

Addressing Barriers to Using Respite Beds for Girls Charged With Domestic Violence

About This Project

During 2018 and 2019, the National Council on Crime and Delinquency (NCCD) and the Delores Barr Weaver Policy Center (Policy Center) took a close look at issues facing girls in secure juvenile detention in Florida. This project was supported by the Jessie Ball duPont Fund, the Delores Barr Weaver Fund at the Community Foundation for Northeast Florida, and the James and Joan Van Vleck Advised Fund.

This exploration was motivated by a previous exploratory study on probation-involved girls in Florida, conducted by NCCD and the Policy Center, which found that non-law technical violations of probation played a significant role in girls receiving probation violations and being committed to residential lockup facilities. These findings propelled us to investigate what happens in Florida before a girl is placed on probation, including the reasons she is detained, with a focus on front-end opportunities for eliminating or reducing her juvenile justice system contact and the recurring use of detention while a girl is on probation.

As part of this project, NCCD and the Policy Center published three research reports to highlight key topics related to girls in detention.¹ This brief focuses on girls who come into contact with the juvenile justice system for domestic violence-related offenses. It examines why respite beds, which provide an alternative to secure detention, are not used consistently for girls arrested for domestic violence-related charges. By examining data about respite bed availability and utilization,



including disaggregating data by race/ethnicity and by region, we hope to spur conversation to address barriers and policy changes that may be needed to reduce use of detention for domestic violence arrests.

About Our Organizations

NCCD (nccdglobal.org) promotes just and equitable social systems for individuals, families, and communities through research, public policy, and practice.

The Policy Center (seethegirl.org) engages communities, organizations, and individuals through quality research, community organizing, advocacy, training, and model programming to advance the rights of girls, young women, and youth who identify as female, especially those impacted by the justice system.



Girls who have contact with the juvenile justice system are typically nonviolent and pose little or no risk to public safety. According to recently published data, of an estimated 921,600 arrests of youth under age 18 nationwide, girls accounted for slightly less than one third (29%). Larceny theft (23%), simple assault (18%), and disorderly conduct (9%) made up half of the reasons for girls' arrests.² Of 9,197 arrests of girls in Florida during fiscal year 2017–18, about two thirds were for misdemeanor or other nonviolent offenses. Simple assault represented 27% of all girls' arrests and petit larceny accounted for 11%.³

Arrests for family-related offenses ensnare girls in the juvenile justice system. Relabeling girls' family conflicts from status offenses to assault offenses has led to girls' substantial disproportionate contact with the juvenile justice system.⁴ Girls are more likely than boys to be arrested over assaults that involve family members, especially their mothers,⁵ and placed in secure detention solely for domestic violence offenses against family or other household members.⁶

Detention centers for children are not therapeutic settings. Youth detention facilities

have high rates of physical and sexual violence.⁷ Placement in a facility inhibits youth education and increases their chances of recidivism.⁸ Many girls who are locked up have histories of trauma and victimization and high rates of mental health concerns.⁹ Secure detention worsens trauma and can cause more long-term harm.¹⁰

Alternatives to Arresting and Detaining Girls for Domestic Violence

Florida offers alternatives for girls who are arrested and detained for domestic violence-related reasons.

- **Alternative to arrest:** Civil citation provides an opportunity for pre-arrest diversion. This cost-saving alternative to arrest and formal case processing prevents youth from acquiring a delinquency record.¹¹ Civil citation and other pre-arrest diversion programs include intervention services, community service, and, if applicable, restitution payment. Upon completion of a diversion program, the youth's record does not reflect this arrest/charge.¹²
- **Alternative to secure detention:** Domestic violence respite is for youth arrested for domestic violence on a household member. The Florida Department of Juvenile Justice (Florida DJJ) contracts with the nonprofit Florida Network of Youth and Family Services to coordinate the statewide respite program. Eligible youth are referred to short-term residential placements and services at one of 28 shelters.¹³

The Problem

The majority of girls with domestic violence-related offenses are arrested—even though they are eligible for civil citation. Of those girls who are arrested, far too many are placed in secure detention—even though they are eligible for domestic violence respite.

NCCD and the Policy Center analyzed a dataset consisting of young people in Florida who were arrested for domestic violence-related reasons and were eligible for the respite program (N = 697, 37% is female); however, they were sent to secure detention instead.¹⁴ It is unknown how many

utilized respite. More than half (54%) of the 256 girls in the sample went to detention due to a shelter bed not being available. Table 1 illustrates the reasons detention was used instead of respite, including some small differences by gender (e.g., girls' medical or mental health reasons).

Table 1: Reasons Youth With Domestic Violence-Related Offenses Go to Secure Detention Instead of Respite Program

| Reason* | All Youth (N = 697) | Youth by Gender | |
|---|------------------------|---------------------|-------------------|
| | | Female (N = 256) | Male (N = 441) |
| Bed not available | 54% | 54% | 54% |
| Parent/guardian refused shelter placement | 12% | 10% | 13% |
| Shelter refusal: youth enrolled before, disruptive; history of violence; youth in foster care; zoning issue; sex offense | 10% | 8% | 11% |
| Shelter logistics or resources: shelter unable to provide transportation for youth; shelter unable to complete intake process due to lack of resources/staff; screener unable to contact shelter/shelter did not answer phone | 7% | 7% | 7% |
| Youth's medical or mental health-related reason: youth taking psychotropic medicine/serious mental health issues; youth taking medicine for medical condition/serious medical issues; youth has suicidal tendencies | 6% | 9% | 4% |
| Screener did not contact shelter | 2% | 2% | 2% |
| Youth deemed by DJJ/screener to be too aggressive to be placed in respite care | 0.6% | 0.4% | 0.7% |
| Youth refused shelter placement | 0.6% | 2% | 0% |
| Law enforcement officer (LEO) refused shelter placement | 0.1% | 0% | 0.2% |
| Other/Unknown** | 8% | 8% | 9% |
| Total*** | 100% | 100% | 101% |

* The dataset indicates one reason per youth that respite was not used.

** No additional information is available in the dataset about what "Other" includes.

*** Total may not add to 100% due to rounding.

Source for table: Florida DJJ

Why Not Respite?

Reasons for not using domestic violence respite vary by region. While a bed being unavailable is the most common reason for sending eligible girls to detention in the Central (61%) and South (64%) regions, shelter refusal (25%) and miscellaneous

“other” reasons (logistics, discretionary) combined were the most common reasons in the North region (Table 2).

- Last year, 139 girls went to secure detention because a respite bed was not available.

Table 2: Reasons Girls With Domestic Violence-Related Offenses Go to Secure Detention Instead of Respite Program, by Region

| Reason* | Female (N = 256) | | |
|--|------------------|--------------|--------------|
| | Central (n=138) | North (n=51) | South (n=67) |
| Bed not available | 61% | 24% | 64% |
| Parent/guardian refused shelter placement | 17% | 4% | 0% |
| Shelter refusal | 4% | 25% | 4% |
| Youth’s medical or mental health-related reason | 9% | 12% | 7% |
| Shelter logistics or resources | 2% | 12% | 12% |
| Screeners did not contact shelter | 2% | 4% | 1% |
| Youth refused shelter placement | 0% | 4% | 3% |
| Youth deemed by DJJ/screener to be too aggressive to be placed in respite care | 0% | 2% | 0% |
| LEO refused shelter placement | 0% | 0% | 0% |
| Other/Unknown** | 6% | 14% | 7% |
| Total*** | 101% | 101% | 98% |

Note: Most of the detention centers represented in the data are run by DJJ. The data also include three detention facilities run by sheriffs’ offices in Marion, Polk, and Seminole counties.

* The dataset indicates one reason per youth that respite was not used.

** No additional information is available in the dataset about what “Other” includes.

*** Total may not add to 100% due to rounding.

Source for table: Florida DJJ

- In the North region, three out of four girls were sent to secure detention for reasons other than a bed not being available.
- In the Central region, nearly one in five girls had a parent/guardian refuse shelter placement.

While the unavailability of a bed is the most common reason for girls not going to respite, this varies considerably by race (Table 3).

- About two thirds (65%) of black girls went to detention due to a bed not being available

compared to less than half (45%) of white girls.

- One in 10 black girls was placed in detention because of shelter refusal, while 5% of black girls were sent to detention due to the screener not contacting the shelter.
- A parent refused shelter placement for 13% of white girls, while one in seven white girls were refused shelter due to a medical or mental health reason.

Table 3: Reasons Girls With Domestic Violence-Related Offenses Go to Secure Detention Instead of Respite Program, by Race

| Reason* | Female (N = 255) | | |
|--|------------------|-----------------|---------------|
| | Black (n=93) | Hispanic (n=48) | White (n=114) |
| Bed not available | 65% | 56% | 45% |
| Shelter refusal | 10% | 4% | 9% |
| Parent/guardian refused shelter placement | 5% | 10% | 13% |
| Screener did not contact shelter | 5% | 0% | 0.9% |
| Shelter logistics or resources | 3% | 8% | 9% |
| Youth's medical or mental health-related reason | 3% | 8% | 14% |
| Youth refused shelter placement | 1% | 2% | 2% |
| Youth deemed by DJJ/screener to be too aggressive to be placed in respite care | 0% | 0% | 0.9% |
| LEO refused shelter placement | 0% | 0% | 0% |
| Other/Unknown** | 8% | 10% | 7% |
| Total*** | 100% | 98% | 101% |

* The dataset indicates one reason per youth that respite was not used.

** No additional information is available in the dataset about what "Other" includes.

*** Total may not add to 100% due to rounding.

Source for table: Florida DJJ

Availability of Respite

In a 2018 survey of DJJ staff conducted by the Policy Center and NCCD, respondents were asked about the availability of respite beds in their community.¹⁵ Nearly half of respondents (42%) reported that respite beds exist in their community and that bed space is usually available, while another approximately half (45%) described barriers to accessing respite beds including eligibility criteria, capacity, and availability (Table 4).

Survey respondents who selected “Other” provided the following write-in responses describing their local situation/experience regarding respite beds for girls charged with domestic violence.

- Available—but over an hour away.
- Beds are sometimes available, but if there are serious mental health issues/medication, they may be refused; parents will talk to the shelter, and shelter will refuse based on parent input.

- Parents must transport youth out of our county to place youth in a shelter for 14 to 21 days.
- Respite is available; however, there is a combination of full capacity and ineligibility for our area.
- Yes, but the specific criteria of the program make it hard to place youth into the beds.
- Youth mostly refuse respite but also are sometimes ineligible.

Emerging Issues

Girls continue to be held in secure detention for family-related offenses due to the lack of alternatives to meet the needs of families in crisis. Girls may also be detained out of an intention to connect them with services. While the statewide domestic violence respite program provides an alternative to secure detention, it may be underutilized. The data analyzed for this brief

Table 4: Availability of Respite Beds for Girls Charged With Domestic Violence

| Response | Percent (N = 146) |
|--|----------------------|
| Yes, and bed space is usually available | 42% |
| Yes, but criteria often make girls ineligible | 23% |
| Yes, but bed space is usually at full capacity | 18% |
| Don't know | 8% |
| Respite beds are not available in my community | 4% |
| Other (see write-in responses above) | 5% |
| Total | 100% |

Source: Authors' analysis of survey data



indicate a range of reasons why respite beds are not used for youth with domestic violence offenses, with differences by region, gender, and race. The analyses suggest recommendations for and/or further study of the following issues.

- In about one in eight cases overall, youth (girls and boys) are sent to detention because their parent/guardian will not allow them to go to respite. Similarly, some youth refuse shelter placement. These data suggest an opportunity to better understand the reasons for refusal as well as opportunities to educate families on the long-term benefits of this alternative.
- Due to civil citations not being used, 818 girls were arrested for domestic violence-related reasons (representing 73% of girls charged with domestic violence).¹⁶ Moreover, 256 girls who were eligible for respite ended up in detention nonetheless. These data indicate a variety of needs, including funding prevention options to intervene before a girl is arrested, increasing use of civil citation when possible and without net widening (e.g., bringing youth

into contact with the juvenile justice system who otherwise would not), and expanding the availability of respite beds.

- Due to significant regional differences in respite bed usage, policies and practices (e.g., youth enrolled before, history of violence, zoning issue, foster care, sex offense) that result in shelter refusal should be assessed.
- The South and Central regions need increased shelter bed availability.
- About one in 10 girls ends up in secure detention because of serious mental health and medical needs. Resource allocation of community-based services to meet needs and differences by race/ethnicity should be assessed.
- Juvenile justice stakeholders (e.g., law enforcement, juvenile assessment center screeners, judges, probation officers, and shelter intake staff) need training on the importance of utilizing alternatives to secure detention for girls.

Suggested Citation

Patino Lydia, V., & Glesmann, C. (2019). *Addressing barriers to using respite beds for girls charged with domestic violence*. Jacksonville, FL, and Madison, WI: Delores Barr Weaver Policy Center and NCCD.

Endnotes

¹ See also: National Council on Crime and Delinquency and the Delores Barr Weaver Policy Center. (2019). *Girls in secure juvenile detention in Florida*. <https://www.nccdglobal.org/sites/default/files/Girls%20in%20Secure%20Juvenile%20Detention%20in%20Florida.pdf>

² Ehrmann, S., Hyland, N., & Puzzanchera, C. (2019). *Girls in the juvenile justice system*. Juvenile Justice Statistics, National Report Series Bulletin. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

³ Florida Department of Juvenile Justice. (2018). *Delinquency profile 2018*. Retrieved from <http://www.djj.state.fl.us/research/reports/reports-and-data/interactive-data-reports/delinquency-profile>

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⁵ Patino Lydia, V., & Moore, A. (2015). *Breaking new ground on the first coast: examining girls' pathways into the juvenile justice system*. Jacksonville, FL: Delores Barr Weaver Policy Center; Sherman, F. T., Mendel, R. A., & Irvine, A. (2013). *Guide to juvenile justice reform: making detention reform work for girls*. Baltimore, MD: Annie E. Casey Foundation; Strom, K. J., Warner, T. D., Tichavsky, L., & Zahn, M. A. (2014). Policing juveniles: domestic violence arrest policies, gender, and police response to child-parent violence. *Crime & Delinquency*, 60(3), 427–450.

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¹⁰ Sherman, F. T., & Balck, A. (2015). *Gender injustice: system level juvenile justice reforms for girls*. Portland, OR, and Washington, DC: National Crittenon Foundation and National Women's Law Center.

¹¹ SB 1392, passed in 2018, mandates that each judicial circuit in Florida have a circuit-wide juvenile pre-arrest diversion program. <https://www.flsenate.gov/Session/Bill/2018/1392/BillText/er/PDF>

¹² Carruthers Institute. (2018). *Stepping up: Florida's top juvenile pre-arrest diversion efforts*. St. Petersburg, FL: Author.

¹³ Florida Network of Youth and Family Services. (2018). *Domestic violence respite*. Retrieved from <https://floridanetwork.org/programs/domestic-violence-respite/>

¹⁴ Data set provided by the Florida Department of Juvenile Justice. It covers the time period of August 2017 through July 2018.

¹⁵ Findings from this survey will be published in a separate publication (forthcoming).

¹⁶ Florida Department of Juvenile Justice, Civil Citation and Other Alternatives to Arrest Dashboard (online), accessed October 11, 2019. <http://www.djj.state.fl.us/research/reports/reports-and-data/interactive-data-reports/civil-citation-and-other-alternatives-to-arrest/cc-dashboard>