

Status of Females in the Juvenile Justice System

Iowa ~ 2007

On October 12th 2007, the inaugural Girls' Summit on females in the juvenile justice system was held. This Summit brought together key decision makers in an exploration of research and data.

Those who attended were also asked to make recommendations regarding a course of action. This report represents an effort to improve our response to these young women in Iowa. It highlights pertinent information covered at the Summit as well as resulting conclusions and recommendations.

On behalf of the Iowa Gender Specific Services Task Force and the participants of the Girls' Summit, it is my hope that this report will serve as a road map for necessary improvements as well as a means to reinforce the effective tools that are already in place.

There are differences that exist between young women and young men in the juvenile justice system and the efficacy of professionals rests heavily on a better understanding of these differences and how they impact the justice system response.

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**The Girls' Summit: Status of Females
in the Juvenile Justice System was sponsored by:**

**Iowa Gender Specific Services Task Force
Division on the Status of Women
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This report is also available on the Iowa Gender Specific Services Task Force website.
To view it on line or to learn more about the Task Force, visit www.state.ia.us/dhr/sw/girls

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Abuse/Neglect: Pathway into the Juvenile Justice System

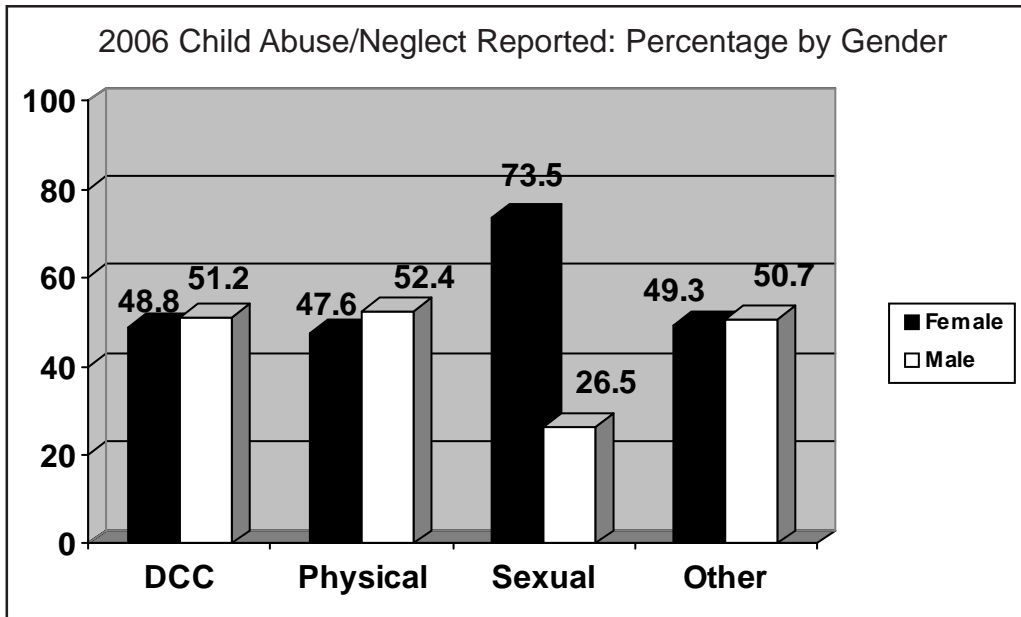


Figure 1 data source: Iowa Department of Human Services

The experience of abuse and trauma is common among young women who are involved in the juvenile justice system. It is widely considered a pathway into delinquency.

Iowa statistics from the year 2006 reflect no statistically significant difference between genders in reported Denial of Critical Care (DCC), Physical Abuse and Other (includes: Mental Injury, Presence of Drugs, Prostitution, Manufacture/Production or Delivery of Substances).

In contrast, reported cases of sexual abuse were much higher for females (73.5%) than for males (26.5%). It must be noted that although there is a considerable stigma attached for anyone reporting sexual abuse, it is more substantial for males. Therefore, they are less likely to report sexual abuse. Regardless, multiple studies confirm that the number of children in the juvenile justice system with a history of abuse far exceed the number of children in the general population with that same history. Ultimately, working with females in the juvenile justice system often means working with females who have a history of abuse.

Nature of Offenses

Approximately 30% of the complaints made against juveniles in Iowa are against females. Because they are a significantly smaller portion of the juvenile justice population, offense categories where females outpace their male counterparts are particularly noteworthy.

Of the top ten offenses for young women during 2005, shoplifting (1,366 females v. 1,202 males) and runaway (273 females v. 199 males) are the offenses for which female arrests outnumber those of males. Running away is not technically an offense in Iowa, however, it is counted as such when a young person is reported as a runaway and is taken into custody by police.

While males outnumber females in Liquor Law Violations (1,219 v. 854), females have a higher percentage of Liquor Law Violations (12.5% v. 8.4%).

A third area of note when examining what types of offenses are being committed by young women is violent versus non-violent crime. Females in the juvenile justice system in Iowa are by and large non-violent offenders. Simple Assault is the sole exception of their top offenses and although it is a violent (person) offense it is considered low level (misdemeanor).

Young Women in Detention

Holding a juvenile in detention is a commonly used sanction in the juvenile justice system to manage young offenders. Figure 3 shows that the majority of juveniles held in detention are held for misdemeanor offenses. The disparity is more significant for females than for males (14% more females than males are held in detention for misdemeanors).

During the Girls' Summit, participants discussed broad ranging potential causes for this circumstance from faulty data to overprotectiveness of females to intolerance of females who don't fit standard gender roles. Without question, the issue of young women in detention bears further research.

<u>Top Ten Offenses for Females (2005)</u>		
	Number	%
Shoplifting	1,366	20.1
Liquor Law Violations	854	12.5
Simple Assault	790	11.6
Disorderly Conduct	732	10.7
All Other Offenses*	615	9.0
All Other Larceny	426	6.2
Drug Violations	371	5.4
Runaway	273	4.0
Curfew	250	3.6
Vandalism	247	3.6

Figure 2 data source
2005 Iowa Uniform Crime Report

**Includes; Possession of Burglary Tools, Cigarette Law Violations, Cruelty to Animals, Failure to Appear, Harassment, Harboring, Hit and Run, Leaving the Scene, Indecent Exposure, Obstruction, Obscene Phone Call, Probation Violation, Scalping, Unlawful Assembly*

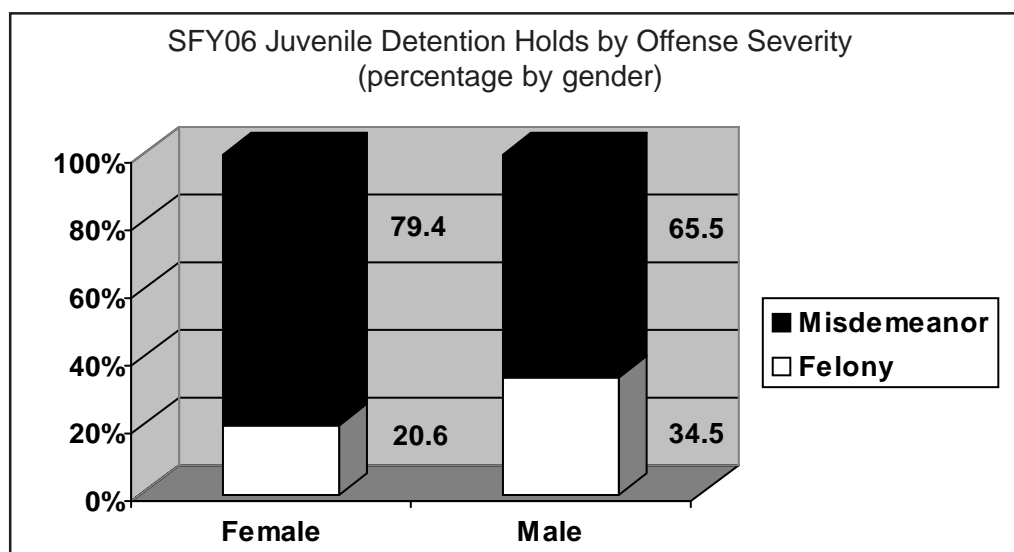


Figure 3 data source Iowa Criminal and Juvenile Justice Planning

Disproportionate Minority Contact

In the State of Iowa, young African American women are at greatest risk of disproportionate contact with law enforcement and juvenile justice authorities. Young Native American women also appear to be at higher risk, however it must be noted that their overall population is low (less than 1%) compromising the significance of their number when compared to their white counterparts.

Minorities, especially African American females, have higher rates of arrest, referral to juvenile court and secure detention in relation to white females. The disproportionality of young women of color having contact with the juvenile justice system is consistent with the experience of adult females as well. During the Girls' Summit, this was one of the many areas where juvenile females showed similarities to adult females. This further underlines the need to impact delinquency and its causal factors at an early age.

Relative Rate Index Compared with White Juveniles State of Iowa - Females Reporting Period: January - December 2006				
	Black or African American	Hispanic or Latina	American Indian or Alaska Native	All Minorities
Juvenile Arrests	5.18	1.15	4.25	2.84
Refer to Juvenile Court	4.32	1.17	2.83	2.57
Cases Diverted	0.76	0.88	0.45	0.79
Cases Involving Secure Detention	2.05	1.36	2.98	1.76
Cases Petitioned	1.46	1.06	0.76	1.57
Cases Resulting in Delinquent Findings	1.30	1.18	0.83	1.18
Cases Resulting in Probation Placement	1.12	0.70	1.32	1.02
Cases Transferred to Adult Court	0.77	2.27	1.19	0.82
Figure 4 data source Iowa Criminal and Juvenile Justice Planning Release 1/02/04				

What is the Relative Rate Index?

The Relative Rate Index is calculated by counting the rate per 1,000 in any given category for a minority group and dividing that by the same rate for white females. So, in Figure 4, African American females are 5.18 times as likely to be arrested as white females and all minority girls are 2.84 times as likely to be arrested as white females, etc.

Recidivism and Violent Offenses

Figures 5 thru 7 (pg. 5) were taken from a point in time study of the Iowa juvenile justice system. The study examined original complaints (offenses) as well as subsequent complaints of all juvenile females during the indicated time frames. There were 1,073 females with subsequent complaints during the period of July 2004 through December 2006.

The most notable changes when comparing original to subsequent complaints of females are in the "Property" and "Violent" categories. Property offenses dropped 7.1% (39.7% to 32.6%) and violent offenses rose 7.7% (16.4% to 24.1%) between original and subsequent complaints. By comparison, males in the same study showed little change in offense type from original to subsequent offense with a 1% decrease in property complaints and a 1.7% increase in violent complaints.

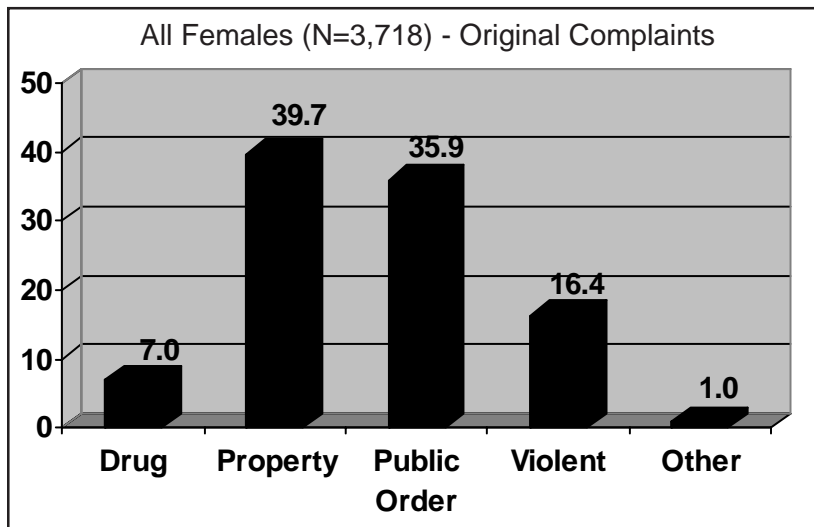


Figure 5 depicts offense types for 3,718 females with complaints between January and June 2004

Figure 5: data source Iowa Justice Data Warehouse

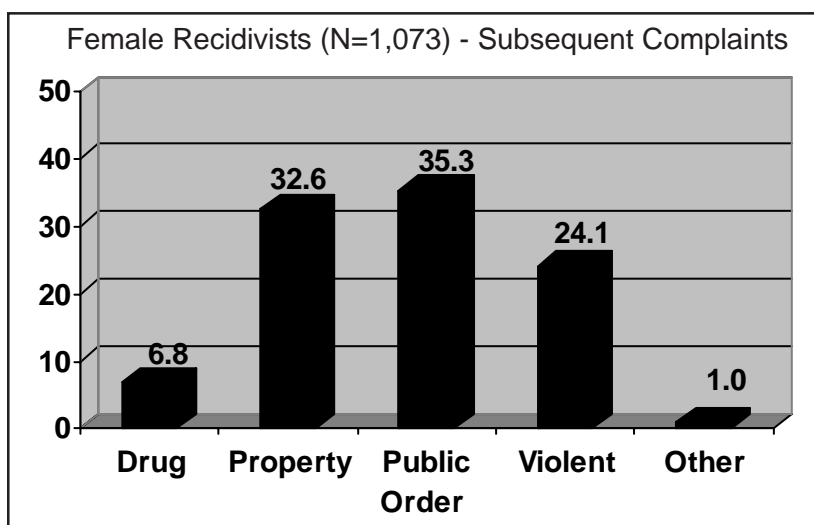


Figure 6 depicts offense types for those females with subsequent complaints between July 2004 and December 2006

Figure 6: data source Iowa Justice Data Warehouse

This study also more closely examined female recidivists with subsequent violent offenses. Figure 7 shows the original complaints of these females.

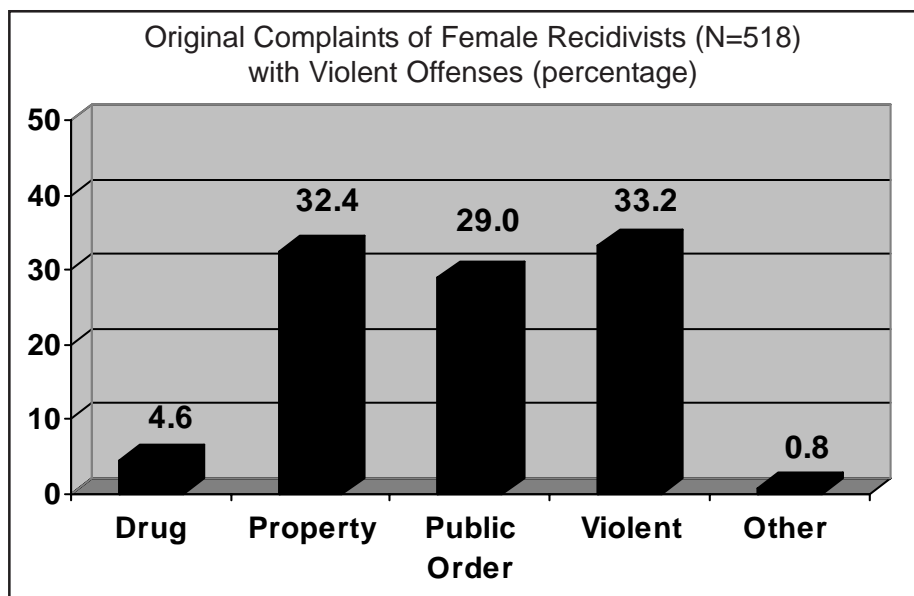


Figure 7: data source Iowa Justice Data Warehouse

Figure 7 depicts original complaints from the period of January through June 2004 for the 348 females who reoffended between July 2004 and December 2006

As shown in Figure 7, young women who have a subsequent violent complaint offended initially with a higher rate of violent complaints (33.2%). They had nearly equal levels of property (32.4%) and public order complaints (29%) as well. Essentially, females who have violent offenses when they recidivate are more likely to have violent offenses when they first come into contact with the juvenile justice system.

Characteristics that Distinguish Juvenile Female Offenders in Iowa

Characteristics that tend to distinguish a young woman from a young man in the juvenile justice system:

- *She has experienced sexual abuse at a higher reported rate.
- *She is more likely to be held in detention for a misdemeanor offense.
- *If she re-offends, the probability that she will commit a property offense decreases and the probability that she will commit a violent offense increases.
- *She has different mental health issues, particularly depression.
- *She struggles with body image, gender role and sexuality issues.
- *She is white, however African American girls are a significantly higher proportion of the juvenile justice population than they are of the general population.
- *She is at the “front end” of the juvenile justice system. As juveniles penetrate deeper into the system, numbers of young women diminish.
- *She has been charged with shoplifting, liquor law violations, simple assault and/or disorderly conduct (top four offenses for young women).
- *She is more likely to be taken into custody for running away.
- *She shares similar traits and experiences of women in the adult corrections system.

Conclusions

Young women involved in the juvenile justice system present with characteristics and experiences that differentiate them from their male counterparts. As such, the juvenile justice system in Iowa must consider these factors if it is to effectively and efficiently impact recidivism and rehabilitation.

Participants in the Girls' Summit on females in the juvenile justice system concluded the following, based on both their own expertise and the information presented to them:

- ~ The juvenile justice system is not designed to meet the mental health needs of females, particularly trauma related to abuse. This can lead to retraumatization by the system and exacerbation of delinquent behavior. Nor is it designed to deal adequately with substance abuse problems among juvenile females.
- ~ Females are a smaller portion of the juvenile justice system and there is a tendency to expect them to fit into programming designed for and based on research about white males. Training limitations impact the systems ability to adequately respond to their unique needs, including but not limited to understanding that they often commit crime for different reasons than males and that young women of color have a different experience.
- ~ There is a lag in the research on females in the juvenile justice system and as such there is a lack of intervention and prevention services with proven outcomes. It is important to provide the right intervention rather than simply more of any existing interventions.
- ~ Resources are limited, especially in rural areas of the state.
- ~ Juvenile females share many of the same traits as females in the adult corrections system. They also share similar service needs. Transition planning chief among them.
- ~ The data is symptomatic of broader issues:
 - * Increased criminalization of behavior/Less flexibility in sentencing
 - * Overpenalizing, sometimes to facilitate getting limited available services
 - * Gender-based overprotection (e.g. holding a female in detention because she is on probation and behaving promiscuously)
- ~ Knowledge of existing research on what differentiates young women begins to acquaint us with the unique pathways that lead them into the juvenile justice system. Extending that research and acting on it by intentionally taking gender into consideration in program and system design allows us to begin to impact the rising rate of young women in the juvenile justice system.

Historically, young women have been a smaller segment of the juvenile justice population. They remain so today. Consequently, they are easy to overlook. But Iowa's response to them is no less important. Perhaps, because they are fewer in number, our system can have a true and meaningful influence with prevention of further penetration into both the juvenile and adult systems being the ultimate goal.

Recommendations

Designing Gender Specific Programs

It is necessary for programs that address the juvenile justice population to adopt principals that respond to the needs of young women. This includes meaningful educational and vocational alternatives, comprehensive sexuality education and appropriate health care services. Special emphasis should be placed on increasing family involvement, addressing traumatic abuse and deliberative planning for transitions between programs, to and from home and from the juvenile system to independent adulthood. Overall, there needs to be an increase in gender specific programming across the continuum of the juvenile justice system. This includes but is not limited to:

Single gender treatment environments; Female responsive substance abuse treatment; Comprehensive sexuality education; Increase use of mentoring and other partnerships with non-exploitive adults

Shifting the System for Better Results

Justice system entities can more effectively address the unique needs of young women by increasing collaboration within and making a commitment to system improvement. Included in systemic change would be earlier intervention and the use of assessment tools that consider gender differences. In addition, system officials must be given more flexibility in dealing with juveniles. Currently, services based on need are more easily obtained and funded when young women have delinquent complaints filed against them. Services should be available without pulling them into the justice system. Of particular importance is the overlap among delinquent females and females with significant mental health and/or substance abuse and trauma related issues. System improvements include but are not limited to:

Improve provision and availability of mental health services; Screen for and treat trauma and abuse; Prevention and earlier intervention; Case planning based on needs and strengths rather than risks alone; Use of gender responsive assessment tools; Use of detention alternatives for misdemeanor offenders; Improve transition planning

Investing in Young Women for Improved Outcomes

Policymakers and the public need to be better informed about not only the gender based differences that exist among juveniles but the misconceptions that abound and hamper efforts to effectively divert young women from the justice system. Community support is important to the success of young women, particularly in the rural areas of our state. Legislative support for gender specific programming is crucial as is the provision of the funds and training necessary to implement it. Moreover, policymakers and program providers would benefit from research about young women and the efficacy of both existing programming and emerging best practices. Investing in young women includes but is not limited to:

Fund research on all aspects of females in the juvenile justice system; Intentionally consider gender as a factor in community response planning; Discontinue use of zero tolerance policies in schools and other mandates that diminish flexibility; Mandate training for juvenile justice system and related field personnel on gender specific services for females, including broad spectrum diversity issues; Increase funding and use of community based and local programs to facilitate family involvement; Ensure academic credit follows the student as they move through the system

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