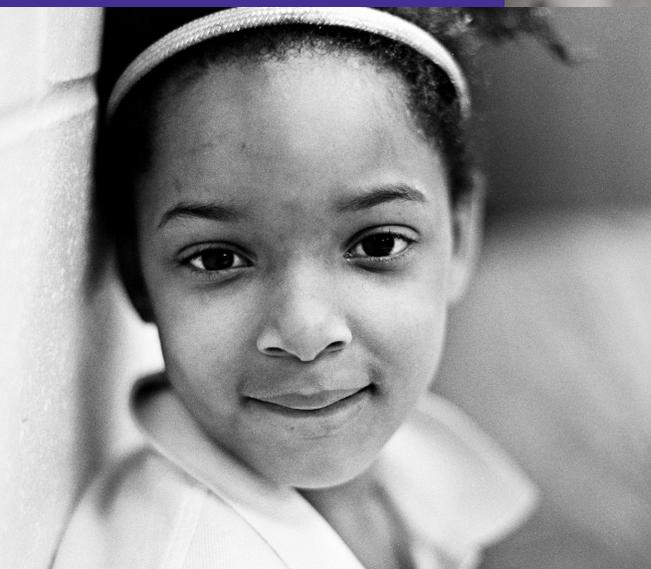


Sounding the Alarm: Criminalization of Black Girls in Florida

Executive Summary



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More than 300,000 Black girls attend K–12 public schools across Florida. Black girls represent about one in five girls, although this varies by location. It is imperative to consider data by race and ethnicity within gender to better understand differences in girls' experiences. The data illuminate ongoing systemic failures and criminalizing responses that put the overall well-being of Black girls at risk. This research brief is sounding the alarm about the experiences of Black girls, who are disproportionately impacted by the education and juvenile justice systems. Disparate responses across systems increase risk of exclusion, criminalization, and system involvement. This is a pressing priority that calls for transformational reforms.

In Florida, 36% of Black girls in middle and high school do not feel safe at school compared to the statewide average of 29% of all girls (Patino Lydia & Gordon, 2019). Datasets from the Florida Department of Education and Florida Department of Juvenile Justice (DJJ) provide context for levels of disciplinary exclusion, criminalization at school, and justice system involvement for these girls. Statewide, Black girls make up only 21% of girls ages 10–17, but they represent 45% of the girls who were arrested, 52% of girls on probation caseloads, 47% of the girls incarcerated, and 52% of the girls transferred into the adult criminal justice system. This overrepresentation has been consistent for the last decade.

What does this mean in real numbers? In 2019–2020, law enforcement arrested over 3,000 Black girls, over 850 were placed on juvenile probation, and 101 were incarcerated. There were 19 Black girls transferred to the adult system (FL DJJ, 2020b).

These numbers represent a significant overall reduction in arrests and incarceration from previous years. Last year saw a 19% reduction in the number of Black girls arrested and a 23% reduction in the number of White girls arrested. However, **what still remains is a disproportionate percentage of Black girls in the system**—half—compared to their portion of the general population (21%).

This report, *Sounding the Alarm*, brings together research in critical areas that warrant attention. It provides recommendations to address the mechanisms and policies that create disparate and harmful experiences for young Black girls in Florida. The successful implementation of the recommended reforms can start to reduce the number of Black girls entering the justice system.

The research calls attention to three critical findings:

Challenges at school contribute significantly to Black girls' disproportionate entry into Florida's juvenile justice system.

- **Fact:** Black girls account for half (49%) of the 46,666 girls suspended from school.
- **Fact:** Black girls represent half (49%) of the 1,529 girls who made contact with law enforcement at schools for incidents eligible for a civil citation or alternatives to arrest. The majority of such incidents were battery (fighting) and disorderly conduct.
- **Fact:** Over the last five years, one-fourth of Black girls eligible for a civil citation in school was arrested instead.
- **Finding:** Preliminary analyses of civil citation data during April–June, 2020, show decreases that are likely due to school closures during the pandemic. At least 250 fewer Black girls made contact with law enforcement in schools in that period compared to the prior year.

Young Black girls are entering the justice system at significantly greater rates than their peers.

- **Fact:** Black girls represent 83% of the 15 girls arrested under age 10 and 55% of the 524 girls arrested ages 12 or younger in 2019–2020. Although their numbers are higher, Black boys represent 48% of all boys arrested under age 10.
- **Fact:** In 2019–2020, the youngest girl arrested was a six-year-old Black girl.
- **Finding:** There were seven girls ages 6–9—all of whom were Black—arrested for a felony offense, such as assault or fighting.
- **Finding:** 43% of Black girls who were incarcerated experienced their first arrest by age 12, compared to 21% of White girls and 28% of Hispanic girls.

Responses to Black girls show geographical differences.

- **Fact:** Based on the general proportion of the Black girls in each county, there is a wide geographic variance in the local juvenile justice system response.
- **Finding:** One-fourth of Florida counties have a high overrepresentation of Black girls arrested or incarcerated. For example, in Alachua County, up to 82% of arrested girls and 100% of incarcerated girls were Black.
- **Finding:** Ten counties arrested 10 or more Black girls that were under age 12.

Recommendations

Data specific to Florida as well as a documented history of overrepresentation of Black youth in the justice system underscore the urgency for action. Specifically for Black girls, the data show criminalization of their behaviors in schools and support the latest literature on the adultification of Black girls. In comparison to White and Hispanic girls, Black girls in lock-up facilities are significantly more likely to have experienced their first arrest by age 12.

Adultification bias means that Black girls are held to different expectations and standards because they are perceived by the authorities as being older and thus more accountable. Stereotypes of Black girls and adultification bias are linked to harsher treatment from educators and authorities (Epstein et al., 2017). These biases and assumptions lead to less empathy and increased scrutiny of Black girls and contribute to unfair and severe punishments in schools and harsher juvenile justice system responses. It can derail the futures of Black girls.

The preliminary findings regarding the impact of school closures due to the COVID-19 pandemic show significant reductions in arrest and incarceration from April to June, 2020, compared to prior years. Specifically, there was reduced contact with law enforcement in schools, while arrests in the community did not increase.

The Policy Center recommends immediate action on the following three priorities:

1. Pass public policies that improve well-being and address the disparity in justice system entry points.

- Formulate and enact policies that ban suspension of children in Pre-K to third grade and invest in alternatives to suspension.
- Formulate and implement protocols between schools and law enforcement that delineate the roles of school resource officers and law enforcement to minimize push out or the criminalization of student behaviors (NBWJI, 2019).
- Use civil citation as an alternative to arrest in schools and the community to keep youth from having an arrest record.
- Fund increased school mental health services that are girl-centered, trauma-informed, and culturally responsive.
- Provide community-based alternatives outside of the juvenile justice system for families in crisis, such as respite care and family functional therapy.
- Formulate and enact policies that ban arrests for youth under age 12 unless they are an imminent threat of serious harm to another individual.

2. Use community data specific to the experiences of Black girls to inform local decisions.

- Review this report’s county-specific data on educational disparities, discipline, and juvenile justice to guide strategic dialogue. Include a review of local policies and practices.
- Use survey data from Florida Department of Education (DOE)/Youth Risk Behavior Surveys (YRBS) by gender and race to examine indicators of well-being. Update the tool to collect data about gender identity and the impact of the pandemic. Apply this knowledge to recommendations.
- Ensure that all schools and districts are tracking suspension data in a consistent way to verify the accuracy of available data. Examine available school district suspension data specific to Black girls and assess the extent to which girls of different racial and ethnic backgrounds are punished more harshly than their peers for behaviors such as a) disorderly conduct—defiance or talking back; b) dress or hair code violations; or c) touching, kissing, or sexual conduct (NWLC, 2017).
- Request that child-serving agencies disaggregate data (e.g., presenting needs) by race and ethnicity within gender and provide the critical information needed to inform decision-making and community investments.
- Engage girls in the community response. Conduct focus groups led by school districts in partnership with local universities or community providers to better understand the perspectives of Black girls on community-specific data. Guiding questions for focus groups include, a) Why do you think so many girls do not feel safe in school?, b) What would make you feel safer?, and c) What is happening in the school environment or community that makes girls feel hopeless? It is critical that Black girls who identify as LGBT participate in the dialogue.
- Engage girls in leadership roles in their communities and schools. The input from girls is central to understanding the impact of the decisions that policymakers and community leaders make. This includes advisory boards, days at the capitol, and school or community-based programs.

3. Identify and implement best practices and solutions that other states and jurisdictions are using to reduce systemic disparities for Black girls.

- Support schools to create safe spaces for girls that include access to an adult mentor or counselor in times of crisis. Staff assigned to safe spaces must be trained in culture responsiveness, trauma, de-escalation techniques, female development, skills building, community health. These programs have proven effective in reducing suspension rates and increasing school connectedness.
- Provide training and professional staff development that increases understanding and skills in the following topics: implicit bias, aspects of adultification, diversity, equity, and inclusion; female growth and development; a healing-centered approach to trauma; de-escalation and positive discipline approaches; and accessing community resources and referrals.