

Girls Are Different Than Boys

Gender-Responsive Strategies for Girls in the Juvenile Justice System

A Report to CYFD
By the New Mexico Women's Justice Project
April 2004

Executive Summary

Purpose

Nationally, girls are the fastest growing population in the juvenile justice system, with arrests for girls growing 50% between 1989 and 1998, compared to a growth rate of 17% for the arrest of boys. In New Mexico, over 6300 girls are in the juvenile justice system, a third of the total clients. The New Mexico Children, Youth and Families Department (CYFD) contracted with the New Mexico Women's Justice Project to research the need for and availability of services for girls in the New Mexico juvenile justice system that differ from services needed for and available to boys. Evolving national research indicates that the difference between boys and girls results in the need for programs specific to girls in order for the programs to be effective. The purpose of this study is to gather New Mexico-specific information that can be used by CYFD to develop more effective juvenile justice programs for girls.

How We Gathered Information

We collected three types of information. They are: 1. a profile of girls currently in the system and their contact over time with services, 2. a profile of services available to JPPOs in working with girls and their perceived needs in serving these girls and 3. a review of the national literature.

New Mexico information was collected in December of 2003 with a survey of 29 girls in the juvenile justice system, interview of 20 families and survey of 61 professionals, including juvenile probation and parole officers (JPPOs), social workers, public defenders, attorneys and a special master. CYFD also provided data on the number of girls in the juvenile justice system. National data information was collected through a literature review of government sources and peer-reviewed journals.

Profile of the Girls

Over 6,300 girls were in New Mexico's juvenile justice system in 2003. Girls in our study tended to get into trouble with the law early, with an average age of first arrest of 13.9 years. They continue to get into trouble after the first arrest. Eighty percent have been arrested more than once. Two-thirds have violated probation.

These are troubled girls. A quarter of the girls are already teenage mothers. A quarter of the girls reported having suffered serious head injury, and most of the girls reporting head injuries also had seizures. Half indicated they used drugs, usually both marijuana and alcohol.

Many have been in residential treatment centers (38%) or foster care (17%). Nearly half have dropped out of school at some time, and over 60% have been suspended for more than two days. Families said that school problems such as being bullied, fighting or truancy were a significant problem for 80% of the girls. A third of the girls were arrested for problems at school, such as fights or drugs on school property. While girls had problems at school, they rarely got help from schools for their problems.

Violence plays a role in many of their lives. The pattern of violence is a complicated mix of being a victim, an observer and a perpetrator of violence. As victims, the girls have histories of physical (41%) and sexual abuse (45%). The girls are also perpetrators of violence. Forty-five percent were arrested for assault or fighting, and 20% were carrying a knife at the time. A third of the girls said that there was significant violence among their family members. Violence among these girls is generally not related to gangs. Only 10% reported membership in a gang.

The girls surveyed come from troubled families. Three-fourths of the girls had a family member who had been in jail or prison. Nearly half reported a family member who used street drugs. Seventy percent were from a single-parent household. A third of the girls said that their family problems contributed to their own problems.

Running away is common. A third of the girls had run away. In fact, running away and sex offenses such as prostitution (often associated with running away) were the only crimes that girls are arrested for more than boys.

Families reported a wide range of factors that combined to make the girls' problems worse. Negative influences of peers, problems at school, sexual abuse, family problems, parents in trouble or parents who abandoned them, and low self-esteem were mentioned by families as important contributing factors.

Professional Services

All the girls whose families were interviewed found the juvenile justice system helped them in some way, though they may not have liked the experience. They often had good things to say about their JPPOs. The girls often saw their JPPOs as a coach, as someone who they could call "before they blew" to talk over problems. Some JPPOs helped them with a wide range of issues, from problems at school to housing to referring them to counseling. In fact, many girls got significant treatment while on juvenile probation. All of the girls we surveyed were in school, working on their GED, in Job Corps or had graduated.

Most of the girls were also getting counseling or treatment while on probation. The usefulness of the counseling or treatment, however, depended heavily on the therapist or treatment provider. Clearly, not all counseling is of equal value to the girls. While it varied tremendously, about half the girls said treatment was useful and half said it was not.

The girls had very clear expectations about what would have helped them, and they found it frustrating when the counselor or provider did not listen. Families said that treatment was often too short. Staff turnover and intermittent services at programs was a problem. Families felt that problems just got worse when early warning signs were not taken seriously. They were also concerned that they didn't have solutions for their daughters when the girls didn't feel safe or were bullied at school or in the community.

Professionals agreed with the girls and their families about the problems girls face. The professionals wanted more training to work effectively with girls, particularly dealing with the girls' emotional needs and the impact of abuse, especially sexual abuse, on the girls.

Professionals also were concerned about the lack of programs overall for both boys and girls. In addition, they said they needed programs that were designed to meet the particular needs of girls.

The juvenile justice system has been helpful for many of the girls we surveyed. It has provided them with a combination of structure/supervision and support that allowed the girls to sort out their problems and grow into healthier teens.

Review of the National Literature

Girls are different than boys, according to a growing body of research. Girls define themselves in terms of relationships more than boys do. Most girls get into trouble with the law in response to a problem with a relationship – a friend, boyfriend or their family. Whereas boys tend to experiment with illegal activity, girls do it intentionally to handle problems. Their first use of drugs follows a similar pattern. Girls biologically react to drugs more quickly and become addicted faster than boys.

Many girls in the juvenile justice system have been abused, particularly sexually abused. While boys are also abused, girls tend to respond by accepting the role as victim. Violence is often the defining moment in these girls' lives. However, crimes committed by girls are typically less violent than crimes committed by boys.

Teen pregnancy is an important issue for these girls, especially minority girls. Not only do they become mothers early, but they are usually expected to play the role of caretaker in their families. They are expected to be compliant. They often lack problem-solving skills to come up with better solutions than fighting or running away. Many of the actions that lead to arrests are the result of girls trying to solve a problem, but not having the skills or resources to find better solutions.

What We Learned

New Mexico needs more specialized services that address issues of girls. There is a desperate need for treatment for sexual abuse and trauma, for programs teaching ways to maintain personal safety, for teen parenting programs and for services for girls with serious head injuries. The strategies New Mexico could adopt include:

- Combine structure and supervision with support
- Increase the safety of environments for girls
- Schedule providers and JPPOs to allow time for girls to talk through problems and solutions while assigning caseloads that foster communication
- Allow time for trust to grow between girls and providers by reducing staff turnover, not reassigning girls to different providers and allowing adequate timelines for providers
- Teach the girls to advocate for themselves, including within the juvenile justice system
- Develop a plan for each girl which deals with the full array of practical problems she might face

- Find expertise in female adolescent development and expect providers to offer proven treatment methodologies
- Develop specialized services or referrals sources for girls with specific problems such as sexual trauma or serious head injury.

Recommendations

The review conducted by the NM Women's Justice Project leads to a recognition that services must be developed specifically with the needs, environment and characteristics of girls in mind. We offer the following recommendations to CYFD:

Assess and deliver services based on the individual needs of each girl.

- Develop an assessment that give JPPOs actionable information for working with each girl
- Continue revising an individual plan for each girl and her family, addressing the key life domains
- Focus on early intervention, particularly working with schools to identify girls with developing behavioral problems

Ensure the effective use of CYFD programmatic funds

- Develop an audit tool to assess current CYFD programs for gender responsiveness and outcomes
- Audit CYFD contractors to ensure that each utilizes effective programs for girls
- Develop protocols for future CYFD program contracts which ensure gender-responsive programs

Develop programs targeting specific problems that girls tend to have.

- Extend the CJCC Analysis of Treatment Providers (2002) to determine the number of available "open slots" and nature of services actually available to girls
- Focus individual services for girls on a wide range of problems they face in their lives, rather than just the "presenting problem"
- Avoid intermittent, piecemeal services
- Develop community collaborations which can address a wide range of needs for girls, rather than single-issue, single-source programming
- Procure specialized services and techniques for girls with sexual abuse and victimization histories
- Contract for evaluation and specialized services for girls with serious head injury

- Establish specialized services and techniques for girls who have suffered violence and trauma and may have PTSD
- Increase programs which teach girls how to maintain their personal safety in an environment that often is not safe
- Increase services for teenage mothers with their children

Support JPPOs and professionals in their ability to build trusting relationships with girls.

- Build relationships and trust with girls and their families, particularly in the early stages of a girl's case

Train JPPOs and other professionals in effective ways to serve girls.

- Teach how girls are different from boys
- Support building appropriate relationships with victims of sexual abuse
- Train how to work with girls with head injury or other cognitive challenges
- Train how to work with trauma victims
- Develop confidentiality and professional expectations for working with girls
- Develop a JPPO Code of Conduct or train on an existing code

Improve the quality of programs for girls that are available to JPPOs.

- Audit each contracting agency to ensure its programs are gender-responsive
- Investigate best practices nationally for treatment of girls' issues and staffing of programs to ensure that staff has appropriate skills to deal with specific problems of girls

Continue research.

- Ascertain effective programs for managing complex issues, such as Truancy or Runaway Court, to support girls in solving the root problems which lead to this behavior
- Research the complex role of violence in the lives of juvenile offenders, as perpetrators, as victims, among peers and inside families