

DELORES
BARR WEAVER



POLICY CENTER

A Wake-Up Call: Trends in Girls' Involvement in the Justice System

*Vanessa Patino Lydia, MPA and Paige Baker, MS
(With contributions from Aubrey Moore and Eva Jenkins, MA)*

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Introduction

This publication highlights the trends of girls' involvement along the juvenile justice continuum in Florida (arrest, diversion, detention, probation, commitment, and transfer to adult system). It also identifies the current disparities for girls and young women that warrant immediate attention and immediate action. These include the arrest and incarceration of girls for non-felonies at higher rates than boys, commitments for violations of probation, and the needs of girls which require a different approach.

In 2006, *Rallying Cry for Change* was published to chart a new direction in Florida's response to girls in juvenile justice. This report highlighted significant gender disparities within the Florida Department of Juvenile Justice. For example, girls who were low risk to reoffend were placed in moderate and high risk residential programs.¹ Also, *Rallying Cry for Change* also provided detailed information about the profile and treatment needs of 319 girls in residential and non-residential program.² In addition, the report outlined potential positive outcomes of providing interventions that support specialized mental health and substance abuse, physical health, educational services and transitional programming to address girls' needs. Today the rates of referrals and commitments for girls are decreasing statewide. However, our work in the field suggests a continued urgent need to facilitate local, statewide, and national change in the system's response to girls.

The Policy Center recognizes that it is critical to look at data by gender and intersection of race/ethnicity. This perspective helps us to better understand not only the trends but to identify the disparities so we can effectively respond and build an equitable system. The large amount of data that already exist provides an opportunity to organize it in a manner that shows the trajectory of youth through the system. Of particular interest to the Policy Center is to utilize the data to look at the disposition differences for girls based on offenses. Without this type of analysis, it is challenging to define the problem. Aggregating the data in this meaningful

About the Policy Center

The Delores Barr Weaver Policy Center conducts research, develops model programs based on the research, provides training to help expand quality programming and advocates for policies and practices that will best meet the complex needs of girls. Our mission is to make Duval County, Florida and the surrounding first coast communities the model for the nation on effectively responding to girls already in the juvenile justice and child welfare systems or whose circumstances are likely to lead them into those systems.

¹ Patino, V., Ravoira, L. & Wolf, A. (2006). *A rallying cry for change: Charting a new direction in the state of Florida's response to girls*. Oakland, CA: National Council on Crime and Delinquency.

² Ibid.

and deliberate way clearly highlights not only where we are failing to prevent, divert, intervene and provide appropriate treatment for girls but also where we have opportunity to hold ourselves accountable to girls and families who are the most invisible in this discourse.

Needs of girls in Florida’s Juvenile Justice System

Girls’ Needs Requiring a Different Approach

Girls have more significant abuse histories than boys. According to the Florida Department of Juvenile Justice PACT (Positive Achievement Change Tool) Assessment data, girls’ needs are different than boys, thus requiring a different treatment approach (see table 1). Of note, girls and boys in Florida both had comparable rates of witnessing violence and experiencing trauma. However, girls were more likely to experience both sexual and physical abuse. In fact, 24% of girls’ experienced sexual abuse compared to only 4% of boys, and 26% of girls reported histories of physical abuse compared to only 15% of boys. In addition, 27% of girls have experienced an out of home placement compared to only 17% of boys. Research suggests that rates of sexual and physical violence against girls are underreported and that approximately 56% of girls in juvenile justice report sexual abuse histories.³

Girls have unique mental health needs. According to PACT assessments, diagnosed mental health problems are a significant need for youth entering juvenile justice system in Florida (57% of girls, 48% of boys). Girls have higher rates of attempted suicide and self-mutilation. For example, 14% of girls have attempted suicide compared to 5% of boys. Similarly, a higher percentage of girls have histories of self-mutilation (8%) compared to boys (2%).

Table 1.1: Statewide Youth Need by Gender and Race										
School Family Social Measure Names	All Girls	All Boys	Black Girls	Black Boys	White Girls	White Boys	Hispanic Girls	Hispanic Boys	Other Girls	Other Boys
PACT Assessments	10147	41152	4950	20762	3929	14196	1223	6053	45	141
Not Enrolled in School	5%	6%	6%	6%	5%	5%	4%	6%	2%	5%
Dependency Petitions	17%	11%	17%	11%	19%	14%	14%	6%	11%	18%
Parent Prison History	31%	28%	32%	29%	32%	31%	26%	19%	20%	21%
Parent w/ MH/Drug Problem	31%	26%	28%	23%	38%	34%	24%	21%	29%	22%
Placed Out of Home	27%	17%	26%	16%	29%	21%	22%	11%	20%	23%
Suspension History	81%	86%	84%	87%	80%	84%	75%	83%	91%	78%

³ Sherman, F. & Levick, M.L. (2003). When Individual Differences Demand Equal Treatment: An Equal Rights Approach to the Special Needs of Girls in the Juvenile Justice System. *Wisconsin Women's Law Journal* 18(1): 9-50.

Neglect	14%	10%	12%	7%	18%	13%	9%	7%	9%	19%
Physical Abuse History	26%	15%	23%	12%	31%	22%	24%	12%	33%	20%
Sexual Abuse History	24%	4%	19%	2%	30%	6%	22%	3%	36%	2%
Trauma- Neglect	78%	72%	78%	73%	80%	73%	71%	65%	84%	70%
Witnessed Violence	72%	69%	74%	70%	72%	70%	66%	62%	84%	67%
Diagnosed MH Problem	57%	48%	35%	25%	49%	39%	38%	24%	47%	30%
Self Mutilation History	8%	2%	4%	1%	13%	4%	8%	1%	2%	0%
Suicide Attempted	3%	1%	10%	3%	19%	7%	15%	4%	16%	2%
Suicide Ideation	14%	5%	22%	9%	38%	20%	27%	10%	31%	8%
Somatic Problems	3%	1%	2%	1%	4%	2%	4%	1%	7%	2%
Drug Problem	22%	26%	12%	22%	33%	31%	22%	29%	38%	24%
Alcohol Problem	10%	9%	4%	5%	17%	14%	12%	10%	24%	20%

Source: Florida Department of Juvenile Justice PACT Profile, 2011-12

Needs for girls vary by race/ethnicity. White girls reported higher mental health and drug problems and also had parents with a mental health or drug problem as well as greater reports of neglect compared to their peers. In contrast, girls falling into the “other” category, which includes American Indian and Asian girls, reported higher experiences of trauma, sexual abuse, and witnessing violence than their peers. While not a sizeable difference, it is important to note that 6% of Black girls were not enrolled in school.

Considerations for LGBT Youth

Lesbian, Gay, Bisexual, and Transgender (LGBT) girls are at high risk for being rejected by their families. Runaway behaviors can lead to these youth to becoming truant and homeless and, as a result, more at risk for substance use, depression, exchanging sex to meet basic needs, delinquency, and victimization.⁴ In fact, girls who are lesbian, bisexual, or questioning (LBQ), or who are gender non-conforming (girls whose behavior or appearance is different from social expectations of femininity) account for about 27% of girls in the juvenile justice system.⁵

LGBT girls in the juvenile justice system represent a marginalized population. Because they face threats to their physical and mental health safety based on their sexual orientation, it is critical

⁴ Ray, N. (2006). Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness. New York: National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.

⁵ Irvine, A. 2010. “ ‘We’ve Had Three of Them’: Addressing the Invisibility of Lesbian, Gay, Bisexual, and Gender Non-conforming Youth in the Juvenile Justice System.” Columbia Journal of Gender and Law, 19(3).

that policies exist and are consistent. Additional services and trained staff must be available to meet their needs.⁶

Considerations for Pregnant/ Parenting Girls

Unfortunately, the data on pregnant girls in custody is limited. However, based on National Council on Crime and Delinquency's (2006) Rallying Cry research in Florida, 35% of girls in residential programs reported having experienced a pregnancy, and 10% of the girls had children. This data reflects more recent national research which indicates that girls in the system are more likely to be parents than their non-justice-involved peers (9% vs. 6% in general population).⁷ The Rallying Cry for Change and the Justice for Girls Blueprint for Action have called for comprehensive health assessments including gynecological services and prenatal and post partum care for pregnant girls. Further, specialized programs for pregnant and parenting girls to be with their children should be available.

Considerations for Victims of Sex Trafficking

Since the establishment of the National Human Trafficking Resource Center national tip line, Florida has ranked third for calls reporting child sexual exploitation.⁸ Over 1200 cases of human trafficking have been investigated by the Florida Department of Children and Families, and 717 potential victims of trafficking were involved in the Florida Department of Juvenile Justice (DJJ) system.⁹ DJJ data indicates that over half of sex trafficking victims interacted with DJJ before their cases were reported to the Child Abuse Hotline; many of these victims had previously been arrested for theft or assault and 4% for prostitution or related sex offenses.¹⁰ This points to an opportunity for victims to be identified and linked with appropriate services when they first interfaced with the system. Florida DJJ has committed to increase identification of victims of human trafficking and connect them to state resources, by the end of 2014.¹¹ This will be critical in light of the fact that this is currently an unfunded mandate, there are no safe houses, limited training, and communities are struggling with how to respond.

Research suggests that the majority of sexually exploited youth are girls and young women who frequently share histories of early sexual violence, physical abuse, family disengagement, trauma, and neglect. One major study estimated that 75% of runaway and sexually exploited girls are controlled by pimps¹² and that the average age for recruitment into sex trafficking is 11-14 years old. Victims/survivors require specific, trauma-informed interventions including substance abuse intervention. Further, policies, practices, and processes and training need to

⁶ Urban Justice Center. 2001. *Justice for all? A report on lesbian, gay, bisexual and transgendered youth in the New York juvenile justice system.*

⁷ Sedlak, A.J. & Bruce, C. (1020). Youth's characteristics and backgrounds. *Office of Juvenile Justice Delinquency and Prevention*; U.S. Census Bureau, 2004.

⁸ National Human Trafficking resource center. (2010). National data FFY2010: 299 Continued Presence Status issued. available at: <http://www.dcf.state.fl.us/programs/humantrafficking/docs/ContinuedPresence.pdf>.

⁹ Florida Department of Juvenile Justice. (2013). *Roadmap to System Excellence: Putting Families First in Transforming Florida into a National Model for Juvenile Justice.*

¹⁰ Ibid.

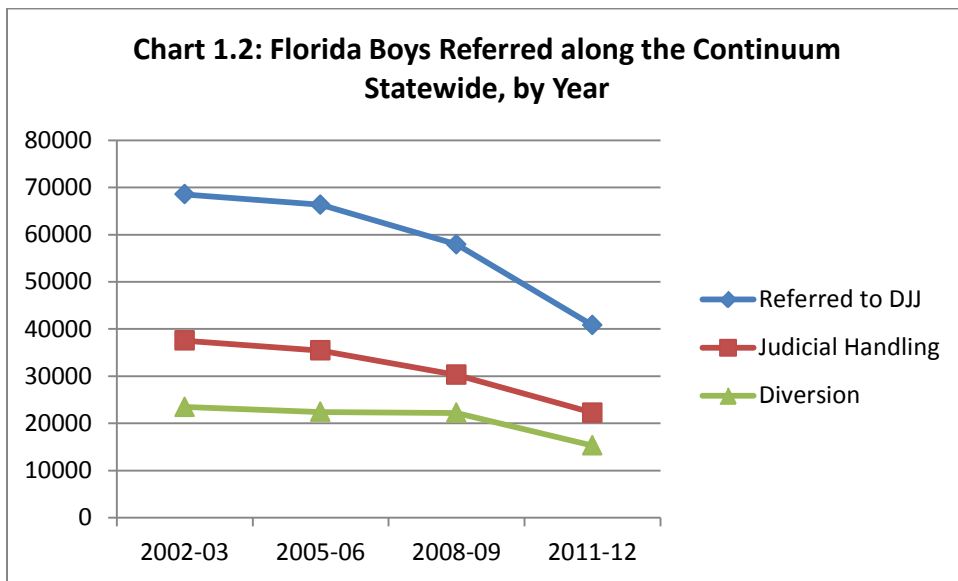
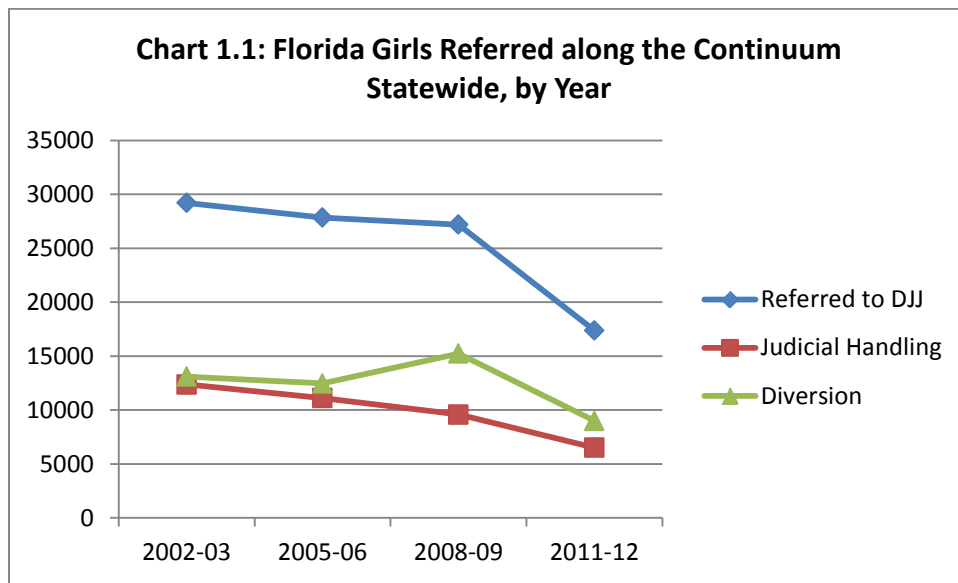
¹¹ Ibid.

¹² Estes, R.J., & Weiner, N.A. (2001). *The commercial sexual exploitation of children in the U.S., Canada and Mexico.* University of Pennsylvania School of Social Work, Philadelphia.

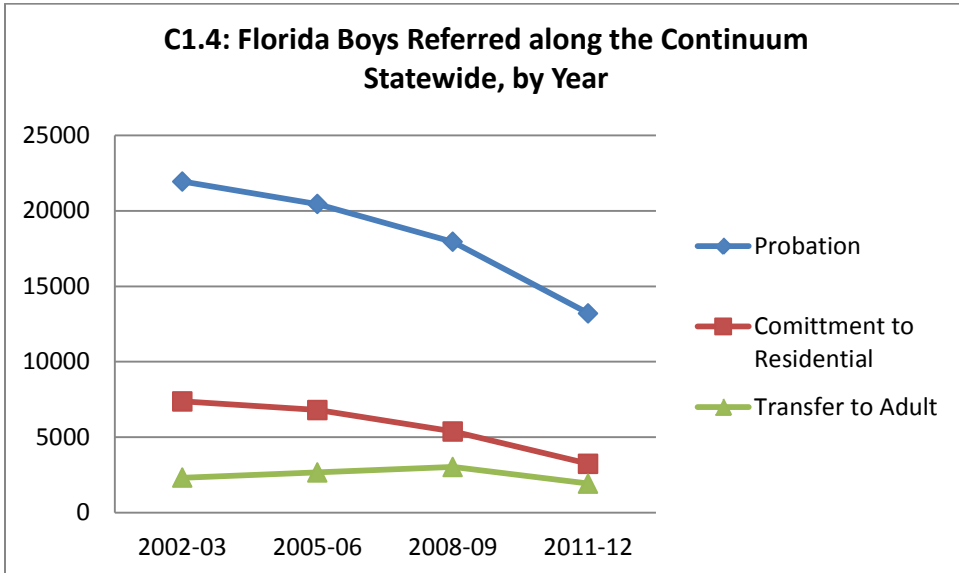
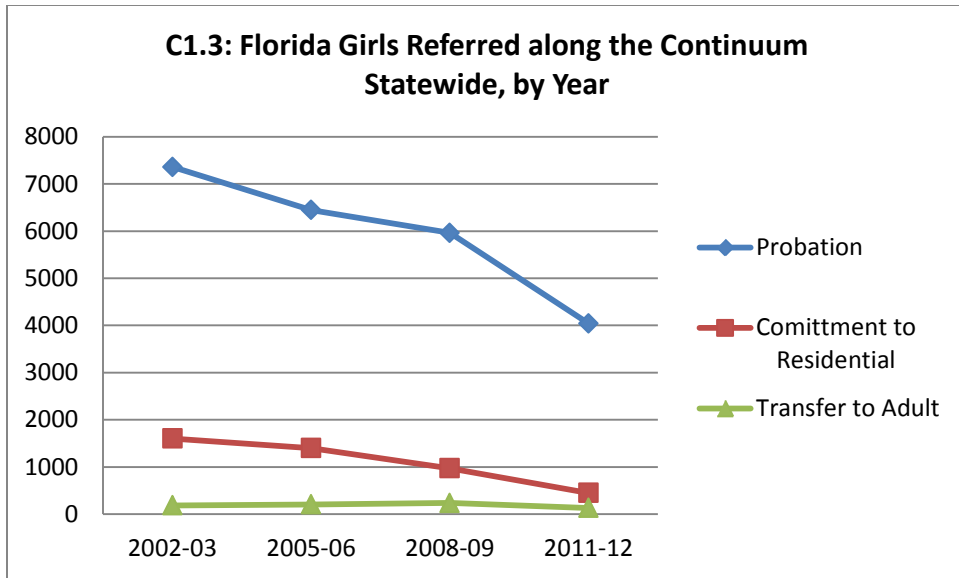
be evaluated to ensure that they are responsive to girls' needs, culturally appropriate, and do not blame or re-traumatize the victim.

10 Year Statewide Arrest and Incarceration Trends

Rate of Arrest is decreasing for all youth. Overall, the number of youth referred to the Florida Department of Juvenile Justice with an arrest has decreased by 40% since 2002. In 2002-2003, 97,743 youth were referred compared to 58,173 youth in 2011-12. This equates to a 41% decrease in girl referrals and a 40% decrease in boy's referrals. Over the last ten years, girls have represented 30% of all juvenile arrests, with a high of 32% in 2008-09.



Source: Department of Juvenile Justice Delinquency Profile



Source: Department of Juvenile Justice Delinquency Profile

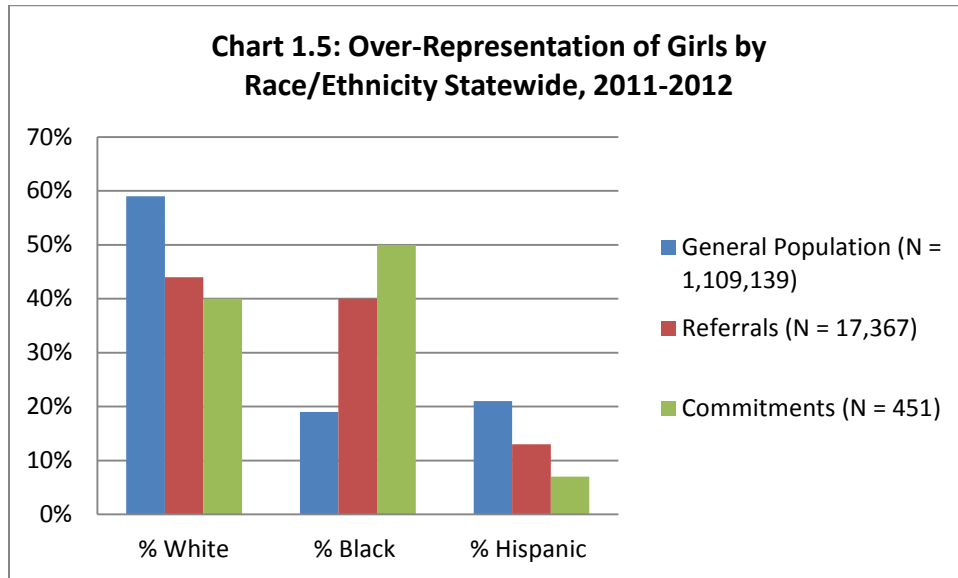
The proportion of girls diverted from the judicial system has remained about the same. In 2002-03, 36,557 youth were diverted, and 36% of those diverted were girls. Finally, in 2011-12, 24,284 youth were diverted, and 37% of those were girls.

Rate of Commitment is decreasing. Since 2002, the total number of Florida youth committed to residential placements has decreased by 59%. In 2002-2003, 8,983 youth were committed compared to 3,690 youth in 2011-12. This indicates a 72% decrease in commitments of girls compared to a 56% decrease in commitments of boys.

Despite these decreases, girls in Florida are placed in residential facilities at higher rates than the national average. In 2010, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) *Census of Juveniles in Residential Placement* most recent state by state commitment statistics note that 73 per 100,000 girls were placed in residential facilities in Florida compared

to the national average of 61 per 100,000 girls. This rate is slightly higher than states of comparable population size, California (64), Texas (53), and New York (75).

Girls of color are over-represented in the Florida juvenile justice system. White girls account for 59% of the girl population (age 10-17) and they make up 44% of referrals and 40% of commitments. In stark contrast, Black girls are 19% of the girl population (age 10-17), but account for 40% of referrals, 48% of secure detention and 50% of commitments of girls. Hispanic girls account for 21% of population but 13% of referrals and 7% of commitments. These disparities may be even higher by region.



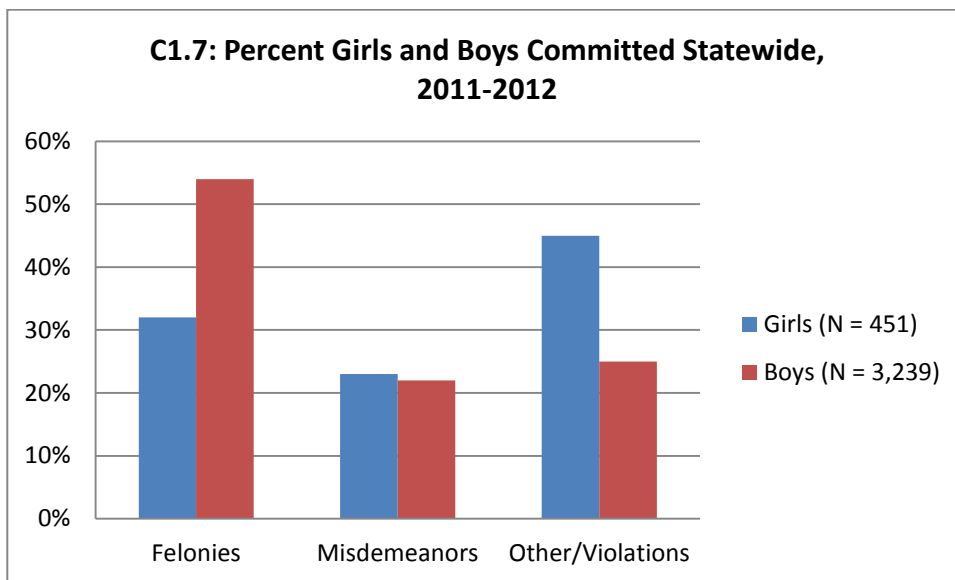
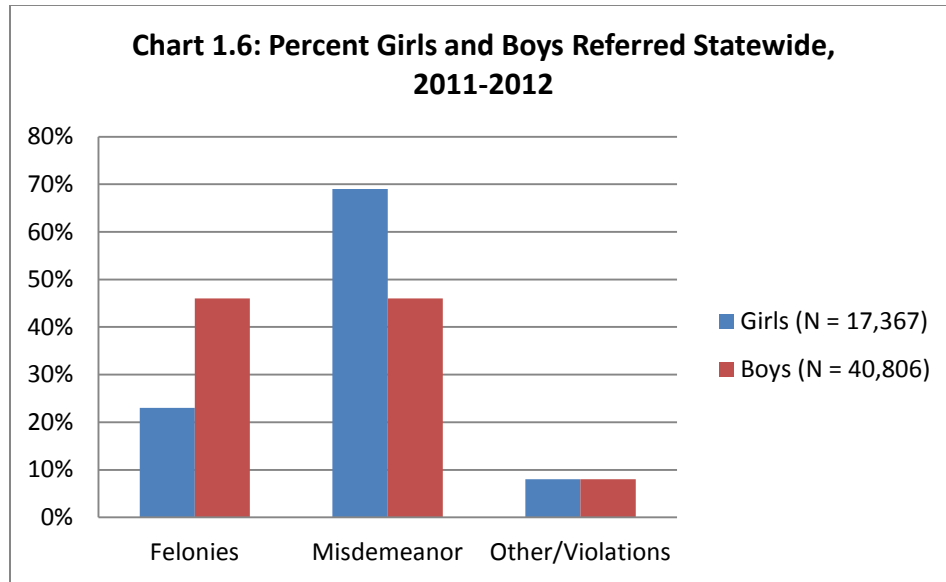
Source: Department of Juvenile Justice Delinquency Profile and Office of Economic and Demographic Research 2010 Census Counts

Spotlight on Disparity Trends along the Continuum by Gender, 2011-12

The juvenile justice continuum includes arrest, detention, probation, commitment, or direct file/waived to adult system. A glossary explaining the various stages of the continuum can be found in Appendix B of this publication.

Arrest

Girls are arrested for non-felony offenses at higher rates than boys. More specifically from 2011-2012, 77% of girls were arrested for non-felony offenses compared to 54% of boys.



Source: Florida Department of Juvenile Justice Delinquency Profile

The types of offenses that bring girls into the system are different than boys. Girls are most often arrested for misdemeanor assault and battery or misdemeanor petit theft. These charges account for 51% of all arrests for girls between the 2011 – 2012 fiscal year.

Most Frequent Reasons for Girl Referrals and Commitments	Girls Arrests % of Total	Girls Commitment % of Total
Misdemeanor Assault & Battery	26%	10%
Misdemeanor Petit Theft	25%	5%
Felony Aggravated Assault & Battery	8%	15%
Misdemeanor Disorderly Conduct	6%	1%

Misdemeanor Drug	5%	1%
Felony Grand Larceny	4%	4%
Felony Burglary	4%	4%
Violation of Probation	3%	38%
Misdemeanor Resist Arrest	3%	4%

Table 1.3: Referrals and Commitments for Boys Statewide, 2011-2012		
Most Frequent Reasons for Boys Referrals and Commitments	Boys Arrests % of Total	Boys Commitment % of Total
Felony Burglary	16%	20%
Misdemeanor assault or battery	13%	6%
Drug Misdemeanor	11%	3%
Misdemeanor petit theft	10%	3%
Felony Aggravated Assault or Battery	9%	6%
Violation of Probation	4%	20%
Drug Felony	3%	3%
Felony Grand Larceny	3%	5%
Felony Auto Theft	2%	4%
Felony Other Robbery	1%	4%
Other Offense Transferred	8%	4%

Source: Department of Juvenile Justice Delinquency Profile

Of note, the Florida data demonstrates that the majority of girls charged with assault/battery involve altercations with a family member. Perhaps more poignantly, the national research indicates that girls are more likely to be charged with domestic violence or acts of violence towards members of the household than boys.¹³ This necessitates a critical examination of the domestic violence laws which disproportionately affect girls. For example girls charged with domestic violence are less likely to have experienced previous delinquency than boys.¹⁴ Further, some research suggests that societal expectations of girls as being more docile, passive, and feminine enables harsher punishment when they deviate from that social norm. Thus, girls who act out regardless of the reasons often face a social double-standard and harsher punishment.

¹³ Winokur, K.P. (2002). The nature of female juvenile offender involvement in domestic violence-related offending. *Justice Research Center*. Available at: <https://www.ncjrs.gov/pdffiles1/pr/202931.pdf>.

¹⁴ Steffensmeier, D., Schwartz, J. & Ackerman, J. (2005). An assessment of recent trends in girls' violence using diverse longitudinal sources: Is the gender gap closing? *Criminology*, 43(2).

Commitment

Girls are committed for non-felony offenses at higher rates than boys. In 2011-2012, 3,690 youth were committed to Florida residential programs. Girls made up 12% of commitments while boys made up the remaining 88%. Importantly, 68% of girls are committed for non-felony offenses compared to only 46% of boys.

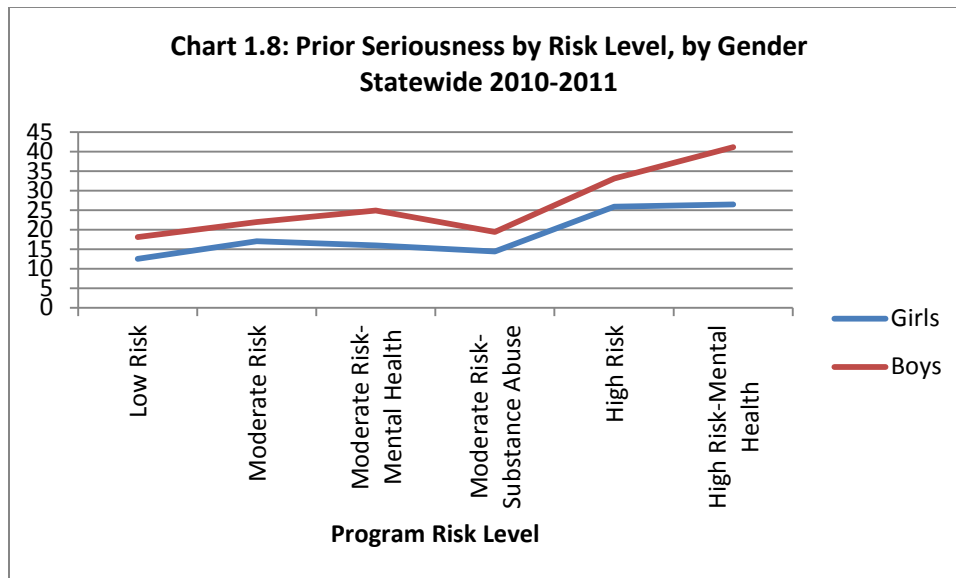
Girls face disproportionately harsh disposition. Almost half of the girls (45%) were committed for “other offenses” compared to 25% of boys. Other offenses include violation of probation, contempt, violation of aftercare, violation of local ordinance, or traffic offenses. **The top reason girls were committed is a violation of probation:** 38% of girl commitments in 2011-2012 were for a violation of probation whereas 20% of boys were committed for the same offense. This is even more striking since only 3% of girls were arrested for a violation of probation.

Girls’ race/ethnicity contributes to disposition disparities for same offenses. For example, there were 800 Black girls charged with aggravated assault (19% diverted and 5% committed) compared to 425 White girls charged (21% diverted and 4% committed) in 2011-12. The disparity was significantly worse for the 181 Hispanic girls referred (25% diverted but 14% committed). Hispanic girls had higher percentage of commitments (14%) compared to commitments of Hispanic boys (4%) for aggravated assault offenses.

Girls who are committed have lower previous criminality¹⁵. Across every public safety program risk level, the average prior seriousness of girls’ crimes was significantly lower than boys.¹⁶ This disparity is most significant within high risk-mental health programs, moderate risk-mental health, and high risk facilities. For example, girls had an average criminality score of 26.5 compared to 41.2 for boys in high risk mental health program. One explanation for this is that girls are sent to high risk mental health programs because services are not available elsewhere even though their charges would warrant less secure placement.

¹⁵ Average Prior Seriousness Index score is calculated by DJJ for each youth by assigning point values to prior charges based upon the seriousness of the adjudicated charged offenses.

¹⁶ Average Prior Seriousness Index: Designed to provide an indication of the extent and seriousness of youth’s delinquency histories. A seriousness score is calculated for each youth by assigning point values to prior charges based upon the seriousness of the adjudicated charged offenses. One of the following values is assigned to each charge: Violent felony – 8 points; Property or other felony – 5 points; Misdemeanor – 2 points; Any other charged offense – 1 point. The Average Prior Seriousness Index is calculated by dividing the total seriousness scores by the total number of youth completing the program during the fiscal year.



Source: Florida Department of Juvenile Justice Delinquency Profile

Girls may not be in the appropriate placement. Statewide, girls are most likely to be placed in moderate-risk facilities (73%). This rate was relatively similar for boys (68%). However, one in five committed girls (20%) were placed in low-risk residential facilities compared to only one in 10 boys (10%). Of note, the *Rallying Cry for Change* research found that many girls were sent to moderate and high risk DJJ programs as their first placement.¹⁷ Girls who pose a low risk to the community and are charged with minor offenses should be granted alternative placement options.

Impact of Girls' Needs on Residential Commitment Experiences

In addition to the disparities that exist in commitment trends by gender in Florida, girls are further impacted because of their different needs inside of these facilities. Unfortunately for girls, the experience in residential placement can be traumatizing and lead to further victimization. The National Traumatic Stress Network (2004) reports that “many characteristics of the detention environment (seclusion, staff insensitivity, loss of privacy) can exacerbate negative feelings and feelings of loss of control among girls, resulting in suicide attempts and self-mutilation.”¹⁸ In addition, practices of physical restraint, chemical restraint, strip searches or other forms of physical contact can unintentionally cause girls to re-experience their abuse.¹⁹ It is important to note that at least three girls' residential programs have closed due to abusive conditions in recent years. In many cases, girls picked up additional

¹⁷ Patino, V, Ravoira, L. and Wolf, A. 2006. *Rallying Cry for Change: Charting a New Direction in the State of Florida's Response to Girls in the Juvenile Justice System*. Oakland, CA: National Council on Crime and Delinquency.

¹⁸ National Traumatic Stress Network. (2004). Trauma among Girls in the Juvenile Justice System. Available online: http://www.nctsn.org/nctsn_assets/pdfs/edu_materials/trauma_among_girls_in_jjsys.pdf.

¹⁹ Allen, J. G., Huntoon, J., & Evans, R. B. (1999). Complexities in complex posttraumatic stress disorder in inpatient women: Evidence from cluster analysis of MCMI-III personality disorder scales. *Journal of Personality Assessment*, 73(3), 449-471; Huckshorn, K. A. (2006). Re-designing state mental health policy to prevent the use of seclusion and restraint. *Administration and Policy in Mental Health and Mental Health Services Research*, 33(4), 482-491; Smith, S. B. (1995). Restraints: Retraumatization for rape victims? *Journal of Psychosocial Nursing*, 33(7), 23-28.

charges such as battery on a law enforcement officer from these programs and were transferred to other residential programs, serving additional time without review of their additional charges.

Recidivism

Girls have lower rates of recidivism than boys across every public safety risk level. For example, the average recidivism rate (likelihood of re-arrest within 1 year of completing program) was 13% for girls versus 43% for boys in a high risk mental health program. Contempt proceedings for probation violations allow the justice system to return girls to detention or residential commitment without committing a crime.²⁰ This has significant implications when girls’ lower risk of recidivism and lower public risk are taken into consideration. In most cases these rates are nearly half those of boys, and yet girls continue to be committed for less serious offenses and violations of probation.

Table 1.4: Recidivism by Gender and Program Level, 2011-2012		
Category	Recidivism	
	Girls Avg.	Boys Avg.
Low Risk	28%	46%
Moderate Risk	22%	45%
Moderate Risk-Mental Health	23%	45%
Moderate Risk-Substance Abuse	25%	41%
Moderate Risk-Sex Offender	N/A	19%
High Risk	28%	49%
High Risk-Mental Health	13%	43%
High Risk-Substance Abuse	N/A	45%
High Risk-Sex Offender	N/A	23%
Maximum Risk	N/A	33%
Maximum Risk-Mental Health	25%	N/A
Maximum Risk-Sex Offender	N/A	0%

Source: Florida Department of Juvenile Justice Delinquency Profile

Transfers to Adult Court

Girls account for significantly less transfer to adult court. Juvenile judges and prosecutors have the ability to transfer a juvenile case to the adult criminal court system. There were 2063 youth transferred in 2011-12. Over the last five years, this represents as a 54% decline for girls and 43% decline for boys statewide. Girls account for 6% of transfers. The majority of youth were age 17, although one girl and 37 boys were younger than 14 years old. Girls were most frequently waived to adult court for aggravated assault or battery, burglary, and drug felonies. Boys, however, were more frequently transferred for burglary, armed robbery and aggravated assault or battery.

²⁰ American Bar Association and the National Bar Association (2001). *Justice by gender: The lack of appropriate prevention, diversion and treatment alternatives for girls in the juvenile justice system.*

A Look at the First Coast

The Delores Barr Weaver Policy Center is committed to compiling research and data that informs comprehensive strategic planning efforts in Florida's First Coast/Northeast Florida (Duval, Clay, Nassau, Baker, and St. Johns counties). Understanding the data trends and needs of girls entering the juvenile justice system from the local community is the first step towards reform. The research provides insight to systemic areas that need our attention; where we are failing our girls. Data from 2011-12 revealed that Circuit 4 had the highest number of girls who were committed (n=60) than other counties similar in size including Miami-Dade (n=12), Broward (n=22), Hillsborough (n=20), Orange (n=43) counties.

Needs of girls in Florida's First Coast

Similar to statewide trends, significant differences exist by gender regarding the needs of First Coast youth. For example, dependency petitions for girls are nearly two times greater (22%) than boys (13%). Girls on the First Coast are also experiencing out-of-home placement (32%) more than boys (19%). There are greater reports of physical and sexual abuse, mental health needs, self-mutilation, suicide ideation and attempts, and family risk and needs among girls. Girls and boys both had comparable high rates of witnessing violence and experiencing trauma. Patterns of drug and alcohol use are similar for boys and girls but it is important to keep in mind that the reasons for drug use (e.g. self medicating due to trauma) may be different by gender (see Table 2.1). The following trends call for immediate attention:

Girls on the First Coast reporting higher sexual and physical abuse than statewide average. About 30% of girls on the First Coast reported histories of sexual abuse compared to the state average of 24%. Also, 29% of girls on the First Coast reported a history of physical abuse compared to the state average for girls at 26%. These numbers are relatively low in comparison to estimates as high as 60-80% for girls in Florida residential programs.²¹ Also, according to the Youth Risk Behavior Surveillance Survey, 14% of girls in grades 9-12 in Duval County reported higher incidences of "ever physically forced to have sexual intercourse (when they did not want to)" compared to 11.8% of girls surveyed across the United States.²²

Higher Involvement in Child Welfare System. One of the greatest differences by gender in Florida's First Coast region was that 22% of girls had dependency petitions compared to 13% of boys. The statewide average for girls was 17%. Additionally, the percentage of girls in the First Coast reporting out of home placement (32%) was higher than the statewide average for girls (27%). This could be related to slightly higher percentages of girls reporting parents with mental health or drug problems or parent incarceration.

Mental Health Concerns. According to PACT assessments, the percentage of girls with diagnosed mental health problems is lower on the First Coast (36%) compared to the state average for girls (57%). However, other indicators suggest that this is not an accurate estimate or that girls are not receiving mental health assessments. While "diagnosed mental health

²¹ Patino, Ravoira, Wolf (2006). Rallying Cry for Change.

²² Center for Disease Control, Youth Risk Behavior Surveillance, 2011 (data specific to girls grades 9-12).

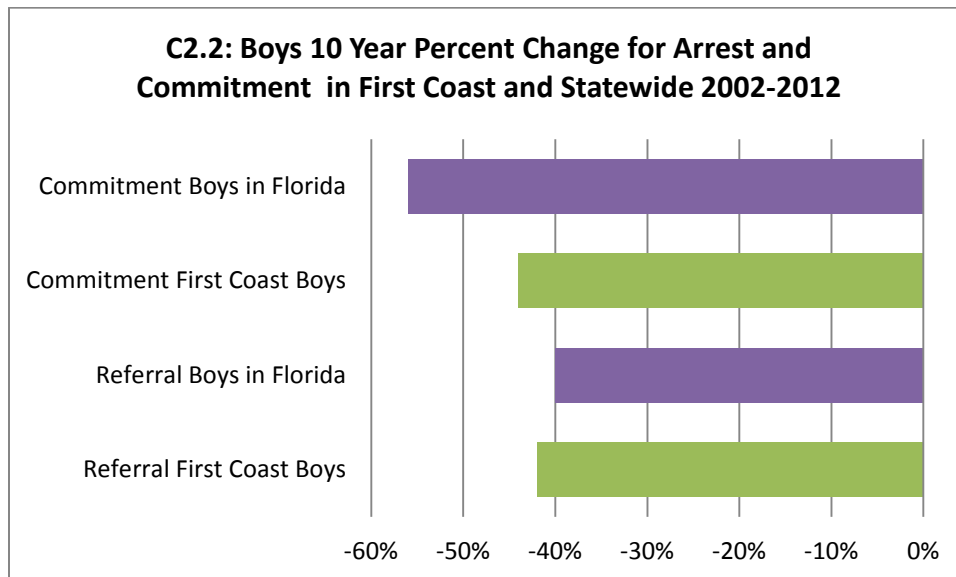
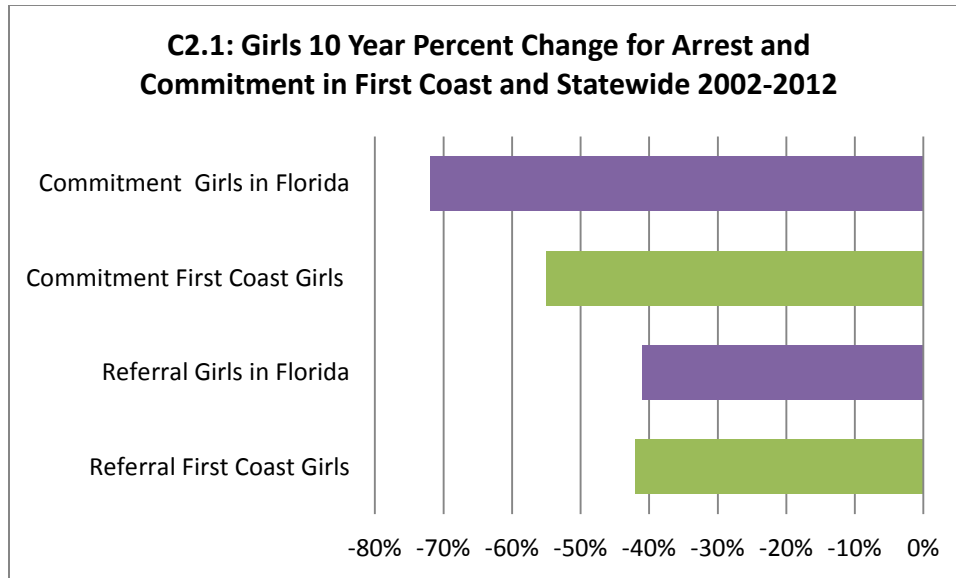
problems” are lower, reports of ADHD, self reported mental health issue, self mutilation histories, suicide ideation and suicide attempts are all slightly higher than the statewide average (see Table 2.1).

Table 2.1 Statewide and First Coast: Youth Needs by Gender				
	Statewide Girls	Statewide Boys	First Coast Girls	First Coast Boys
PACT Assessments	10147	41152	590	2495
Not Enrolled in School	5%	6%	3%	5%
Dependency Petitions*	17%	11%	22%	13%
Parent Prison History	31%	28%	32%	31%
Parent w/ MH/Drug Problem	31%	26%	35%	29%
Placed Out of Home	27%	17%	32%	19%
Suspension History*	81%	86%	73%	81%
Neglect	14%	10%	12%	8%
Physical Abuse History	26%	15%	29%	5%
Sexual Abuse History	24%	4%	30%	16%
Trauma - Neglect	78%	72%	69%	70%
Witnessed Violence	72%	69%	79%	74%
Diagnosed MH Problem	57%	48%	36%	31%
Self-Mutilation History	8%	2%	9%	2%
Suicide Attempted	14%	5%	15%	5%
Suicide Ideation	29%	13%	31%	14%
Somatic Problems	3%	1%	1%	1%
Drug Problem	22%	26%	20%	27%
Alcohol Problem	10%	9%	11%	11%

Source: Florida Department of Juvenile Justice PACT Profile

Arrest and Incarceration Trends

In the past 10 years arrests have decreased for all youth on the First Coast while commitments have fallen at a much slower rate. Arrests for girls on the First Coast have decreased by 42% and arrests for boys have decreased 43% from 2002 to 2012. This decline in arrests mirrors the state for both girls (-41%) and boys (-40%) over the same period.



Source: Department of Juvenile Justice Delinquency Profile

Since 2002, the total number of First Coast youth committed to residential placements has decreased 55% for girls and 44% for boys. Statewide, however, commitments have decreased at even higher rate over the same time period (72% for girls, 56% for boys).

While the First Coast aggregated data suggests a steady decline, there are some differences by county. Baker and Duval counties experienced increases from 2007-2008 to 2008-2009 and Clay, Nassau and St. Johns counties had increases in commitments for girls commitments from 2008-2009 to 2009-2010 .

Although commitment rates for girls in Duval have been decreasing steadily over the past 5 years, Circuit 4 had the highest number of commitments than any other Circuit in the State of Florida in 2011-12.

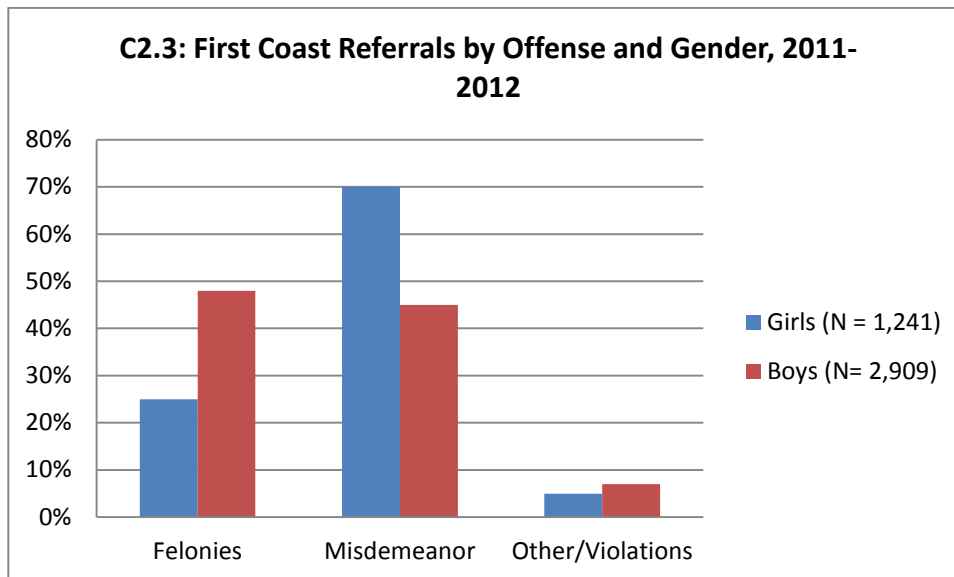
Circuit	Counties	Number of Girls Committed
Circuit 11	Miami-Dade	12 girls
Circuit 13	Hillsborough	20 girls
Circuit 17	Broward	22 girls
Circuit 9	Orange/Osceola	43 girls
Circuit 1	Escambia/Santa Rosa/Okaloosa	48 girls
Circuit 4	Duval/Nassau/Clay	60 girls

Source: Department of Juvenile Justice Delinquency Profile

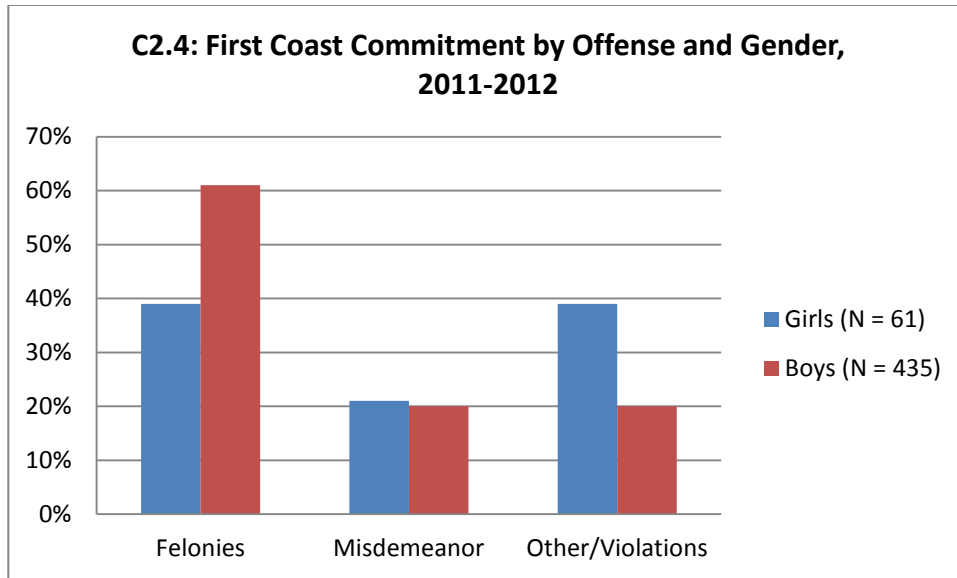
The following gender disparities for girls in the First Coast warrant attention:

Arrests

Girls are arrested for non-felony offenses at higher rates than boys. In 2011 -2012, there were 4150 youth arrested in the First Coast. Girls made up 30% of all arrests (n=1241). Three out of four girls (75%) were arrested for non-felony offenses compared to one out of two boys (52%). The trends seen in First Coast youth arrests are mirrored statewide. In 2011-2012, 25% of girls were arrested for felony offenses compared to 48% of boys. The top misdemeanor offenses of petit theft and assault or battery accounted for the majority of arrests for girls in the First Coast for 2011-2012. Clay and Nassau counties saw the highest percentage of both girls and boys arrested for "other" offenses which include violations of probation.



Source: Department of Juvenile Justice Delinquency Profile



Source: Department of Juvenile Justice Delinquency Profile

Secure Detention and Probation

In 2011-12, there were 1, 809 boys and 524 girls admitted to the Duval County Regional Juvenile Detention Center, These numbers are decreasing but not at the same percentage decrease of referrals/arrests over the last ten years. There were a total of 320 girls served on probation in Circuit 4 in 2011-12.

Commitment

In 2011-2012, 496 youth were committed to residential facilities compared to 911 youth ten years ago in the First Coast in 2002-2003. Today, girls from the First Coast make up 12 % of commitments compared to 15% in 2002-03.

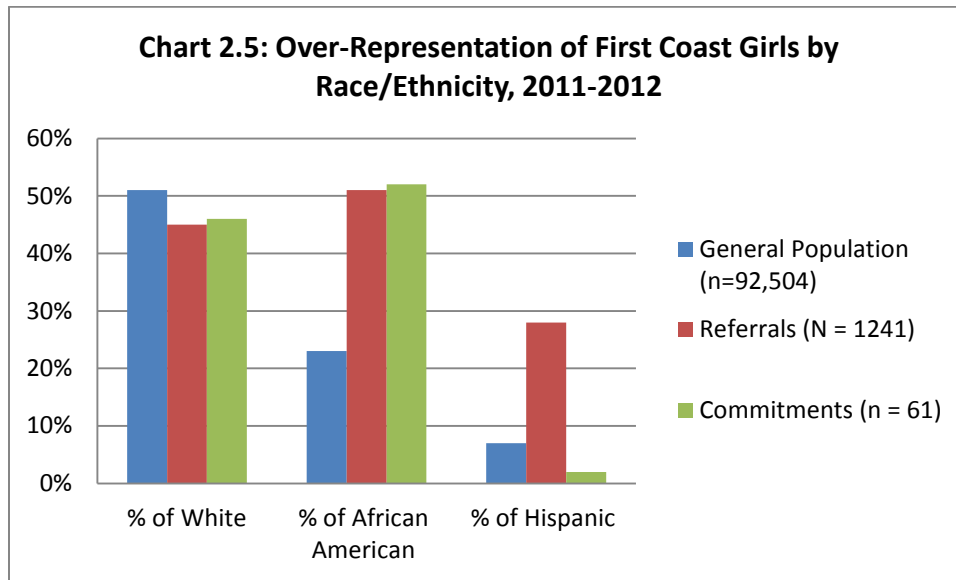
Girls continue to be committed for less serious offenses than boys. From 2011-2012, 61% of girls were committed for non-felony offenses compared to 39% of boys. *Approximately one out of three girls in the First Coast was committed for a violation of probation (31%) compared to 15% of boys.* Approximately one out of four boys in the First Coast was committed for felony burglary (23%). Baker County only committed youth for felony offenses in 2011-12.

County	Girls Total Referrals (N)	Girls Total Commitments (N)	Boys Total Referrals (N)	Boys Total Commitment (N)
Duval	824	49	1906	315
Clay	190	10	471	67
Nassau	48	1	130	25
St. Johns	145	0	314	26
Baker	34	1	88	2
Total	1241	61	2909	435

Source: Department of Juvenile Justice Delinquency Profile

Black girls are overrepresented at all points in the juvenile justice system.

In the First Coast Black girls account for 23% of the girl population age 10-17 according to the US Census (higher than the statewide average of 19%) In the First Coast, Black girls account for 51% of arrests (as high as 65% in Duval County) and 52% of commitments. In contrast White girls account for 51% of the girl population (age 10-17), 45% of arrests and 46% of commitments in the First Coast.



Source: Department of Juvenile Justice Delinquency Profile and Office of Economic and Demographic Research 2010 Census Counts

Appropriate placement and diversion opportunities.

In 2011-12, the First Coast sent 61 girls away from the community to residential programs. 49 of the girls came from Duval County. This contributes to more than 10% of the entire state population of girls who are committed. Regarding program levels of commitment, the First Coast dispositions are relatively similar to the statewide trends with 18% of girls in low risk facilities, 69% in moderate risk facilities, and 11% in high risk facilities (compared to 7% in the state). The only significant difference is that one of the two girls in Florida committed to a maximum risk facility came from the First Coast, specifically Duval County. Clay County committed 80% of girls to moderate risk facilities and 10% to high risk facilities. Baker and Nassau Counties committed girls only to moderate risk facilities. St Johns County, however, committed no girls.

Call to Action

Statewide trends clearly indicate that differences in rates of arrest and commitment by gender exist. The needs of girls require a different approach. The State of Florida needs less restrictive environments and placements/services including community based alternatives that can address the mental health needs for girls. A true continuum of care and services must be available.

There are limitations to this data, unfortunately the Florida Department of Juvenile Justice does not report youth disposition data along the points in the system. That is, we cannot accurately report the disposition trends for the 17, 367 girls (unduplicated) that were referred to the juvenile justice system in 2011-12. The DJJ profile dataset does not show what percentage of them were detained, adjudicated to juvenile probation, or committed to a residential program. We can only report the number and percentage of youth who were arrested, who were on probation, or who were committed during that year. We miss the opportunity to better understand how many girls that were arrested became deeper involved into the system, and how disposition may vary by additional demographic and socioeconomic factors including child welfare involvement and region.

Our review of the data reveals disparities in the First Coast in the treatment of girls. Disparate treatment is unacceptable. The points along the continuum where policies and practices must change in order to intervene on behalf of girls are clear. We must look at the arrest and incarceration of girls for non-felonies at higher rates than boys, specifically as related to misdemeanor assault and battery and the commitments for violations of probation. Probation sanctions must take into account the reasons that girls violate (e.g. family, substance use, school issues, relationships) and look at how assessments and state and local scoring policies may be negatively impacting girls.

The change agents can be all of us. Policymakers are critical, but equally important are all of those who interact with girls—from teachers to counselors to police officers and judges—everyone can be a change agent-- to see girls in the context of her life experiences and respond to her with support, opportunities for getting needs met and redirection. Over the next year, The Policy Center will be conducting semi structured individual interviews with girls who are currently incarcerated from the First Coast. These conversations with girls will provide context to their pathways into the system and their utilization of specific services in order to drive the strategic planning efforts with the First Coast. The research will also help assess gaps in services as well as identification of services that girls believe were helpful and need to be expanded.

Appendix: The Juvenile Justice Continuum

Arrest

Once a youth is arrested, they can either be formally charged or diverted. If a formal charge is issued, then youth undergo a detention hearing. Pending the outcome of the detention hearing, youth will either be released into a guardian's custody or placed in detention until the adjudicatory hearing. At the adjudicatory hearing, youth are either found to not have committed the offense and released or they are determined to have committed the offense and face a dispositional hearing. The dispositional hearing can have two primary outcomes: probation/supervision or residential commitment.

Civil Citation

Rather than a formal, official arrest, a civil citation is issued allowing youth to receive a comprehensive assessment and then have pointed interventions designed to help ameliorate the referral problem. Civil citation is effective because it prevents youth from having an arrest record, specific pathways into the system can be addressed, service referrals can be provided, and case management can more effectively occur.

Civil citation is a feasible alternative for girls with non-violent offenses. In January of 2013, of the 804 first time girl offenders charged with a misdemeanor, 30% were served by civil citation. The rates for boys were comparable at 33%. However, civil citation as a diversion strategy is being underutilized for girls. In Duval county, 448 girls were eligible for civil citation, but only 27% of those girls were served by civil citation.

Diversion

If youth are not formally charged, they can be diverted. Diversion allows youth to be channeled out of the juvenile justice system and avoid formal processing while still ensuring that youth are held accountable for their actions. Diversion can occur at multiple points of contact with the juvenile justice system including following arrest, during intake, or after adjudication. There are multiple options for diverted youth. For example, they might be referred to community programs, mental health court, teen court, or receive a civil citation. Girls are more likely than boys to be diverted.

Detention

As previously mentioned, youth can be placed in detention prior to adjudication when less restrictive placements are not appropriate, youth pose a risk to public safety, their attendance in court cannot be guaranteed, or as the result of state mandates. The decision to place youth in detention includes current offenses, prior history, legal status, and any aggravating or mitigating factors. Detention services include secure detention, home detention, and electric monitoring with secure detention being the most frequently used option.

Commitment

Commitment is the most severe disposition for juveniles. According to the Florida Department of Juvenile Justice, there are five levels of commitment in the state, and facilities vary by restrictiveness from minimum-risk non-residential programs to four levels of residential facilities. There are a total of 25 commitment facilities in the state of Florida. Ten of those facilities are designated for girls. In the northern region of Florida, there are only two facilities for girls and each are low-moderate risk programs. There are no programs for girls in Northeast

Florida. In Central Florida, there are four facilities ranging from low-moderate to high-maximum risk. The remaining three facilities for girls are in the Southern region of Florida and range from low-moderate risk to high-maximum risk.

Probation

Probation is the Florida Department of Juvenile Justice's primary form of community supervision. At the time of disposition, youth who are placed on probation by a judge are ordered to perform specific sanctions. These sanctions typically include community service work, adhering to a curfew, maintaining school attendance, and paying victim restitution. A court appointed Probation Officer monitors and supervises the youth on probation and determines when the sanctions are complete and the youth can be released from supervision.

Recidivism

According to the Florida Department of Juvenile Justice recidivism is defined as any subsequent adjudication or conviction. Florida DJJ measures re-offending in five ways (1) subsequent referral/arrest, (2) felony referral/arrest, (3) adjudication/conviction, (4) felony adjudication/conviction and subsequent sanctions (subsequent commitment to DJJ, (5) sentencing to adult probation or prison).

