical violations and 43 percent of those detained for status offenses.<sup>4</sup> In some states, girls comprise more than 70 percent of those detained for status offenses.
  - Technical violations and status offenses account for 41 percent of girls' detentions and 25 percent of boys' detentions.<sup>5</sup>
  - Girls are more likely to have a history of running away from their home or placement, which leads to warrants. These incidents trigger system involvement. Nationally, in 2002 girls accounted for 60 percent of juvenile arrests for running away.<sup>6</sup>
- Girls are detained when there is domestic violence in the home and they report it to authorities, or they are charged with offenses that arise in domestic situations.
  - 2001 data from Cook County, Illinois (Chicago) showed that girls who would not have been detained based on an assessment of risk were being detained because they reported domestic violence or their parent refused to take them home.
- Girls' chaotic home lives contribute to their detention. Detained girls, for example are likely to be dually involved with the child welfare system or to have child welfare histories.
  - In Cook County, Illinois (Chicago), from 1994 to 2000, girls were 44 percent more likely than boys to have had a child protection petition filed on their behalf, and girls who had child protection petitions were almost four times more likely than girls in the general population to end up with a delinquency petition.<sup>7</sup>
  - It is estimated that more than 300,000 teens in the U.S. are involved in prostitution. Sadly, when girls are arrested for prostitution they are frequently detained for their own safety, rather than the public's safety. In 2002, girls comprised 67 percent for arrests for prostitution, which (with running away) was one of only two offense categories for which more girls than boys were arrested.<sup>8</sup>
- Not only do girls enter detention for technical violations and minor offenses, but they return to detention for warrants, technical violations of probation and parole, and program failure at higher rates than boys, so that they are frequently re-detained without committing new crimes.

- Data from four detention reform sites indicates that of youth who returned to detention once within one year, 53 percent of girls as compared to 41 percent of boys did so for warrants, probation or parole violation, or program failure; of youth returning twice within one year, 66 percent of girls as compared with 47 percent of boys did so for these reasons; and of youth returning to detention three times within one year 72 percent of girls as compared with 49 percent of boys did so for warrants, probation or parole violation, or program failure.
- Girls enter detention particularly vulnerable with histories of abuse, high rates of depression and post-traumatic stress disorder, significant health issues, and families in chaos.
  - Girls are more likely than boys to have a history of sexual or physical victimization. Among girls interviewed in California in 1998, 92 percent had suffered some form of abuse – 88 percent suffered emotional abuse, 81 percent reported physical abuse, and 56 percent reported one or more forms of sexual abuse.<sup>9</sup>
  - Girls in the juvenile justice system are more likely than boys to come from a single parent household – 73 percent of girls compared to 56 percent of boys – and to come from a low income household – 35 percent of girls compared to 22 percent of boys.<sup>10</sup>
  - Girls in the juvenile justice system have higher rates of depression and post-traumatic stress disorder than boys.<sup>11</sup>
  - In a study of detained youth in Cook County, Illinois (Chicago), girls were found to have higher rates of psychiatric disorders than boys<sup>12</sup> and were more likely than boys to be diagnosed with more than one mental health disorder, often a mental health disorder with a substance abuse disorder.<sup>13</sup>
- Too often courts and justice systems detain minor offending girls in an effort to protect them but detention is not a therapeutic environment. Detention is, in fact, harmful to girls functioning contrary to the federal requirement to “provide gender-specific services for the prevention and treatment of juvenile delinquency.”<sup>14</sup>
- Detention removes girls from community supports which have been found effective in addressing their needs.
- Gender-responsive programs should be comprehensive, safe, empowering, community- and family-focused, and relational.
- Promising gender-responsive practices that can reduce the use of detention include:
  - Community-based, girl-focused programs;
  - Continuum of alternatives to detention that emphasize the principle of least restrictive alternative, are located in girls’ communities, and are gender responsive in design;
  - Comprehensive legal representation;
  - Utilization of strengths-based approaches;
  - Cross-system case conferencing and data sharing;
  - Gender-responsive programming that fosters healthy family relationships; promotes healing from trauma; supports continuous, positive relationships for girls with older women, family and peers; weaves together family, community and systems; and addresses needs while encouraging leadership.

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<sup>1</sup> All citations taken from Sherman, F., *Detention Reform and Girls: Challenges and Solutions*, 2005, Annie E. Casey Foundation, Baltimore, MD. Available at <[http://www.aecf.org/publications/data/jdai\\_pathways\\_girls.pdf](http://www.aecf.org/publications/data/jdai_pathways_girls.pdf)>.

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<sup>2</sup> In the Oregon Social Learning Center study, boys averaged 72 days in detention, while girls averaged 131 days. Chamberlain, P. (January 24-26, 2002), *The Multidimensional Treatment Foster Care Model: Research and Community-Based Services*. Presented at the 2nd National Training Conference on Juvenile Detention Reform. Portland, Oregon: Annie E. Casey Foundation.

<sup>3</sup> Sickmund, M., Sladky, T.J. & Kang, W., *Census of Juveniles in Residential Placement Databook*, 2004.

<sup>4</sup> Sickmund, Sladky & Kang, 2004.

<sup>5</sup> Sickmund, Sladky & Kang, 2004.

<sup>6</sup> Snyder, H., *Juvenile Arrests 2002*, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2004.

<sup>7</sup> Keller, K., *Juvenile Female Offenders in Cook County: Trends and Outcomes*. Presented November 14, 2002, American Society of Criminology Conference.

<sup>8</sup> Snyder, H., *Juvenile Arrests 2002*, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2004.

<sup>9</sup> Acoca, L., Dedel, K., *No Place to Hide: Understanding and Meeting the Needs of Girls in the California Juvenile Justice System*, San Francisco, CA: National Council on Crime and Delinquency, 1998.

<sup>10</sup> Chamberlain, P. (January 24-26, 2002), *The Multidimensional Treatment Foster Care Model: Research and Community-Based Services*. Presented at the 2nd National Training Conference on Juvenile Detention Reform. Portland, Oregon: Annie E. Casey Foundation.

<sup>11</sup> Cauffman, E., Feldman, S., Waterman, J., & Steiner, H., *Posttraumatic Stress Disorder Among Female Juvenile Offenders*, *Journal of the American Academy of Child and Adolescent Psychiatry*, 37, 1209-1217, 1998.

<sup>12</sup> Teplin, L., Abgran, K., McClelland, G., Dulcan, M., & Mericle, A., *Psychiatric Disorders in Youth in Juvenile Detention*, *Archives of General Psychiatry*, 59, 1133-1143, 2002.

<sup>13</sup> Veysey, B., *Adolescent Girls with Mental Health Disorders Involved with the Juvenile Justice System*, Research and Program Brief. Washington, D.C.: National Center for Mental Health and Juvenile Justice, 2003.

<sup>14</sup> Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601.