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GIRLS IN THE JUVENILE JUSTICE SYSTEM: STRATEGIES TO HELP GIRLS ACHIEVE THEIR FULL POTENTIAL

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

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GIRLS IN THE JUVENILE JUSTICE SYSTEM: STRATEGIES TO HELP GIRLS ACHIEVE THEIR FULL POTENTIAL

TUESDAY, OCTOBER 20, 2009

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:35 p.m., in room 2141, Rayburn House Office Building, the Honorable Robert C. "Bobby" Scott (Chairman of the Subcommittee) presiding.

Present: Representatives Scott, Conyers, Pierluisi, Gohmert, and Poe.

Staff Present: (Majority) Bobby Vassar, Subcommittee Chief Counsel; Jesselyn McCurdy, Counsel; Karen Wilkinson (Fellow) Federal Public Defenders Office, Detailee; Veronica Eligan, Professional Staff Member; (Minority) Caroline Lynch, Counsel; and Kimani Little, Counsel.

Mr. SCOTT. Welcome to today's Subcommittee on Crime hearing on "Girls in the Juvenile Justice System: Strategies to Help Girls Achieve Their Full Potential."

Ladies and gentlemen, juvenile courts are experiencing a growing number of cases involving girls. The number of girls in detention and on probation has almost doubled between 1985 and 2005. The growing number of girls in the system has highlighted the fact that girls have more intense treatment needs than boys. A recent study found that delinquent girls have a substantially higher rate of mental health problems than delinquent boys. And one of the most common characteristics of girls who are involved in the juvenile and criminal justice system is a history of physical or sexual victimization.

Chronically, delinquent girls who were interviewed for an Oregon study reported that they had their first sexual encounter at an average age of about 7 years old. The majority of girls who are involved in the juvenile justice system report suffering from some form of physical, emotional, or sexual abuse. Sexual, physical, and emotional trauma is a recurrent theme in the lives of girls in the justice system. A study found that while only 3 percent of boys interviewed had documented histories of physical abuse; 77 percent of girls had suffered abuse.

The family lives of girls involved in the juvenile justice system are often chaotic at best and dysfunctional at worst. Family disruptions often result in girls being placed in the child welfare system. Many of these girls have parents who have abused drugs or were incarcerated at some point in their lives, and some of them end up moving from one family to another within the child welfare system, and then into the juvenile delinquency system.

The abuse that adolescent girls suffer results in them having higher rates of depression and posttraumatic stress disorder than boys. And as a result of this abuse, girls are more likely than boys to be diagnosed with dual disorders such as mental health and substance abuse disorders.

School failure and negative attitudes toward school are even more adequate predictors of delinquency in girls than boys. Truancy, suspension, poor grades or expulsion are frequently the most significant risk factors for girls who are repeat offenders.

In recent years, prevention and intervention programs are focusing on specific needs of girls based on gender-specific risk factors. A few reports have interviewed a number of effective gender-responsive programs and found several common aspects to the most successful programs for girls. These programs are community, family, and relationship-focused, and in addition they provide comprehensive services and a safe place for the girls. And we have several expert witnesses who will testify at today's hearing about what types of strategies and services have been successful in helping girls fulfill their full potential.

Before they testify, it is my pleasure to recognize the Ranking Member of the Subcommittee, the gentleman from Texas, Judge Louie Gohmert.

Mr. GOHMERT. Thank you, Chairman Scott.

Today's hearing will examine the subject of girls in State juvenile justice systems. The goal of the hearing is to help identify strategies that will help girls reach their full potential. This hearing is the most recent installment in a series of hearings that this Subcommittee has held on issues within the juvenile justice system. Administering justice to juvenile offenders has largely been the domain of States, as there is no Federal juvenile justice system.

Although the Federal Government does not play a direct role in administering juvenile justice, there are a number of juvenile justice agencies within the Federal Government and grant programs that work with State juvenile justice systems. The lead Federal agency in this effort is the Office of Juvenile Justice and Delinquency Prevention, or OJJDP, at the Department of Justice. Since its creation, OJJDP has supported States and communities in their efforts to develop and implement effective programs to prevent delinquency and intervene after a juvenile has offended.

For example, from fiscal years 2007 through 2009, Congress provided OJJDP almost $1.1 billion for grants to States, localities, and organizations for a variety of juvenile justice programs. Despite these efforts, many observers have noted that, for more than a decade, girls have increasingly become involved in the juvenile justice system.

From 1995 through 2005, delinquency caseloads for girls in juvenile justice courts nationwide increased 15 percent, while boys'

caseloads decreased by 12 percent. Also, from 1995 to 2005, the number of girls' cases nationwide involving their detention increased 49 percent compared to a 7 percent increase for boys.

This trend in juvenile delinquency has not gone unnoticed by Federal, State, and local policymakers. As the number of female juvenile offenders increase, State juvenile justice officials have noted that juvenile female offenders generally had more serious and wide-ranging service needs than their male counterparts. Many of these needs include treatment for substance abuse and mental health conditions.

To address these needs, the Department of Justice tells us that over the last 10 to 15 years, at least 25 States have developed new programming for girls in the juvenile justice system. For example, in the early 1990's, Minnesota began awarding model program grants to community-based juvenile offender programs that provided gender-specific programs to girls.

Maryland developed a program in Baltimore to serve the population of girls on probation. In fact, the State was able to make the initial changes without requiring any extra funding. The State formed a Female Intervention Team, or FIT, that teamed up with area programs that were already working with girls, including the Urban League, the Local Physicians Association, and the Girl Scouts of America.

The state of Ohio created the Stepdown program to help with reentry of juvenile offenders. The program focused on easing the transition from correctional facilities to private residential facilities and then back home. The program aimed to have family engagement at every stage of care and supervision. The program was further designed to offer the female youth intensive family therapy, counseling, life skills, and education to address emotional and mental health issues, family conflict issues like substance and physical abuse, as well as educational problems.

Clearly, many States have the capacity and willingness to craft solutions to problems within their jurisdiction. The limited role of OJJDP should be to work with States to evaluate and identify programs that successfully address the unique challenges of female juvenile offenders.

As Chairman Scott had mentioned, many of the female juvenile offenders were found to have histories of sexual abuse. What I found as a judge was nearly all of them had no relationship with a father in their lives. So that seems to be something that also is not addressed, and not something we can wave a wand and fix from Washington. But I would certainly be interested in the input that you have on these important issues.

I look forward to your testimony, and yield back the balance of my time.

Mr. SCOTT. Thank you. The gentleman from Michigan, the Chairman of the full Committee, Mr. Conyers. The gentlemen is recognized for 5 minutes.

Mr. CONYERS. Thank you very much, Mr. Chairman. I am proud of you and the judge. Maybe it is a couple of judges up here, ex-judges, and an Attorney General, all part of this important Committee, are here with us today for this discussion. I guess we are all used to the fact that girls and women have different problems

in the criminal justice system, and we have to do much more about it than we have.

I am especially glad to see Ms. Rivera and Ms. Shereff here. I don't know how much you testify before congressional Committees, but we welcome your presence and look forward to what you are going to tell us.

And Members of the Committee and Mr. Chairman, I am not happy that the Acting Director over at Department of Justice, Jeff Slowikowski, did not see fit to come before the Committee today. I just called his boss, the Director of the Office of Legislative Affairs, to tell him so. This is an important hearing. What is he doing over there at Ninth and Constitution that he can't be before this Committee right now with everybody else?

The fact of the matter is that the authorization for juvenile justice delinquency expired in 2007, and he is still sitting down there at a desk somewhere talking about he can't make it this afternoon. Well, brother, he is going to make it sooner than he thought he was, because I don't think that that is a way to treat this subject; that we are all talking to ourselves, and they are sitting over—they are the ones that are going to put all the recommendations into place. So looking at it on television doesn't get it for me, and I want to meet with him and the Director to see if we can't get this thing brought together more and more.

Now, there are two Committees in the Congress that have jurisdiction over this subject: Education and Labor, and Judiciary. We are working with Chairman Miller and Chairman Scott and the judges to make sure we craft some legislation that is going to get us somewhere. And so this is not a good foot.

And I will go to the Attorney General, too. We won't stop with the Director if this isn't good enough. I want something. I want some follow-up, and I want all of these big-shots downtown that can't get out here to meet with the Chairman and those of us on the Committee as soon as practicable, as soon as we get the benefit of the discussion of everybody else, these six fine witnesses that are here before us.

And I ask unanimous consent to put my statement in the record, and thank you very much.

[The prepared statement of Mr. Conyers follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN CONYERS, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN, AND CHAIRMAN, COMMITTEE ON THE JUDICIARY

In the last 20 years, the number of young women entering the juvenile justice system has increased exponentially. Accordingly, today's hearing provides a critical opportunity for us to consider how the justice system can be made more effective generally and how the federal government can more effectively assist state and local communities to proactively keep these girls out of trouble.

In 1980, 20% of all juvenile arrests were girls. By the mid-1990s, that percentage rose to about 25%. As of 2007, young women accounted for 29% of all juvenile arrests.

Here's an additional statistic. Between 1990 to 2001, there was more than a 50% increase in the number of juvenile delinquency cases that resulted in girls entering detention facilities.

Researchers have attributed these increases in part to the rising number of arrests and detention for technical violations of probation and parole and for warrants.

In addition, the number of girls arrested for some types of violent crimes, such as assaults, has substantially increased. Between 1998 and 2007, for example, juve-

nile male arrests for simple assault declined by 4%, while juvenile female arrests for the same crime increased by 10%.

Today's hearing should hopefully provide answers to some important questions.

First, we need to know what are the factors behind these statistics. For example, is the growing number of girls charged with assault the result of changes in policies, such as the mandatory arrest requirements for domestic violence incidents, or simply the result of changing attitudes toward women and girls in the justice system.

Second, we need to know how the federal government can better prevent juvenile delinquency. As prevention and intervention efforts have developed at the state and local levels in recent years, it is essential that the federal government have information about what efforts are working best.

For instance, the Office of Juvenile Justice and Delinquency Prevention at the Justice Department is responsible for preventing and responding to juvenile crime, delinquency and victimization as well as helping states improve their juvenile justice systems.

OJJDP is suppose to play an important role in protecting girls in the system by implementing prevention and intervention programs that reduce the number of girls' involved in the system.

In July, however, the Government Accountability Office released a report on OJJDP's efforts to improve programs that work with girls in the juvenile justice system.

This report concluded that while OJJDP has funded a 6-year, $2.6 million study group to learn about effective and promising girls delinquency programs, it was unable to identify any effective programs.

Today's hearing to understand why it has been so difficult to identify effective programs for girls.

The GAO report also identified a third concern, namely, that OJJDP lacks a comprehensive plan to meet its objectives to fund research for girls' delinquency programs. Although no one from OJJDP is testifying today, I would like the witnesses to discuss how that Office can provide a better roadmap of its work that will result in better support for successful girls' programs.

I look forward to hearing from the witnesses today and hope that this hearing will serve to further our important efforts to ensure that girls are given a chance to achieve their full potential.

Mr. SCOTT. Thank you. We have also been joined by the judge from Texas, Mr. Poe, and the gentleman from Puerto Rico Mr. Pierluisi who is with us today, and would ask any additional statements, without objection, will be placed in the record.

We have a panel of witnesses to help us consider the issues for the day. Our first witness will be Ms. Eileen Larence, who currently serves as Director of Homeland Security and Justice Issues at the U.S. Accountability Office. In her capacity at the GAO, she manages congressional requests to assess various law enforcement and Department of Justice issues as well as the state of terrorism-related information-sharing since 9/11.

Our second witness will be Dr. Lawanda Ravoira. She is the Director of the National Council of Crime and Delinquency Center for Girls and Young Women. Over 13 years she has served as the President and CEO of PACE Center for Girls, a Florida nonprofit organization that provides gender-responsive support services to girls.

Our third witness will be Tiffany Ravira. She has overcome many obstacles in her short 19 years, but her encounter with Girls Education and Mentoring Services, the GEMS program in New York, which is dedicated to advocating for victims of commercial sexual exploitation of children, turned her life around. She is now working for GEMS as a youth outreach worker.

Our next witness will be Nadiyah Shereff. She is 23 years old, and was born and raised in San Francisco without either of her bi-

ological parents, because both were incarcerated. She attended some of the worst public schools in California, and at the age of 13 became involved in the juvenile justice system. She learned about the Center for Young Women's Development, the CYWD, while in juvenile hall and has worked in several leadership positions in that organization.

Our next witness would be Dr. Jackie Jackson, Executive Director of Girls, Incorporated, of the Greater Peninsula of Virginia. Girls, Incorporated is a national nonprofit youth organization dedicated to empowering girls. Girls, Inc., of the Greater Peninsula, sponsors pregnancy and drug prevention programs, in addition to economic, science, and technological education for girls in the southeast Virginia region. Dr. Jackson's doctorate is in human services, with a specialization in counseling services.

Our final witness will be Mr. Thomas Stickrath, who will testify last. He was appointed as the Director of the Ohio Department of Youth Services in 2005, and received the 2009 American Correctional Association's E.R. Cass Correctional Achievement Award, which is considered ACA's highest honor.

So we will begin with Ms. Larence.

TESTIMONY OF EILEEN R. LARENCE, DIRECTOR, HOMELAND SECURITY AND JUSTICE ISSUES, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, DC

Ms. LARENCE. Thank you. Chairman Conyers, Chairman Scott, Ranking Member Gohmert, and Members of the Subcommittee, I am pleased to discuss the results of our review of the Department of Justice's efforts to identify effective programs that address girls' delinquency. As you all noted in your opening statements, the juvenile justice system has seen an increase in the number of girls' delinquency cases. In 2007, 22 States reported that this is an issue affecting their juvenile justice systems.

Experience shows that the factors contributing to girls' delinquency are complex and the effects can be serious. Delinquent girls can have higher mortality rates, dysfunctional and violent relationships, poor educational achievement, and less stable work histories than their peers; and yet there have been few programs and little research devoted to this issue, although both are increasing.

The Office of Juvenile Justice and Delinquency Prevention within the Department takes the Federal lead in helping to identify what programs are effective for juveniles and in providing grant funding for these programs.

You asked us to review the Office's efforts to assess the effectiveness of girls' delinquency programs and its plans to address its findings. In the response, we reviewed the results from the ongoing Girls Study Group which the Office funded with a $2.6 million multiyear cooperative agreement in 2004. The group's goals include to identify effective or promising programs, gaps in research, and recommendations for the future.

In summary we found that, first, the study group concluded few girls' delinquency programs had been assessed, and none of the assessments showed conclusive evidence that the programs were effective. Second, relatively few resources have been devoted to this

issue. And, third, justice needs a transparent plan to address the group's findings to help break the cycle of delinquency.

The Girls Study Group, comprised of 15 members, mainly lead researchers in the field, identified 61 programs that specifically address girls' delinquency. But they found that only 17 programs had been studied, and none of the studies showed conclusive evidence of effectiveness. As a result, among other things, the group called for increased efforts to evaluate programs to determine what works and to publicize successful programs to the juvenile justice community.

We determined that the group's approach was in line with social science practices and standards, but some researchers and practitioners were critical of the methods used. They feared that the group's standards for effectiveness, the program assessments, based on a randomized controlled research design, were too hard to meet, and that the group thus eliminated promising programs that communities could use. Both the group and Justice defended the approach, however, saying that they wanted to ensure that they identify programs certain to work before communities spent further money on them.

The Juvenile Justice Office has had few discretionary funds to devote to identifying effective girls' programs. The Office has not had funding targeted to research and evaluation since it received $10 million in 2005 for these purposes. Since then, the Office has set aside about $33 million through 2008—or about 3 percent—from its other appropriation accounts to fund such research. But the girls' delinquency issues compete with many other juvenile justice issues for these set-aside funds.

Likewise, girls' programs compete with other juvenile programs for State and local grant funding. For example, Justice reports that in fiscal years 2007 and 2008, States used only 1 percent of their Title II formula grants on girls' programs, not quite $2 million, and that it could provide only about another $1.8 million in 2007 in discretionary grants for this purpose.

Based on the Girls Study Group findings, Justice determined that it needs to better prepare programs for evaluation and to fund more evaluations. Therefore, the Juvenile Justice Office is funding a workshop this month to help about 10 to 12 programs prepare for evaluation. It also hopes to issue a solicitation in early 2010 to support a limited number of program evaluations, depending on available funding.

Finally, the Office expects to provide more training, technical assistance, information dissemination, and programs on girls' delinquency issues in the long term; but the Office could not provide a document showing the steps it would take, the people it would hold responsible, the deadlines it would set, and the funding it would commit that would provide transparency and accountability to the Congress, States, communities, and research field, that it was serious about addressing girls' delinquency problems.

We recommended that the Office develop such a plan and agreed with our recommendation. As a first step, it expects to issue an office-wide juvenile justice plan, the first one in 7 years, that is to discuss girls' issues, among others, by the end of this year.

Mr. Chairman, that concludes my statement. I would be happy to answer any questions.

Mr. SCOTT. Thank you.

[The prepared statement of Ms. Larence follows:]

PREPARED STATEMENT OF EILEEN R. LARENCE

United States Government Accountability Office

GAO

Testimony

Before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, House of Representatives

For Release on Delivery
Expected at 2:30 p.m. EDT
Tuesday, October 20, 2009

JUVENILE JUSTICE

Technical Assistance and Better Defined Evaluation Plans Will Help Girls' Delinquency Programs

Statement of Eileen R. Larence, Director
Homeland Security and Justice

GAO-10-133T

Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today as you examine issues related to girls' delinquency—a topic that has attracted the attention of federal, state, and local policymakers for more than a decade as girls have increasingly become involved in the juvenile justice system. For example, from 1995 through 2005, delinquency caseloads for girls in juvenile justice courts nationwide increased 15 percent while boys' caseloads decreased by 12 percent.[1] More recently, in 2007, 29 percent of juvenile arrests—about 641,000 arrests—involved girls, who accounted for 17 percent of juvenile violent crime arrests and 35 percent of juvenile property crime arrests.[2] Further, research on girls has highlighted that delinquent girls have higher rates of mental health problems than delinquent boys, receive fewer special services, and are more likely to abandon treatment programs.[3]

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is the Department of Justice (DOJ) office charged with providing national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective programs to, among other things, prevent delinquency and intervene after a juvenile has offended. For example, from fiscal years 2007 through 2009, Congress provided OJJDP almost $1.1 billion to use for grants to states, localities, and organizations for a variety of juvenile justice programs, including programs for girls. Also, in support of this mission, the office funds research and program evaluations related to a variety of juvenile justice issues.

As programs have been developed at the state and local levels in recent years that specifically target preventing girls' delinquency or intervening after girls have become involved in the juvenile justice system, it is important that agencies providing grants and practitioners operating the

[1] C. Puzzanchera and W. Kang, *Juvenile Court Statistics Databook* (2008), http://ojjdp.ncjrs.gov/ojstatbb/jcsdb/ (accessed Oct.15, 2009). This Web site provides the most current data available.

[2] C. Puzzanchera, *Juvenile Arrests 2007*, (2009) www.ncjrs.gov/pdffiles1/ojjdp/225344.pdf (accessed Oct.15, 2009).

[3] Elizabeth Cauffman and others, "Gender Differences in Mental Health Symptoms among Delinquent and Community Youth," *Youth Violence and Juvenile Justice*, vol. 5, no. 3 (2007): 287–307. Elizabeth Caufmann "Understanding the Female Offender" *The Future of Children*, vol. 18, no. 2 (2008): 119-142.

programs have information about which of these programs are effective. In this way, agencies can help to ensure that limited federal, state, and local funds are well spent. In general, effectiveness is determined through program evaluations, which are systematic studies conducted to assess how well a program is working—that is, whether a program produced its intended effects. To help ensure that grant funds are being used effectively, you asked us to review OJJDP's efforts related to studying and promoting effective girls' delinquency programs. We issued a report on the results of that review on July 24, 2009.[4] My statement today, as requested, highlights findings from that report and addresses (1) efforts OJJDP has made to assess the effectiveness of girls' delinquency programs, (2) the extent to which these efforts are consistent with generally accepted social science standards and federal standards to communicate with stakeholders, and (3) the findings from OJJDP's efforts and how the office plans to address the findings.

My statement is based on our July report and selected updates made in October 2009.[5] For our report, we reviewed documentation about OJJDP's establishment of a study group to assess the effectiveness of girl's delinquency programs, analyzed the groups' activities and findings, and interviewed OJJDP research and program officials and the current and former principal investigators of the study group. Specifically, we reviewed the criteria the study group used to assess studies of girls' delinquency programs and whether the group's application of those criteria was consistent with generally accepted social science standards for evaluation research.[6] We also compared OJJDP's efforts with criteria in *Standards for Internal Control in the Federal Government*, specifically that agency management should ensure that there are adequate means of

[4]GAO, *Juvenile Justice: Technical Assistance and Better Defined Evaluation Plans Will Help to Improve Girls' Delinquency Programs*, GAO-09-721R (Washington, D.C.: July 24, 2009).

[5]In a September 18, 2009, letter regarding the recommendation we made in our July report, DOJ clarified actions it was taking to address our recommendation, which we have included in this statement.

[6]For social science standards for evaluation research, see Donald T. Campbell and Julian Stanley, *Experimental and Quasi-Experimental Designs for Research* (Chicago: Rand McNally, 1963); William R. Shadish, Thomas D. Cook, and Donald T. Campbell, *Experimental and Quasi-Experimental Designs for Generalized Causal Inference* (Boston: Houghton Mifflin, 2002); Carol H. Weiss, *Evaluation: Methods for Studying Programs and Policies*, Second Edition (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1998); and GAO, *Designing Evaluations*, GAO/PEMD-10.1.4 (Washington, D.C.: May 1991).

obtaining information from and communicating with external stakeholders who may have a significant impact on the agency achieving its goals, such as practitioners operating programs or researchers assessing programs.[7] In addition, we conducted interviews with 18 girls' delinquency subject matter experts, that is, researchers and practitioners, whom we selected on the basis of their knowledge and experience with girls' delinquency issues.[8] While their comments cannot be generalized to all girls' delinquency experts, we nonetheless believe that their views gave us useful insights on issues related to girls' delinquency and OJJDP's efforts to assess girls' programs. Our work was performed in accordance with generally accepted government auditing standards. More detail about our scope and methodology is included in our July report.[9]

OJJDP Established the Girls Study Group to Assess the Effectiveness of Girls' Delinquency Programs

With an overall goal of developing research that communities need to make sound decisions about how best to prevent and reduce girls' delinquency, OJJDP established the Girls Study Group (Study Group) in 2004 under a $2.6 million multiyear cooperative agreement with a research institute.[10] OJJDP's objectives for the group, among others, included identifying effective or promising programs, program elements, and implementation principles (i.e., guidelines for developing programs). Objectives also included developing program models to help inform communities of what works in preventing or reducing girls' delinquency, identifying gaps in girls' delinquency research and developing recommendations for future research, and disseminating findings to the girls' delinquency field about effective or promising programs. To meet

[7]GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999).

[8]GAO defines an expert as a person who is recognized by others who work in the same subject matter area as having knowledge that is greater in scope or depth than that of most people working in that area. The expert's knowledge can come from education, experience, or both. We identified researchers who focus on girls' delinquency issues and practitioners who operate programs that address girls' delinquency. Specifically, these 18 experts included 11 of the 15 study group members and 7 experts who were not members of the group. While we contacted all 15 of the study group members, 4 members either did not respond to requests for interviews or declined to be interviewed.

[9]GAO-09-721R.

[10]Cooperative agreements, rather than grant awards, can be used by federal agencies when substantial involvement is expected between the agency and the recipient when carrying out the activities described in the program announcement. OJJDP extended the cooperative agreement with the research institute through June 2010 to complete all of the Study Group activities.

OJJDP's objectives, among other activities, the Study Group identified studies of delinquency programs that specifically targeted girls by reviewing over 1,000 documents in relevant research areas. These included criminological and feminist explanations for girls' delinquency, patterns of delinquency, and the justice system's response to girls' delinquency. As a result, the group identified 61 programs that specifically targeted preventing or responding to girls' delinquency. Then, the group assessed the methodological quality of the studies of the programs that had been evaluated using a set of criteria developed by DOJ's Office of Justice Programs (OJP) called What Works to determine whether the studies provided credible evidence that the programs were effective at preventing or responding to girls' delinquency.[11] The results of the group's assessment are discussed in the following sections.

OJJDP Efforts to Assess Program Effectiveness Were Consistent with Social Science Practices and Standards, and OJJDP Has Taken Action to Enhance Communication about the Study Group with External Stakeholders

OJJDP's effort to assess girls' delinquency programs through the use of a study group and the group's methods for assessing studies were consistent with generally accepted social science research practices and standards. In addition, OJJDP's efforts to involve practitioners in Study Group activities and disseminate findings were also consistent with the internal control standard to communicate with external stakeholders, such as practitioners operating programs.[12]

According to OJJDP research and program officials, they formed the Study Group rather than funding individual studies of programs because study groups provide a cost-effective method of gaining an overview of the available research in an issue area. As part of its work, the group collected, reviewed, and analyzed the methodological quality of research on girls' delinquency programs. The use of such a group, including its review, is an acceptable approach for systematically identifying and reviewing research conducted in a field of study. This review helped

[11]The What Works criteria define six levels of effectiveness, including effective, promising, and ineffective, for use in assessing and classifying studies on the basis of their evidence of effectiveness. The criteria for an effective program include a randomized controlled research design—a design that compares the outcomes for individuals who are randomly assigned to either the program being studied or to a nonparticipating control group before the intervention. While other research designs can produce valid results, we have previously reported that when it is feasible and ethical to do so, randomized controlled designs provide researchers with the best method for assessing a program's effectiveness because they isolate changes caused by the program from other factors.

[12]GAO/AIMD-00-21.3.1.

consolidate the research and provide information to OJJDP for determining evaluation priorities. Further, we reviewed the criteria the group used to assess the studies and found that they adhere to generally accepted social science standards for evaluation research. We also generally concurred with the group's assessments of the programs based on these criteria. According to the group's former principal investigator, the Study Group decided to use OJP's What Works criteria to ensure that its assessment of program effectiveness would be based on highly rigorous evaluation standards, thus eliminating the potential that a program that may do harm would be endorsed by the group. However, 8 of the 18 experts we interviewed said that the criteria created an unrealistically high standard, which caused the group to overlook potentially promising programs. OJJDP officials stated that despite such concerns, they approved the group's use of the criteria because of the methodological rigor of the framework and their goal for the group to identify effective programs.

In accordance with the internal control standard to communicate with external stakeholders, OJJDP sought to ensure a range of stakeholder perspectives related to girls' delinquency by requiring that Study Group members possess knowledge and experience with girls' delinquency and demonstrate expertise in relevant social science disciplines. The initial Study Group, which was convened by the research institute and approved by OJJDP, included 12 academic researchers and 1 practitioner; someone with experience implementing girls' delinquency programs. However, 11 of the 18 experts we interviewed stated that this composition was imbalanced in favor of academic researchers. In addition, 6 of the 11 said that the composition led the group to focus its efforts on researching theories of girls' delinquency rather than gathering and disseminating actionable information for practitioners.[15] According to OJJDP research and program officials, they acted to address this issue by adding a second practitioner as a member and involving two other practitioners in study group activities. OJJDP officials stated that they plan to more fully involve practitioners from the beginning when they organize study groups in the future and to include practitioners in the remaining activities of the Study Group, such as presenting successful girls' delinquency program practices at a national conference. Also, in accordance with the internal control standard, OJJDP and the Study Group have disseminated findings to the

[15]The other seven experts did not express views regarding the balance of the study group's composition.

research community, practitioners in the girls' delinquency field, and the public through conference presentations, Web site postings, and published bulletins. The group plans to issue a final report on all of its activities by spring 2010.

The Study Group Found No Evidence of Effective Girls' Delinquency Programs; in Response OJJDP Plans to Assist Programs in Preparing for Evaluations but Could Strengthen Its Plans for Supporting Such Evaluations

The Study Group found that few girls' delinquency programs had been studied and that the available studies lacked conclusive evidence of effective programs; as a result, OJJDP plans to provide technical assistance to help programs be better prepared for evaluations of their effectiveness. However, OJJDP could better address its girls' delinquency goals by more fully developing plans for supporting such evaluations.

In its review, the Study Group found that the majority of the girls' delinquency programs it identified—44 of the 61—had not been studied by researchers. For the 17 programs that had been studied, the Study Group reported that none of the studies provided conclusive evidence with which to determine whether the programs were effective at preventing or reducing girls' delinquency. For example, according to the Study Group, the studies provided insufficient evidence of the effectiveness of 11 of the 17 programs because, for instance, the studies involved research designs that could not demonstrate whether any positive outcomes, such as reduced delinquency, were due to program participation rather than other factors. Based on the results of this review, the Study Group reported that among other things, there is a need for additional, methodologically rigorous evaluations of girls' delinquency programs; training and technical assistance to help programs prepare for evaluations; and funding to support girls' delinquency programs found to be promising.

According to OJJDP officials, in response to the Study Group's finding about the need to better prepare programs for evaluation, the office plans to work with the group and use the remaining funding from the effort—approximately $300,000—to provide a technical assistance workshop by the end of October 2009. The workshop is intended to help approximately 10 girls' delinquency programs prepare for evaluation by providing information about how evaluations are designed and conducted and how to collect data that will be useful for program evaluators in assessing outcomes, among other things. In addition, OJJDP officials stated that as a result of the Study Group's findings, along with feedback they received from members of the girls' delinquency field, OJJDP plans to issue a solicitation in fiscal year 2010 for funding to support evaluations of girls' delinquency programs.

OJJDP has also reported that the Study Group's findings are to provide a foundation for moving ahead on a comprehensive program related to girls' delinquency. However, OJJDP has not developed a plan that is documented, is shared with key stakeholders, and includes specific funding requirements and commitments and time frames for meeting its girls' delinquency goals. Standard practices for program and project management state that specific desired outcomes or results should be conceptualized, defined, and documented in the planning process as part of a road map, along with the appropriate projects needed to achieve those results, supporting resources, and milestones.[14] In addition, government internal control standards call for policies and procedures that establish adequate communication with stakeholders as essential for achieving desired program goals.[15] According to OJJDP officials, they have not developed a plan for meeting their girls' delinquency goals because the office is in transition and is in the process of developing a plan for its juvenile justice programs,[16] but the office is taking steps to address its girls' delinquency goals, for example, through the technical assistance workshop. Developing a plan for girls' delinquency would help OJJDP to demonstrate leadership to the girls' delinquency field by clearly articulating the actions it intends to take to meet its goals and would also help the office to ensure that the goals are met.

In our July report, we recommended that to help ensure that OJJDP meets its goals to identify effective or promising girls' delinquency programs and supports the development of program models, the Administrator of OJJDP develop and document a plan that (1) articulates how the office intends to respond to the findings of the Study Group, (2) includes time frames and specific funding requirements and commitments, and (3) is shared with key stakeholders. OJP agreed with our recommendation and outlined efforts that OJJDP plans to undertake in response to these findings. For

[14]Project Management Institute, *The Standard for Program Management*.

[15]GAO/AIMD-00-21.3.1.

[16]OJJDP is required under the Juvenile Justice and Delinquency Prevention Act to publish an annual program plan that will, among other things, lay out goals and criteria for conducting research and evaluation for its juvenile justice programs. 42 U.S.C. § 5614(b)(5). This plan is required to be published annually in the *Federal Register* for public comment, and is to describe the activities the Administrator intends to carry out under Parts D and E. Under Part D, OJJDP is authorized to conduct research, evaluation, and technical assistance, among other things. 42 U.S.C. §§ 5661-62. Under Part E, OJJDP is authorized to make grants for developing, testing and demonstrating promising new initiatives and programs. 42 U.S.C. §§ 5665-66.

example, OJJDP stated that it anticipates publishing its proposed juvenile justice program plan, which is to include how it plans to address girls' delinquency issues, in the *Federal Register* to solicit public feedback and comments, which will enable the office to publish a final plan in the *Federal Register* by the end of the year (December 31, 2009).

Mr. Chairman, this concludes my statement. I would be pleased to respond to any questions that you or other Members of the Subcommittee may have.

Contacts and Acknowledgements

For questions about this statement, please contact Eileen R. Larence at (202) 512-8777 or larencee@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals making key contributions to this statement include Mary Catherine Hult, Assistant Director; Kevin Copping; and Katherine Davis. Additionally, key contributors to our July 2009 report include David Alexander, Elizabeth Blair, and Janet Temko.

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Mr. SCOTT. Ms. Ravoira.

TESTIMONY OF LAWANDA RAVOIRA, DIRECTOR, NCCD CENTER FOR GIRLS AND YOUNG WOMEN, JACKSONVILLE, FL

Ms. RAVOIRA. Thank you. Mr. Chairman and distinguished Members of the Committee, thank you for inviting the NCCD Center for Girls and Young Women to come and provide testimony at this critical hearing.

Located in Jacksonville, Florida, the NCCD Center for Girls and Young Women is grounded in the courageous life experiences of girls and young women who are caught in the juvenile justice and the child welfare system. We seek to be the passionate voice for activism to ensure equitable, humane, and gender appropriate responses to improve outcomes for girls.

Prior to coming to this hearing, I had the opportunity to meet with girls who are spending much of their adolescence behind razor wire in facilities in Florida. And I asked the girls, what would they say if they had the opportunity to come and speak to individuals who had the power to create change in how the juvenile justice system treats girls. And Maria, a thoughtful, intelligent, and unusually quiet young woman, simply said, "Ask the adults to be there for us, to do what our parents couldn't do, be somebody we didn't have, be a friend. We don't have anyone really to talk to. That is where you can start to help us, whether we are good or bad. I have no one. And I really try to be good, but I always mess up."

What is Maria's story? Maria's dad left home when she was 7, after being convicted of sexually abusing her from ages 4 to 7 years old. And by age 11, Maria was taken away from her mother because she had been beaten with a coat hanger, and she was placed in foster care.

By age 12, bouncing from foster care home to foster care home, Maria started smoking marijuana, which escalated to using cocaine, prescription drugs, and finally crack cocaine. She ran away repeatedly from the foster care homes, and by age 14 she was arrested for drug paraphernalia. And then she was violated for probation for running away again from foster care. And over the past 3 years, before I met Maria, she had been in and out of razor-wire institutions. And what is important to understand in her life, she has never been treated for the sexual abuse and she has never been treated for the trauma that she experienced as a young child. She tried to be good, and she always messed up.

What I believe, after two decades of advocating and providing services to girls and young women in the juvenile justice system, it is not our girls who continue to mess up; indeed, it is the juvenile justice system that continues to fail girls.

What we know, as you have said, girls are the fastest growing segment of the juvenile justice system. And although crime rates are decreasing for both boys and girls, the rate of decrease for girls is significantly less. Also, girls are entering the system at much younger ages. The majority of girls, about 50 percent, are coming into the system and being incarcerated at 15 years or younger.

Girls' needs are distinctly different from boys'. What we know is that girls' victimization and abuse is the pathway into the juvenile justice system; yet when they get into the system, their status as victim is quickly forgotten. And despite the fact that they are presenting with serious mental health issues, posttraumatic stress disorders, as well as attempts of self-harm and suicide, the very practices inside of institutions continue to revictimize and traumatize girls. These routine practices, if you have not had the opportunity to be inside of institutions, often trigger the posttraumatic stress disorders that were with girls prior to coming into the system.

What are these practices and policies that we are asking you to get involved in? They start with the disrobing of girls, often in front of men, male staff observing girls taking showers. We are witnessing strip searches of girls. We are also looking at the overuse of physical restraints which is simply a reenactment oftentimes of the rape and sexual abuse that girls have suffered prior to coming into the system. We also know that in many systems girls are simply an afterthought.

What we also know about girls and young women is an estimated 10 percent of the girls coming into the system are pregnant and 30 percent are parents. Yet in some States and jurisdictions, we are still shackling girls who go into labor when we are transporting them to the hospital to have their child, and what we are told is that they are a risk to run.

Well, as I look at the panel, I am assuming that none of you have given birth, except maybe the counsel. However, if you have been with someone who has given birth, I am certain that you would agree that the last thing on their mind is running away. This is barbaric treatment that warrants our attention.

And girls' abuse outside of the institution, which our studies show us is as high as 92 percent, is the dark heart of America. But inside of institutions, we also are witnessing abuse of girls. And, in fact, the U.S. Justice Department has sued nine States and two territories, alleging abuse, inadequate mental health care, as well as dangerous use of restraints for our girls.

There is an urgency to act, but yet girls continue to be a low priority and too often an afterthought. We believe that girls continue to be squeezed into programs that were ill-designed and ill-conceived. And not only are they ill-conceived for our girls, I am not saying that they are designed for boys, either. But we do know that there is an emphasis over razor wire and control instead of treatment, and we consistently miss the mark. And the cost to society is high.

There are severe short-term and long-term consequences where we are looking at girls locked up with high need and low public safety risk at sometimes over $50,000 a year to incarcerate girls. And we know that this predicts an entire host of issues long term, including physical and mental health issues, substance abuse issues, future arrests and incarceration. And our girls who end up being locked up in these facilities are at future risk for domestic violence and other violent relationships, as well as dysfunctional parenting and losing custody of their children. We must invest in prevention and intervention services at the community-based level.

We are asking: How many more girls need to be scarred by years of neglect and abuse before we act? We know what to do. But will we continue to mess up as a Nation by not investing in gender-responsive services that are designed to meet the needs of girls and to turn their lives around?

The NCCD Center for Girls and Young Women is calling for a profound shift in how we respond to girls and young women. Our recommendations chart both a fiscally responsible and a service-effective direction for addressing the escalating numbers of girls coming into the system. We are calling for equitable treatment for a fair and balanced juvenile justice system that holds girls account-

able for their behavior, balanced with a commitment to addressing their needs.

We know that at the Federal level we need assistance in addressing the criminalization of girls' behavior that is grounded in mental health issues and abuse issues, where girls do not pose a public safety risk and yet they are locked up with the guise of getting mental health treatment. We are asking for an examination of policies and practices that negatively impact girls. And we are asking for a review of the resource allocation that, although the Juvenile Justice and Delinquency Prevention Act—which was passed in 1992—required gender-specific services, funding has been woefully inadequate.

Changing how we respond to girls and young women is not an option. It is vital to the health and well-being of our local communities, our State, and our Nation, and certainly the next generation of children. Our girls are entitled to nothing less.

We are hopeful that you will work with us in accepting Maria's challenge to be there for girls in the juvenile justice system, to do the things their parents couldn't do and, thus far, we have failed to do. And we believe this hearing is absolutely a critical step in the right direction. Thank you.

[The prepared statement of Ms. Ravoira follows:]

PREPARED STATEMENT OF LAWANDA RAVOIRA

Testimony Of
Dr. Lawanda Ravoira, Director
NCCD Center for Girls and Young Women

For a Hearing on
"Girls in the Juvenile Justice System"

Before
The House Judiciary Committee
Subcommittee on Crime Terrorism and Homeland Security

October 20th, 2009

Introduction

Mr. Chairman and distinguished members of the Committee, thank you for inviting the NCCD Center for Girls and Young Women to testify at this important and timely hearing on girls and young women in the juvenile justice system.

In 2006, the National Council on Crime and Delinquency (NCCD) headquartered in Oakland, California with divisions in Wisconsin and Florida, celebrated its 100-year history in promoting effective, humane, fair, and economically sound solutions to criminal justice problems. Located in Jacksonville, Florida, the NCCD Center for Girls and Young Women is guided by the courageous life experiences of girls caught up in the juvenile justice and child welfare systems. We are the passionate voice for activism to ensure equitable, human, and gender-appropriate responses to improve outcomes for girls and young women. Our work focuses on advocacy, systems reform, research, assessment services, staff training, evaluation and the development and implementation of innovative programming and services.

Several months ago while meeting with girls who are incarcerated in a razor-wire facility in Florida, I asked girls what message they would like to share with adults who have the power to create change in the juvenile justice system.

"Maria", a thoughtful, intelligent, and unusually quiet young girl who is spending much of her adolescence behind razor wire simply said: *"Ask the adults to be there for us, to do what our parents couldn't do, be somebody we didn't have. Be a friend, we don't have anyone to really talk to. That's where you can start to help us – whether we are good or bad. I have no one. And I really try to be good but I always mess up."*

What is "Maria's" Story?

Maria's dad left when she was 7 years old after being found guilty of sexually abusing her from the ages of 4 to 7. She shared that she did not *"get any counseling or support." "It was just never mentioned."*

Her mom was in the military and traveled extensively thus she and her siblings stayed with relatives or friends that they hardly knew. She was the oldest and was responsible for her brother and two sisters. Often left alone, by age 11 she started hanging out with boys 16 years old or older. She shared that they *"did things to her"* and as a result she was sexually active at a very young age.

At age 11, she was placed in foster care because her mom *"hit her with a clothes hanger and she was taken away."* She started the life of living with stranger after stranger.

At age 12, she started smoking marijuana which escalated to cocaine to prescription drugs to crack. She ran away repeatedly. By age 14, she started selling drugs to get money to pay for a place to stay. She was arrested for drug paraphernalia and placed on probation. While on probation, she ran away and received a violation of probation (VOP). With the violation of probation, the cycling in and out of locked facilities started.

"She tried to be good – but she always messed up." After decades of advocating on behalf of girls and young women, I believe as a nation *we have tried to be good*, yet we continue to *mess up* in our response to girls.

A lack of understanding of what drives girls' offending behaviors can compound an already volatile situation and lead to further negative consequences for girls in care. For example, most girls that get into trouble with the law have already been victimized, and then while in custody they experience additional traumas. The mental and physical health needs of girls in the justice system have been systematically devalued. Programs that ignore how trauma is related to offending behavior will fail. Straightforward facts are critical to establishing policies and practices that will lead to the equitable treatment of girls and young women.

Girls in Juvenile Justice: National Data Profile

Current Trends—Girls are the fastest growing segment of the juvenile justice population.

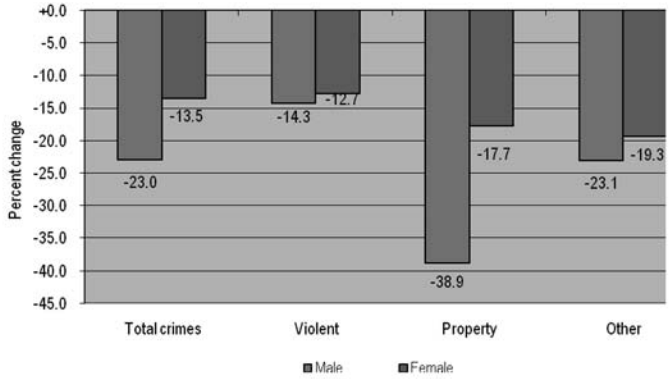
Arrests. Crime rates are decreasing nationally for both girls and boys, but the rate of that decrease has been slower for girls. In 1998, girls made up 27% of the 1.5 million arrests for youth under 18. By 2007, girls constituted 29% of the 1.2 million arrests (UCR).

Incarceration. Nationally, girls represent 15% of the incarcerated population and as much as 34% in some states. A one-day snapshot in 2006 revealed that 7,995 girls under age eighteen were committed to juvenile residential placements and an additional 4,458 girls were in detention across the United States (Sickmund, Sladky, & Kang, 2005).

Since 1997, there has been an 18% decrease in boys' incarceration rates compared to an 8% decrease for girls. The rate of incarceration for girls ages 10-17 decreased from 99 per 100,000 in 1997 to 91 per 100,000 in 2006. However, the female juvenile rate of incarceration has increased more than 30% since 1997 in 14 states. (see Table 1)

Figure 1

Ten-year Arrest Trends for Youth under 18, by Gender, 1998-2007



Source: FBI, Uniform Crime Reports, Ten-Year Arrest Trends.

Table 1

Incarceration of Girls by State

Female Rate per 100,000 juveniles	1997	2006	Percent Change, 1996-2006	2006 Count (N)
United States	**99**	**91**	**-8.1%**	**13,943**
Alabama	116	153	31.9%	384
Alaska	170	183	7.6%	75
Arizona	109	101	-7.3%	348
Arkansas	37	105	183.8%	159
California	95	88	-7.4%	1,854
Colorado	108	108	0.0%	270
Connecticut	131	80	-38.9%	114
Delaware	53	60	13.2%	27
District of Columbia	92	119	29.3%	30
Florida	85	113	32.9%	1,014
Georgia	158	83	-47.5%	384
Hawaii	32	65	103.1%	42
Idaho	36	127	252.8%	108
Illinois	42	53	26.2%	333
Indiana	146	161	10.3%	564
Iowa	136	218	60.3%	348
Kansas	174	75	-56.9%	114
Kentucky	82	120	46.3%	264
Louisiana	147	90	-38.8%	189

Maine	55	36	-34.5%	24
Maryland	49	30	-38.8%	93
Massachusetts	53	48	-9.4%	138
Michigan	121	106	-12.4%	534
Minnesota	90	95	5.6%	267
Mississippi	27	53	96.3%	90
Missouri	82	66	-19.5%	183
Montana	81	119	46.9%	60
Nebraska	179	250	39.7%	243
Nevada	177	110	-37.9%	150
New Hampshire	56	58	3.6%	36
New Jersey	42	37	-11.9%	177
New Mexico	75	63	-16.0%	72
New York	130	115	-11.5%	876
North Carolina	60	53	-11.7%	183
North Dakota	137	119	-13.1%	39
Ohio	86	88	2.3%	555
Oklahoma	62	57	-8.1%	111
Oregon	110	81	-26.4%	156
Pennsylvania	80	70	-12.5%	462
Rhode Island	82	65	-20.7%	36
South Carolina	119	83	-30.3%	168
South Dakota	193	377	95.3%	162
Tennessee	132	51	-61.4%	162
Texas	67	91	35.8%	1,101
Utah	67	105	56.7%	165
Vermont	9	9	0.0%	3
Virginia	137	75	-45.3%	300
Washington	91	67	-26.4%	231
West Virginia	49	99	102.0%	87
Wisconsin	109	72	-33.9%	189
Wyoming	422	341	-19.2%	93

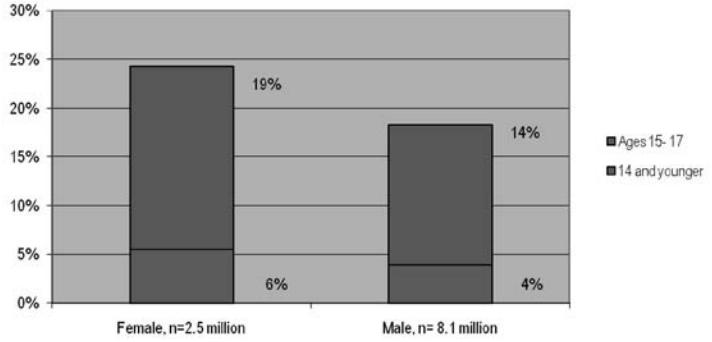
Source: Sickmund, Sladky, Kang, & Puzzanchera (2008).

Age—Girls enter the system at younger ages than boys.

In 2007, there were 2.5 million arrests for females of all ages. Of these, 25% were girls under the age of 18.[1] Of all youth incarcerations, 42% of girls are 15 and younger, compared to 31% of boys 15 and younger.

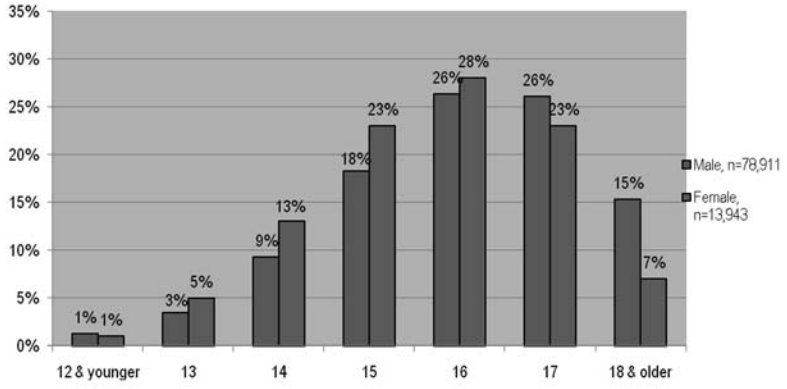
[1] In 2007, there were 8.1 million arrests for males. In comparison, only 18% were for boys under 18. Of all youth incarcerations, 31% are boys 15 and younger.

Figure 2
Percentage Distribution of Arrests for all offenses by Age and Gender, 2007



Source: FBI, Uniform Crime Reports.

Figure 3
Profile of Committed by Gender and Age



Source: Sickmund, Sladky, Kang 2008

Offense Type and Severity

The types of offenses for which girls are arrested and incarcerated are less serious than boys. Contrary to popular belief that girls are becoming more violent, the arrest rate for violent crimes has decreased 13% for females and 14% for males over the last ten years.[2]

The data show that girls are committed for less serious offenses than boys. Of the 7,995 girls that were incarcerated in 2006, one-third were incarcerated for person offenses such as simple assault; 21% for property offenses; and 15% for technical violations. Among girls, the incarceration rate for violent offenses[3] is almost half that of boys (11% and 24% respectively), but the rate for status offenses[4] is more than twice as high for girls as for boys (18% and 4% respectively).[5] (see Table 3)

Table 2

Comparison of Arrests by Gender and Offense, 2007

	FEMALE		MALE	
Violent crimes		% of total		% of total
Murder and non-negligent manslaughter	76	0%	935	0%
Forcible rape	49	0%	2,584	0%
Robbery	2,564	1%	23,760	2%
Aggravated assault	10,029	2%	33,430	3%
Violent crimes Total	12,718		60,709	
Property crimes				
Burglary	7,138	1%	54,557	5%
Larceny-theft	99,298	20%	130,539	11%
Motor vehicle theft	3,668	1%	18,598	2%
Arson	645	0%	4,782	0%
Property crimes Total	110,749		208,476	
Other crimes				
Part II	Under 18			
Other assaults	60,959	13%	120,419	10%
Forgery and counterfeiting	741	0%	1,612	0%
Fraud	2,023	0%	3,667	0%
Embezzlement	541	0%	747	0%
Stolen property; buying, receiving, possessing	3,073	1%	13,816	1%
Vandalism	11,298	2%	73,446	6%
Weapons; carrying, possessing, etc.	3,234	1%	29,953	3%
Prostitution and commercialized vice	909	0%	251	0%
Sex offenses (except forcible rape and prostitution)	1,125	0%	10,450	1%

[2] UCR: Ten-year arrest trends by sex, 1998-2007, Table 33

[3] Violent offenses include criminal homicide, violent sexual assault, robbery, and aggravated assault.

[4] Status offenses (actions which are only criminal for a certain class of persons, namely minors) include running away, truancy, incorrigibility, underage drinking, and curfew violations.

[5] Author's analysis of 2003 data from Sickmund, Sladky, & Kang, 2005.

Drug abuse violations	23,181	5%	124,201	11%
Gambling	31	0%	1,553	0%
Offenses against the family and children	1,596	0%	2,609	0%
Driving under the influence	3,264	1%	10,233	1%
Liquor laws	39,861	8%	66,676	6%
Drunkenness	3,289	1%	9,677	1%
Disorderly conduct	50,922	10%	102,371	9%
Vagrancy	852	0%	2,072	0%
All other offenses (except traffic)	74,816	15%	209,280	18%
Suspicion	72	0%	231	0%
Curfew and loitering law violations	33,790	7%	76,025	7%
Runaways	46,265	10%	36,194	3%
Other crimes Total	361,842	100%	895,483	100%
Total	**485,309**	**485,309**	**1,164,668**	**1,164,668**

Source: FBI, Uniform Crime Reports, Ten-Year Arrest Trends.

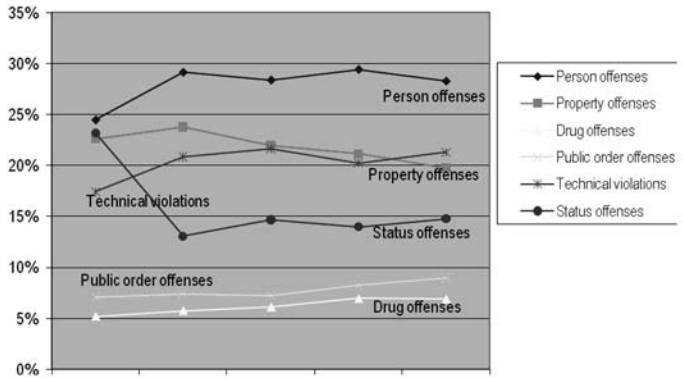
Table 3

Most Serious Commitment Offense by Gender and Offense, 2006

	Female	% Female	Male	% Male	Total
Person Offenses					
Criminal homicide	31	0%	255	1%	286
Sexual assault	89	1%	4034	9%	4123
Robbery	186	2%	3037	7%	3223
Aggravated assault	656	8%	3245	7%	3901
Simple assault	1174	15%	3464	8%	4638
Other person	202	3%	1279	3%	1481
Property Offenses					
Burglary	345	4%	5315	12%	5660
Theft	561	7%	2474	6%	3035
Auto theft	435	5%	2229	5%	2664
Arson	55	1%	337	1%	392
Other property	346	4%	2272	5%	2618
Drug offenses					
Drug trafficking	58	1%	823	2%	881
Other drug	551	7%	3117	7%	3668
Public Order Offenses					
Weapons	102	1%	1793	4%	1895
Other public order	555	7%	3246	7%	3801
Technical violations	1191	15%	5827	13%	7018
Status offenses	1458	18%	2014	4%	3472
Total	**7995**	**100%**	**44761**	**100%**	**52756**

Source: Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2008). "Easy Access to the Census of Juveniles in Residential Placement." Available: http://ojjdp.ncjrs.gov/ojstatbb/ezacjrp/

Figure 4
10-Year Commitment Trends for Girls Under 18, 1997-2006



Source: Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2008).

Race and Ethnicity

There is an overrepresentation of girls of color in the justice system. Based on the race/ethnic proportion of the general population of youth ages 12-17, overrepresentation is an equity issue affecting both girls and boys. NCCD studies have shown the cumulative disadvantage along the juvenile justice continuum from arrest to detention, judicial handling, commitment, and transfer to adult court for minority youth compared to White youth for similar offenses (see *And Justice for Some*, 2007). Girls of color are overrepresented among youth in residential placement. Compared to White girls:

- African American girls are placed over three times as often
- Native American girls are placed over four times as often
- Hispanic girls are placed at higher rates
- Asian Pacific Islanders are underrepresented.

Disparity exists regardless of offense type. Compared to White girls:

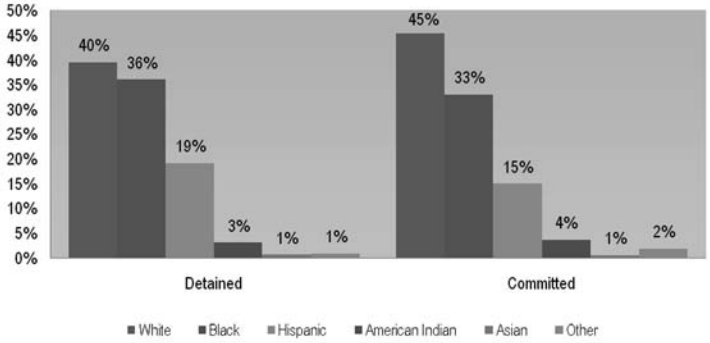
- African American girls are detained almost six times as often and committed over four times as often for violent offenses.
- Native Americans are detained five times as often for public order and nine times as often for status offenses, and committed over five times as often for violent and status offenses.
- Hispanic girls are detained almost twice as often for violent, public order, and technical violations.

Girls of color are placed in adult prisons at far higher rates. Compared to White girls:

- African American girls are sent to adult prison over five times as often and Native Americans girls three times as often.

Figure 5

Percentage of Girls Committed and Detained by Race



Source: Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2008).

Sexual Orientation

LGBT youth often experience discrimination and the justice system is ill equipped to deal with their needs. The Urban Justice Center (2001) reports that LGBT youth comprise 4-10 % of the juvenile justice population. Further, they face threats to their physical and mental safety because of their sexual orientation in addition to the limited sentencing options available, inconsistent or nonexistent policies, and a lack of services and trained staff to meet their needs.

Abuse and Victimization

Many girls enter the system with histories of abuse and experience further victimization while incarcerated. Abuse is a common denominator among girls in the system, with estimates ranging from 56-88% of girls who report emotional, physical, or sexual abuse (Acoca & Dedel, 1998). Girls in the system may be three times more likely than boys to have been sexually abused (Hipwell & Loeber, 2006; Bloom et al., 2005). Abuse has been found to be a stronger predictor of offending behavior for females than for males (Makarios, 2007). Based on the Survey of Youth in Residential Placement (SYRP), preliminary data show that 5% of females reported being the victim of sexual assault while in custody (Sedlak, 2008). Most of those reporting sexual assault had been victimized multiple times. The impact of abuse inside institutions, coupled with past life experiences puts girls at great risk for self-harming and high-risk behaviors. When these issues are unaddressed, we can expect that girls will be unable to effectively cope with stress or anger. These emotions manifest in behaviors that staff inside juvenile justice facilities refer to as "acting out," "drama," or "lashing out." Girls are subject to disciplinary infractions and

additional trauma when policies mandate controlling the behaviors rather than addressing the underlying issues.

Emotional and Mental Health

Girls have greater mental health needs. Some studies have shown that as many as 3 in 4 girls who are detained have a diagnosed mental health disorder (Veysey, 2003). Approximately 70% have been exposed to a traumatic experience. Their rates for post traumatic stress disorder, suicide attempts, and self harming behavior are higher than those for boys.

Family Issues

Offenses are often committed against a family member, and family problems often contribute to girls' acting out. NCCD has conducted two cutting edge studies of girls in the juvenile justice system: *No Place to Hide* (1998) and *Rallying Cry for Change* (2006). The researchers gathered valuable information from the voices of girls. The girls in these two studies share similar life experiences and home lives, mirroring the research literature, which demonstrates that family issues such as ineffective parental supervision, frequent parent/child conflict, and family history problems are overwhelmingly linked with girls' delinquency (see Table 4). In *Rallying Cry for Change*, more than half (61%) of the girls had committed an offense against a family member.

Table 4

Family Issues for Girls in California and Florida

	California (n=193)	Florida (n=319)
Positive Relationship with mother	67%	**41% close** 45% mixed/neutral
Positive relationship with father	46%	**31% close** 47% mixed/neutral
History of Parent incarceration	56%	56%
History of Sibling Incarceration	67%	57%
Chronic runaway	77%	
Witness Violence	58%	
Experienced Abuse (physical, sexual, and/or emotional)	56-88%	**37% by parent** 48% by someone other than a parent
Out of home placement	43%	44%
History of Pregnancy	29%	30%
Suicide ideation	24%	**9% ideation** 29% attempted it

Source: Acoca and Dedel, 1998; Patino, Ravoira, & Wolf, 2006.

Why Girls in Juvenile Justice Need Our Immediate Attention:

- Girls are the fastest growing segment of the juvenile justice population. Today, girls represent approximately 30% of arrests and 15% of incarcerations.
- Girls enter the system at younger ages than boys. Almost half (42%) of girls who are incarcerated are 15 years old or younger.
- Girls present with higher rates of serious mental health conditions including post traumatic stress disorder, psychiatric disorders, attempts of self harm and suicide. It is estimated that 10% of incarcerated girls are pregnant and that 30% have children.
- The American Bar Report found that the practice of "bootstrapping," charging girls with a delinquent offense for violation of a court order, is applied disproportionately to girls and results in harsh and inequitable treatment especially of girls charged with status offenses (running away, curfew violations, etc). Although girls' rates of recidivism are lower than those of boys, the use of contempt proceedings and probation and parole violations make it more likely that, without committing a crime, girls will return to detention or a residential commitment program.

- Girls pick up more charges inside institutions that are ill equipped to meet their needs and thus, are "fast tracked" deeper into the system.
- While the rates of abuse for girls outside facilities are higher than 50%, the rates of abuse for girls inside facilities is unacceptable and demands immediate correction. The US Justice Department has sued nine states and two territories alleging abuse, inadequate mental and medical care and dangerous use of restraints.
- The level of resources allocated for gender-specific services is significantly less than the proportion of girls in the system.
- Professionals at all levels are frequently frustrated with the lack of information and training in best practices for girls.

Urgency to Act

The increasing rates of girls entering the justice system and the complexity of the issues that impact the lives of young women, underscore the urgency and our obligation to advocate for meaningful reform. Despite research and evidence documenting gender differences in offending and pathways to delinquency, girls have been considered a low priority. Girls continue to be inappropriately placed in facilities and programs designed for boys or that emphasize razor wire over treatment. Consistently missing the mark, there is an epidemic of programs that are ill equipped to effectively address girls' needs and tragically where girls are further victimized or traumatized.

Costs to the Girls and to Society

Our failure to effectively address the needs of girls has created a major public health and social welfare concern with severe short and long-term consequences. Young girls who could have their lives turned around wind up in ill-conceived lock-up facilities costing an average of $50,000 annually per girl. Ineffective intervention to address the needs of justice-involved girls during adolescence also predicts a host of problems in adulthood including poor physical and mental health, substance dependence, and future arrests and incarceration. These girls are at a high risk of future domestic violence and other violent relationships, dysfunctional parenting and losing custody of their children. In general, if appropriate prevention and intervention services are not available, these girls will heavily utilize public health and social welfare services in adulthood.

What must be understood is not only the increase in numbers but the particular circumstances of girls behind the numbers. Girls' involvement in the juvenile justice system is as a result of circumstances that are distinctly different than those of males. We must respond to girls both from understanding their offenses and holding them accountable for their behaviors -- and understanding their status as victims. It is the intersection of victimization and future offending that derails a girl's future.

Yet, we continue to "mess up." As a nation we are not investing in community based gender responsive prevention, intervention and diversion programs that research and experience show us turns girls' lives around – and is cost effective.

We know what to do yet our continued inaction results in tragic and unacceptable outcomes on the health and well being of girls and young women.

Profile of Florida's Girls

The findings of the National Council on Crime and Delinquency research report, A Rallying Cry for Change (2006), paint a haunting portrait of girls in the Florida system:

- Girls are getting arrested at young ages (40% of girls reported committing their first offense before the age of 13);
- 79% have emotional/mental health issues (Depression, trauma, anger, self destructive behaviors, or other mental health/clinical diagnoses);
- 70% experience family conflict and/or history of family problems;
- 46% have substance abuse/addiction issues;
- 64% reported prior abuse;
- 49% self mutilate;
- 34% have history of suicide attempts;
- 35% have a history of prior pregnancy;
- 10% have children;
- 25% have or are recovering from a major illness.

The NCCD Center for Girls and Young Women is calling for a profound shift in how our country responds to girls and young women. Our recommendations chart both a fiscally responsible and service effective direction for addressing the escalating number of girls being referred to juvenile justice system.

We are calling for equitable treatment of girls -- for a fair and balanced juvenile justice system that holds girls accountable for their behaviors balanced with a commitment to addressing the critical needs that drive girls into the system.

We must work to better understand the status of girls in the juvenile justice system and those girls who are caught between the juvenile justice and child welfare system. The

larger structural issues and system inequities include sexism, bias and racism. The Center rejects the assumption that the experience of girls can be summarized in a few bullet points. The causes and correlates of girls' delinquency cannot be narrowly defined.

Research on how these factors are experienced differently for girls and the implications for gendered pathways to delinquency must be furthered explored. We do know, however, that girls are a growing population of the system, they are younger, their offenses are less serious and often related to family issues, and they have greater mental health needs. The current system is not designed with these differences in mind. We are committed to raising questions about why there is a growing trend of girls in the system and the future direction of interventions for girls.

Call to Action

State and local juvenile justice systems are increasingly called upon to address the needs of juvenile female offenders and at risk girls and young women. Based on our research and expertise in the field, the NCCD Center for Girls and Young Women recommends an overhaul of current legislation, policies and practices in order to improve outcomes for girls and young women.

The critical issues that warrant serious attention at the federal level include the following:

- **Escalating Trends:** The escalating rates of arrest and incarceration for girls in the juvenile justice system
- **Criminalization of Girls' Behavior:** Criminalization of girls' behavior that does not pose a public safety threat results in incarceration or institutionalization (i.e., status offenses, domestic violence, violation of probation, violation of court orders).
- **Institutional Abuse:** While the rates of abuse for girls outside facilities are higher than 50%, the rates of abuse for girls inside facilities are even more unacceptable and demand immediate correction. The Unites States Justice Department has sued nine states and two territories alleging abuse, inadequate mental and medical care, and dangerous use of restraints.
- **Examination of Legislation, Policies, and Practices that Negatively Impact Girls:** Identify and scrutinize policies and practices for undue burden on girls. Ensure equity by evaluating the law's impact on girls.
- **Review Resource Allocation:** Although the JJDPA Act of 1992 requires gender-specific services for girls, funding for these services has been woefully inadequate at the state and national levels. Allocate adequate funds to improve outcomes for girls involved in the juvenile justice system.

In Closing

Changing how we respond to girls and young women is not an option. It is vital to the health and well being of our state and our local communities and to the next generation of children.

Our girls are entitled to no less. We are hopeful that you will work with us to accept Maria's challenge *"to be there"* for girls in the justice system – *"to do the things parents could not do"* – and that thus far we have failed to do.

Thank you.

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Mr. SCOTT. Ms. Rivera.

TESTIMONY OF TIFFANY RIVERA, GEMS, NEW YORK, NY

Ms. RIVERA. My name is Tiffany Rivera. I am 19 years old, and I am currently an outreach worker for GEMS.

Growing up, my mom and dad were addicted to drugs. My dad used to beat on our mom and all of her kids. My dad went to jail

when I was a little girl, and my mom was left alone to raise us six kids. I remember my mom always bouncing me from home to home.

When I was 7 years old, I lived with my godmother for 2 years. Out of those 2 years, I was raped by my godbrother. When I was 9 years old, I remember telling my mother I didn't want to live there anymore, so she sent me to live with my aunt in Long Island. I stayed there until I was 11 years old, because my aunt told me she felt that my mother wasn't going to be around much longer. My mother was very sick. Even though at this point she had stopped using cigarettes and using heroin, she was dealing with the after effects of using it for so many years.

When I was 12 years old, my mother was hit by a car and passed away. Once my mother passed away, I started running away and got involved with the streets. I was a victim of CSEC. I had a pimp that physically abused me and raped me almost every day. He forced me to sell my body for money. I was with him for 2 years before having the chance to run away from him.

I got involved with gangs and smoked weed. I was put in a mental institution at 14 years old. Once I was released, I went back to the streets because I did not receive real help or counseling at the hospital. All they did was put me on medication.

Right after my 15th birthday, I was jumped by two 20-year-old women and four men. I stabbed one of the girls in self-defense. I was arrested 3 days later. I was locked up in the juvenile justice system for close to 2 years. While being in detention, I had over a dozen fights. I was jumped and assaulted by other residents, and I can remember the staff turning their backs on me and acting as if nothing happened.

If you were in there for prostitution or your family history was written down in your file, the counselors used to put your business on blast. Confidentiality was never kept. If you had an STD or something, they would talk and spread your information with other girls in there. If they didn't like you, they would lie to another girl so that you can get beat up. There was always favoritism. I remember being sick a few times and putting in a sick call but never being called for it. They would always wait until you needed to go to the hospital before seeing you.

When I got arrested, I was kind of happy because I felt as if I was being saved. I was hoping to receive help and start dealing with my problems, but it was as if they completely ignored that part. I asked to see a counselor and they told me okay. It took 3 months for me to see one. It was never consistent, and it didn't help. All we did was play games.

I felt as if they made us keep our problems inside. It didn't seem like they really wanted to know the true story, the real issues that I have been dealing with my whole life; they just made me take three medications and told me I was just an angry girl.

There were times we had good times, like when they had special performances for us to do during the holidays, but those times didn't fill the void of being in detention with no one there to really care about me or ask about how I was really dealing with issues of loss, abuse, and trauma.

While being in detention, I met GEMS through their outreach workers, and they referred me to their program. GEMS stands for

Girls Education and Mentoring Services. It is the only nonprofit organization in New York State that specifically deals with commercially sexually exploited domestic trafficked girls and young women.

I was released on 5 years' probation into GEMS independent living home. GEMS has helped me finish school. They helped me deal with my family issues and the closure of it not being my fault. I remember coming to GEMS and hoping things weren't like detention. I wanted to see a real counselor and just stay away from the streets. GEMS asked me what I wanted from them and my goals. I told them, and they set up a safety plan with me and ways to meet my goals. They worked with me to make sure I met my goals.

After I met my goals, I felt like a relief and that things can change and get better in my life. GEMS has always been there when I needed them and when I was in trouble or just needed someone to vent to. They never judged me or turned their back on me, and they helped me feel at home. I was able to grow up and deal with my problems. I understand life in the bigger picture now.

I was able to further my passion in helping others and giving back. They gave me the opportunity with a job as an outreach worker. Now I go to juvenile detention centers, schools, child welfare, and other programs to talk to young girls. They have helped me with permanent housing. Although I am currently still on probation, my life has changed and I have done a 180. I can finally say I am happy with the way things are going with my life and okay with what has happened in my past. I know I have learned so much from my past and can use my experience to help other young women who may be going through something similar.

When I go to detention centers I see the same patterns happening over and over again. I see staff actually gossiping about the girls right in front of them. It makes me upset because I know it is not cool, and that it can make a girl want to shut down completely, and, when someone is truly trying to help her, she refuses the help. When I sit and talk to these girls, I let them know that I will not turn my back on them and I will always listen and give them the best advice I can. If I have the resources that can help them, I make sure to give it to them. I build a trust bond between the young ladies and myself. Sometimes the girls just want someone to talk to, and I make sure I can be that person. I tell them if they want someone to write to, they can write me and I will make sure I write them back. We have a pen-pal program at GEMS to help the girls in detention know that there are people out here who care about them and want to see them succeed and heal.

I hope to see more caring staff at these detentions that are well-trained. I hope to see that these girls receive services that they deserve and that best help them deal with their problems, whether it is being a rape victim, a gang member, a drug abuser, or victim of commercial sexual exploitation. I hope that they get to see better therapists with more consistency. Most of all, I hope that all adults who are responsible for this will listen to my testimony and work to make the essential changes to help our troubled and often neglected youth.

Mr. SCOTT. Thank you. Thank you very much.

[The prepared statement of Ms. Rivera follows:]

PREPARED STATEMENT OF TIFFANY RIVERA

TESTIMONY OF

TIFFANY RIVERA

YOUNG WOMAN FORMERLY DETAINED IN THE
JUVENILE JUSTICE SYSTEM

SUBCOMMITTEE HEARING
GIRLS IN THE JUVENILE JUSTICE SYSTEM:
STRATEGIES TO HELP GIRLS ACHIEVE THEIR FULL POTENTIAL

U.S. HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY
WASHINGTON, DC

OCTOBER 20, 2009

SUBMITTED BY
REBECCA PROJECT FOR HUMAN RIGHTS
GIRLS EDUCATION AND MENTORING SERVICES

My name is Tiffany Rivera, I'm 19 years old and I'm currently an outreach worker at GEMS. Growing up my mom and dad were addicted to drugs. My dad use to beat on my mom and all of her kids. My dad went to jail when I was a little girl and my mom was left alone to raise her 6 kids. I remember my mom always bouncing me from home to home. When I was 7 years old I lived with my godmother for 2 years. Out of those two years I was raped by my god brother. When I was 9 years old I remember telling my mother I didn't want to live there anymore, so she sent me to live with my aunt in Long Island. I stayed there until I was 11 years old because my aunt told me she felt that my mother wasn't going to be around much longer. My mother was very sick. Even though at this point she had stopped smoking cigarettes and using heroin, she was dealing with the after affects of using it for so many years. When I was 12 years old my mother was hit by a car and passed away.

Once my mother passed away I started running away and got involved with the streets. I was a victim of CSEC (commercial sexual exploitation of children), I got involved with gangs and smoked weed. I was put in a mental institution at 14 years old. Once I was released, I went back to the streets because I did not receive real help or counseling at the hospital--all they did was put me on medication. Right after my 15th birthday, I was jumped by two 21 year old girls and 4 men. I stabbed one of the girls in self defense. I was arrested 3 days later. I was locked up in the Juvenile Justice System for close to 2 years.

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While being in detention I met GEMS through their outreach workers and they referred me to the program. I was released on 5 years probation and to GEMS independent living home. GEMS has helped me finish school, they helped me deal with family issues and the closure of it not being my fault. I remember coming to GEMS and hoping things weren't like detention. I wanted to see a real counselor and just stay away from the streets. GEMS asked me what I wanted from them and my goals. I told them and they set up a safety plan with me and ways to meet my goals. They worked with me to make sure I met my goals. After I met my goals it felt like a relief and that things can change and get better in my life. GEMS was always there when I needed them, when I was in trouble or just needed someone to vent to. They never judged me or turned their backs on me; and they helped me feel at home. I was able to grow up and deal with my problems. I understand life and the bigger picture now. I was able to further my passion in helping others and giving back. They gave me the opportunity with a job as an outreach worker. Now I go to juvenile detention centers, schools, child welfare and other programs to talk to young girls. They have helped me with permanent housing. Although I am currently still on probation my life has changed and I've done a 180. I can finally say I'm happy with the way things are going in my life and am okay with what has happened in my past. I know I've learned so much from my past and can use my experiences to help other young women who may be going through sometime similar.

When I go to detention centers I see the same patterns happening over and over again. I see staff actually gossiping about girls right in front of them. It makes me upset because I know it's not cool and that it can make a girl want to shut down completely and when someone who is truly trying to help her she refuses the help. When I sit and talk to these girls. I let them know that I will not turn my backs on them and I will always listen and give them the best advice I can. If I have resources that can help them I make sure to give it to them. I build a bond of trust between the young ladies and myself. Sometimes the girls just want someone to talk to and I make sure I can be that person. I tell them that if they want someone to write to they can write me and will make sure to write them back. We have a pen pal program at GEMS to help the girls in detention know that there are people out here who care about them and want to see them succeed and heal.

I hope to see better, more caring staff at these detentions that are well trained. I hope to see that these girls receive services that they deserve and that best help them deal with their problems; whether its being a rape victim, a gang member, a drug abuser or a victim of commercial sexual exploitation. I hope they get to see better therapists with more consistency. Most of all, I hope that the adults who are responsible for this will listen to my testimony and work to make the essential changes to help our troubled and often neglected youth.

ATTACHMENT

THE REBECCA PROJECT FOR HUMAN RIGHTS

Health Safety and Dignity for Vulnerable Families

SEXUAL VIOLENCE, GIRLS AND THE JUVENILE JUSTICE SYSTEM

Sexual and Physical Violence Among Girls in the Juvenile Justice System

There are many risk factors associated with the involvement of girls in the juvenile justice (JJ) system. These risk factors include but are not limited to family fragmentation, physical and mental health disorders, and school failure.[i] However, violent victimization in the form of **sexual and physical abuse is the most salient risk factor among girls** involved in the JJ system[ii] with **approximately 73% of girls in the JJ system reporting these forms of abuse.**[iii] These data are further collaborated in other studies:

- California based study[iv]:
  - 92% of girls interviewed had suffered some form of abuse
    - 81% of the girls interviewed had been physically abused
    - 56% of the girls reported one or more forms of sexual abuse
- Oregon Social Learning Center study of chronically delinquent girls found[v]:
  - The average age of first sexual encounter among girls was approximately 6
  - 77.8% of girls had documented histories of physical abuse as compared to 3% of boys

Girl Victimization and Future Juvenile Justice Involvement

Untreated emotional, physical and sexual violence of young girls has been associated with a number of juvenile related behaviors and health disorders. Studies have found:

- Youth who were victims of sexual abuse coupled with physical abuse and neglect were more likely to run away from home than children who experienced other forms of maltreatment.[vi]
  - 33 – 75% of girls who are in runaway homes or in the JJ system were victims of sexual violence.[vii]
- Victims of childhood sexual violence experience more addiction issues.
  - 75% of girls involved with the JJ system report being regular users of alcohol and/or drugs.[viii]
  - 34% of girls involved in the JJ system are diagnosed with a substance abuse disorder.[ix]
- Girls hurt by sexual violence are 3 times more likely to develop psychiatric disorders or alcohol/drug abusing behaviors in adulthood, compared to girls who are not sexually abused.[x]
- A longitudinal study found that girls and women with histories of childhood abuse or neglect were 73% more likely than females without abuse histories to be arrested for property, alcohol, drug, and misdemeanor offenses such as disorderly conduct, curfew violations, or loitering.

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- In 2002, it was estimated that girls comprised 67% of those arrested for activities related to survival sex or prostitution[xi] – all of which place girls at increased risk of sexual and physical violence from pimps and johns.[xii]

Girls, Sexual Violence, and Confinement

Once detained, many girls suffer further victimization. The 2006 National Report of the Office of Juvenile Justice and Delinquency Prevention reported that there were 2,821 allegations of youth-on-youth (59%) and staff-on-youth (41%) acts of sexual violence in juvenile facilities in 2004. Within the youth-on-youth incidents, 2 of every 3 were nonconsensual sexual acts and within the staff-on-youth incidents, 3 of every 4 were staff sexual misconducts.[xiii] Of these allegations:

- Girls made up only 11% of the state-operated facilities population, but accounted for 34% of the victims of sexual violence in these facilities.[xiv]
- In local or privately owned facilities girls made up only 17% of the total population, but accounted for 37% of the victims of sexual violence were girls.[xv]

Gender-Responsive Programming

Given these statistics, any comprehensive response to girl detention must be gender-responsive and must address the specific issues faced by girls in the JJ system. In a report published by the Annie E. Casey Foundation, a review of effective, gender-response programs found that several elements were necessary for successful girl programming. The evaluation found that programming should be:[xvi]

- *Comprehensive* - weaving family, community, and systems together for girls;
- *Safe* - promoting healing from trauma caused by physical and psychological abuse;
- *Empowering* - addressing needs while encouraging leadership and the development of each girls strengths;
- *Community and Family Focused* - based in the community, fostering healthy family relationships and sustainable community connections; and
- *Relational* - supporting continuous, positive relationships for girls with older women, family, and peers.

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THE REBECCA PROJECT FOR HUMAN RIGHTS

Health Safety and Dignity for Vulnerable Families

GENDER-RESPONSIVE PROGRAMS

Hawai'i Girls Court, Honolulu, Hawai'i

The Hawai`i Girls Court is one of the first courts in the United States built on a full range of gender-specific and strength-based programming with a caseload targeting female juvenile offenders. Its all-female (Presiding Judge, Probation Officers, Program Coordinator, Therapist, etc.) staff is a uniquely powerful aspect of the program. Gender-specific programming seeks to recognize the fundamental differences between male and female juvenile offenders as well as their different pathways to delinquency and, in doing so, act efficiently, creatively, and innovatively to stem the quickly rising tide of female delinquency. The underlying belief of the Hawai'i Girls Court is that empowering and building on girls' strengths now will stop them from becoming involved in the criminal justice system as adult women, appearing as victims in domestic abuse cases and restraining order proceedings, or as mother's in child protective services later in their lives.

The Hawai`i Girls Court Program is a model for gender-responsive programming while also advancing a vision of appropriate and gender-responsive services for all of Hawaii. The explicit goal of this laboratory court is to promote the empowerment of girls involved in the Hawaii juvenile justice system as well as to pilot programs that may be of relevance to the wider community of girls in the islands. By catalyzing a change in values, collaborating and building coalitions, the Hawai`i Girls Court is successfully inspiring others to share a gender-responsive vision and commit to youth programs that work with the critical and underserved population of juvenile female offenders.

The Hawai`i Girls Court aims to hold girls accountable for their actions while building on their strengths and reconnecting them to healthy peer, family, and adult relationships as well as to positive activities. To holistically address the needs of the girls and ensure that services are gender-responsive, the Hawai`i Girls Court incorporates the following essential components in its programming:

- A positive, gender-responsive workplace.
- A safe, supportive, and nurturing environment that encourages trust, bonding, and connection.
- Input from the girls and their parents are encouraged in the design, implementation and evaluation of the program as well as planning of individualized treatment plans for each girl.
- A strengths-based approach to treatment and skill building.
- Utilization of gender-responsive assessment tools and individualized treatment plans that match appropriate treatment with the identified needs/assets of each girl.
- Domestic violence counseling.
- Therapeutic modalities and approaches (based upon relational theories) that address issues such as healing from physical, sexual and emotional abuse, family conflict, substance abuse, depression, suicidal ideation and attempts, and self-injurious behaviors.
- Opportunities and support to develop skills in a range of educational and vocational areas and link with alternative learning opportunities.
- Positive female role models and mentors.
- An emphasis on activities that focus on empowerment, self-respect, and self-efficacy.
- Education and counseling related to heath (pregnancy, nutrition, stress management, HIV/AIDS, STDs).

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- Emphasis on parental involvement and education. Assisting parents to develop effective strategies for communication and conflict resolution.
- Ongoing staff and system-wide training in female development issues and gender-responsive service delivery.
- Internship for Social Work students to gain knowledge and experience in gender-responsive service delivery and case management.

Through interagency and interdisciplinary collaborations, the Hawai'i Girls Court provides a comprehensive continuum of gender-responsive services to address the following areas:

- Trauma Treatment
- Life-Skills Training
- Alternative Education & Vocational Training
- Mental Health Treatment
- Domestic Violence Prevention
- Medical Services, Health Education
- Teen Pregnancy Prevention
- Substance Abuse Treatment

Children & Families First, Wilmington, DE

Children & Families First (CFF) is a private, non-profit social service agency that was originally established in 1884. The goal of CFF is to strengthen families and communities by providing a continuum of quality social, educational and mental health services statewide in Delaware. Services provided by CFF include adoption, foster care, counseling, teen services, parenting education and support programs, welfare to work services, programs that support older adults, reduce infant mortality and increase child care quality and availability. CFF services are provided out of eight offices, as well as in schools, clients' homes, and other convenient community locations. CFF is a merger of five organizations, including the Children's Bureau, Family Service Delaware, Turnabout Counseling, the Perinatal Association of Delaware, and The Family & Workplace Connection.

One of the many programs provided by CFF is the Delaware Girls Wrap-Around Program that is a part of the Delaware Girls Initiative. This program works with girls ages 12-18 involved in the juvenile justice system and their families to help prevent further involvement with the law. Girls involved with the program are either transitioning out of Grace Cottage or are being diverted from incarceration, and have been referred from Family Court or the Delaware Division of Youth Rehabilitative Services.

The overarching goal of this program is to help strengthen relationships in the family and their community. This goal is met by assigning a counselor and parent aide to meet with the girl and her family to assess their needs and identify a team who will help the family achieve their goals. The team may consist of other family members, neighbors, friends, those in the faith community and/or other providers currently working with the family. The family and their team develop a plan that best meets their individual needs and intensive services are provided for approximately four months.

The Delaware Girls Wraparound Program is a flexible support system that recognizes the unique needs of girls and their families to help them build meaningful bridges to self-sufficiency. The program uses a wrap-around model that is strengths-based and individualized. Services provided under this program include:

- Individual and Family Counseling
- Linkages to community resources
- Home-based family support such as help with budgeting, household management and parenting skills

- Activities that focus on the strengths of the individuals and build their social skills
- Assistance with educational and employment placement

The program builds personal strengths and interpersonal relationships that are necessary for success at work, school and in the community by:

- Preventing juvenile delinquency and recidivism
- Ensuring service planning which includes the family as active partners
- Collaborating with outside resources
- Empowering girls to develop self-esteem
- Supporting families through skill development

Practical Academic Cultural Education (PACE) Center for Girls, Inc., Pinellas Park, FL.
PACE Center for Girls, Inc. is a not-for-profit 501(c) 3 corporation that provides a non-residential delinquency prevention program in locations throughout the state of Florida. The program specifically targets the unique needs of females 12 to 18 who are identified as dependent, truant, runaway, delinquent, or in need of academic skills. PACE accepts referrals from the juvenile justice system, the Department of Children and Families, school personnel, community services agencies, parents, family members, friends and self-referrals. Its purpose is to intervene and prevent school withdrawal, juvenile delinquency, teen pregnancy, substance abuse and welfare dependency in a safe and nurturing environment. Programming includes academic education, individualized attention, a gender-specific life management curriculum (SPIRITED GIRLS®), therapeutic support services, parental involvement, student volunteer service projects and transition follow-up services. Every girl at PACE sets individual educational and social goals that are focused on earning a high school diploma or GED, re-entering public school, attending college, getting vocational training, joining the military or entering the private workforce. After program completion, PACE continues to monitor each girl's educational and personal development with three years of follow-up case management. PACE operates 17 centers throughout Florida and a reach program. Since its creation in 1983 PACE has served over 21,000 girls.

One of the secrets to PACE's success is truly understanding the relationship between victimization and female juvenile crime, then creating a safe, nurturing environment for these girls to share their stories and begin the healing process. First and foremost the PACE philosophy is to value all girls and young women, believing each one deserves an opportunity to find her voice, achieve her potential and celebrate a life defined by responsibility, dignity, serenity and grace. Secondly, PACE programs use a strength-based approach, which focuses on the potential of each girl not the poor choices she may make. PACE begins the process of helping the girls build self-confidence in an environment that celebrates the female perspective and for many it gives them their first chance to just enjoy being a girl. PACE girls go on to become productive citizens, who take responsibility for themselves and for helping others. They complete their education, begin careers, repair family relationships and celebrate their achievements.

The structure of PACE programming pivots on their mission to provide a holistic highly effective gender responsive education, counseling, training and advocacy continuum to girls in order to provide the opportunity for a better future. The specific components are as follows:

- Initial Screening and Intake: Intake interviews and assessments are conducted with each prospective girl to assess the risk factors in her life and what support she needs to possess the necessary motivation to attend the voluntary program. The goal is to be confident that PACE can meet each girls needs, allowing her to be successful.

- Academic Education: Each PACE Center has a cooperative agreement with the local school board to provide academic programs. These include remedial services, individual instruction and specialized

education plans. Middle and high school self-paced curriculum are offered during a minimum of 300 minutes of academic instruction daily which is designed to meet the academic level of each student. While enrolled in PACE each girl must work toward obtaining her educational goal. After leaving, PACE encourages the girls to continue their education by offering assistance in financial planning for vocational or college enrollment through transitional services case management.

- Individualized Attention: PACE has a low student/staff ratio of 10:1 that allows staff to focus on each girl's potential and allows for consistent structure and ongoing recognition of the girls' accomplishments, no matter how small.
- Gender Specific Life Management Skills Enhancement: This PACE developed curriculum also known as SPIRITED GIRLS!® is a gender-sensitive program designed specifically for the needs of girls. It consists of modules that teach positive lifestyle choices.
- Therapeutic Services: Individual case management/treatment plans are developed for each student based on a detailed psychosocial needs assessment. Individual, group and family counseling sessions are conducted to meet the individual needs of the student and her family. A staff member is available 24 hours a day, 7 days a week.
- Parental Involvement: Engaging the significant adults in a girl's life are critical. At a minimum staff maintain regular contact with parents, which includes home visits, office sessions and telephone contacts. Parent groups and other activities help parents learn the skills necessary to assist in their daughter's growth and are an integral part of the program.
- Community Volunteer Service: Girls are required to participate in monthly volunteer service projects to promote self-worth and involvement within their community. The students determine the type of volunteer service project, learn project management skills along the way and begin to see themselves as a part of something larger.
- Career Readiness: PACE provides girls with a job skills assessment, practical exercises to build school-to-work readiness skills, job shadowing opportunities and assistance with finding, applying and interviewing for job placements.
- Transitional Services: PACE conducts an unprecedented three years of comprehensive follow-up for all girls attending the program to ensure the girls continue with their education, employment or appropriate referral services. For girls receiving less than 30 days of PACE services, three months of transitional services is provided.

The Center for Young Women's Development (CYWD), San Francisco, CA

The Center for Young Women's Development (CYWD) was founded in 1993 by a coalition of service providers working with young and adult women in the juvenile and criminal justice systems. The program was guided by the principle that young women are the experts on issues impacting their lives and they should be involved in running and directing the programs that serve them. Respecting this philosophy, in 1997 the founding director left and young women of color under age 26 assumed all leadership responsibilities of the organization. The goal of CYWD is to create an environment where young women are involved in all major decisions that impact their lives.

Through CYWD young women formerly incarcerated or working in the street economies have the support to become leaders, policymakers, researchers, employers, and activists. CYWD provides a place for young women to come together, heal from past experiences, dream and achieve their visions for the future through leadership development, youth organizing, employment training, and health and wellness. CYWD works cooperatively with young woman, their parents or guardians, other community-based agencies, the faith-based community, the Public Defender's office and, in some cases, the District Attorney's office and the presiding judges to develop viable, individualized plans for participants in the program. CYWD's aim is always to develop a comprehensive alternative to incarceration that best serves the needs of the young woman.

Unlike traditional nonprofits and service providers that have focused on singular categories like disease prevention, case management or advocacy, CYWD takes a holistic approach that integrates theoretical and practical approaches from the fields of social services, youth development, youth advocacy and organizing, leadership development, personal wellness, spiritual and somatic growth and skills development including economic self-sufficiency. Programming at CYWD recognizes the multidimensional and nuanced needs of young women in crisis and simultaneously addresses the various issues young women face in order to maximize and sustain each young woman's wellness and empowerment — her need for political and legal education, as well as therapy and other health and wellness services; her need for employment, as well as an opportunity to resume her education; her need for a safe place to live, as well as peers who understand her crises and with whom she can build positive relations and true sisterhood. CYWD responds immediately to all of the needs of a young woman — emotional, economic, legal and social and helps each young woman recognize and rely on her considerable strengths — resiliency, creativity, intelligence and social networks. Programs provided by CYWD are the following:

Sisters Rising: Each year CYWD hires 17 young women for a paid internship that incorporates healing, skills development, political education, community organizing and reintegration into the community. Sisters Rising provides extremely low-income young women with both a livable income and an environment that is supportive and personally transformative. Young women who have endured multiple traumas including long periods of incarceration, loss of their children while they were in the system, poverty, violence, drug addiction and the incarceration of a parent do not just need a job — they need to believe that they can make it in the "above ground" economy. The Sisters Rising internship combines skills development with a wellness and empowerment curriculum called "Beyond Survival," exposure to civic engagement and political education and reintegration into the community through a hands-on, neighborhood-based project.

Girls Detention Advocacy Program (GDAP): GDAP supports incarcerated and previously incarcerated young women by helping them develop the skills and coping mechanisms they need to successfully re-enter the community. Using community reintegration strategies, including "sistah love," GDAP aims to end generational cycles of incarceration, by translating the incarceration of young women into opportunities to build community and to learn about civic engagement and social change. The GDAP program offers weekly educational workshops in San Francisco's Juvenile Hall and weekly post-release support groups to young women and girls leaving the system.

Through the Eyes of a Sister (TES) National Training Institute: CYWD launched the Sisters for Justice National Training Program (aka Through the Eyes of a Sister - TES) in June 2004 to provide information and training on how service providers, community-based organizations and juvenile justice agencies can more effectively meet the needs of young women in crisis. TES injects the voices of young women into the adult-dominated discourse on juvenile justice. Topics covered by TES include, but are not limited to:

- Gender-specific programming.
- Girls and the juvenile justice system.
- Alternatives to incarceration.
- Girls in the underground street economy.
- Children of incarcerated parents.
- Building a youth-directed organization.
- Developing culturally competent programming.
- Working and collaborating with government agencies.
- What works for us: how young women view probation programs, common pitfalls.
- Disproportionate confinement of youth and young women of color.
- How adults can be allies to young women in the juvenile justice system.

The National Crittenton Foundation (National Organization)

The National Crittenton Foundation has over 124 years of experience and is the only national organization focused solely on at-risk and system-involved girls, young women, and their families. The work of the Foundation recognizes the role of complex factors such as racism, sexism and poverty coupled with social issues such as domestic violence, child maltreatment, substance abuse and mental illness in teen pregnancy, homelessness, out-of-home placement, poor educational outcomes, unemployment, involvement in the juvenile justice system, and more. With this understanding the Foundation has pledged to work in collaboration with the Crittenton family of agencies, girls, young women and our partners to address root causes and symptoms that create these situations.

The National Crittenton Foundation supports empowerment, self-sufficiency, and the end of cycles of destructive behaviors and relationships for at-risk and system-involved girls, young women, and their families. At the heart of the reinvention of The National Crittenton Foundation is their passionate commitment to, and belief in the will and strength of at-risk and system-involved girls, young women, and their families to reach their potential. They value…

- The strength and potential of girls, young women, children, and families.
- The power of strategic alliances.
- Research and practice innovation for personal and social change.

To achieve its mission the Crittenton Foundation has implemented four strategic priorities:

- Supporting the long-term vitality and longevity of members of the Crittenton family of agencies by providing technical assistance, opportunities for networking, professional development and training, and funding as resources allow.
- Involving at-risk and system-involved girls and young women as partners, leaders, teachers, and champions of their future.
- Facilitating the development, testing, and implementation of cutting edge prevention and intervention services that increase the assets, protective factors and resiliency of girls, young women, and their families breaking intergenerational cycles of destructive behavior and relationships.
- Advocating for the equitable availability of gender- and culturally-specific services that result in positive outcomes and self-sufficiency for at-risk and system-involved girls, young women, and their families.

Girls Educational and Mentoring Services (GEMS), New York, NY

Girls Educational and Mentoring Services (GEMS) was founded in 1999 by Rachel Lloyd - a survivor of teen sexual exploitation. Ms. Lloyd came to the U.S. in 1997 as a missionary to work with adult women exiting prostitution. While working with adult women in correctional facilities and on the streets, Ms. Lloyd observed the overwhelming need for services for young women at risk for sexual exploitation who were being ignored by traditional social service agencies. It became clear that specialized services were essential for this disenfranchised population.

GEMS' mission is to empower young women, ages 12-21, who have experienced sexual exploitation and domestic trafficking to exit the commercial sex industry and develop to their full potential by changing individual lives, transforming public perception, and revolutionizing the systems and policies that impact sexually exploited youth. GEMS has grown to a nationally recognized and acclaimed organization and now is one of the largest providers of services to commercially sexually exploited and domestically trafficked youth in the United States. GEMS' vision is to end the commercial exploitation and trafficking of children by advocating at the local, state and national level that promotes policies that support young women who have been commercially sexually exploited and domestically trafficked.

Commercial sexual exploitation is intrinsically linked to racism, poverty, gender-based violence, and the criminalization of youth. All these factors must be an integral part of any discussion, advocacy work or direct service programming that involves sexual exploitation. All of GEMS programs are based on the philosophy and values that each girl and young woman are worthy, deserving, and needs support and services to treat the trauma and violence she has experienced. GEMS provides a spectrum of continuous and comprehensive services to address the needs of commercially sexually exploited girls and young women. These programs include:

Prevention and Outreach:

- Street Outreach: GEMS staff travel to areas in New York City where commercial sexual exploitation and domestic trafficking takes place to identify victims and offer them support
- Facility Outreach: Peer led outreach workshops are conducted by GEMS members and former members in residential and detention facilities across New York City. Workshops raise awareness about the realities of the commercial sex industry for girls and young women at risk for commercial sexual exploitation while also providing peer support and leadership.

Court Advocacy Programs:

- Criminal Court: GEMS Alternatives to Incarceration program provides support for young women with cases in New York City's Criminal Courts by providing young women with information about their rights and the legal system, educating judges and lawyers about commercial sexual exploitation and domestic trafficking, and providing one-on-one support for young women who receive an alternative sentence.
- Family Court: GEMS Family Court Advocacy Program provides programming for girls ages 12—16 years who have a case within New York City's Family Court system by providing one on one support for girls in the Family Court system, including meeting girls in residential facilities, meeting with families and facilities staff.

Holistic Case Management: Counselors provide one-on-one support for girls and young women who are referred to GEMS programs. One on one support can include, mental health assessments, counseling, health care, acquiring identification or benefits, assistance with educational needs, family intervention and assistance in obtaining employment.

Transitional Independent Living Housing Program: This program provides housing and 24-hour support for young women ages 16-21 that meet DYCD's criteria for housing under the Runaway and Homeless Youth Program

Trauma Based Therapy and Clinical Support: This program provides one-on-one and group counseling that is focused on recovery from trauma experienced by GEMS members.

Youth Development Programming: GEMS provides a variety of youth development programs that address young women's developmental, social and emotional needs through strengths-based programming. Programs include:

- Recreational, Educational and Therapeutic Groups including health education, poetry, art therapy, photography, cooking, creative writing, grief and loss therapy and drama to build young women's creative expression and sense of community.
- The Youth Employment Program and Youth Fellowship programs provide structured training and employment for members.

- The Youth Leadership Program trains young women on the issue of sexual exploitation, domestic violence and youth incarceration and equips them with public speaking, peer counseling, organizing and advocacy skills. Youth Leaders are afforded multiple opportunities to develop their skills through outreach, public speaking events, advocacy, and media work.
- The Educational Initiatives Program provides incentives for members who take the next step in their education, including registering for a GED, high school, college or vocational program, and completing semesters and graduating. GEMS offers on-site tutoring and college bound clinics to support members.

Mr. SCOTT. Ms. Shereff.

TESTIMONY OF NADIYAH SHEREFF, SAN FRANCISCO, CA

Ms. SHEREFF. My name is Nadiyah Shereff. I am 23 years old. I was born in a women's prison where my mother was locked up. When I was 2 days old, I was taken from my mother and placed with my grandmother in San Francisco, California. I never knew my father, and my mother was incarcerated my entire life.

I was raised by my grandmother who was forced to work several jobs to pay for the extra expense of caring for me. We lived in public housing, also known as the projects. Every day on my way to school, I had to navigate through drug dealers, drug addicts, and poor folks looking for their next crime victim.

I saw my first shooting when I was 9 years old. My house was accidentally shot into twice. Luckily, no one was hit. Although shootings were a regular theme where I am from, the instantaneous fear that comes when you hear a gunshot always left me and my family trembling for days and saying things like, We have got to get out of these projects. We all knew it was a very real possibility that one of us could be accidentally or purposefully shot and killed.

Over the years, I witnessed countless murders, many of which were classmates and friends. This made it difficult for me to focus in school, and when I was 13 I began smoking marijuana and drinking as a way to escape the daily violence. At that time, I didn't see much of a future for myself due in part to a lack of positive role models. The positive role models that existed at the time were not made visible to me in my neighborhood or in my school. I attended the worst of the worst public schools, complete with rundown facilities, outdated books, curricula that undervalued minority communities, and overall had a very low standard of excellence.

At 13, I got arrested for the first time and was charged with assault. I was taken to San Francisco's juvenile hall and began a cycle of going in and out of detention. I was locked up 10 different times within a 2-year period.

Inside juvie, I met other girls like myself who were there for prostitution, assault, theft, and truancy. We were not violent girls. We were girls who were hurting. All of us were from the same neighborhood, poor families, and seemed to have the same disposition of trauma and anger mixed with hopelessness.

Being confined to a tiny cement room was one of the hardest things I have ever had to experience. Being locked up, all I could do was reflect on my life, but it didn't seem to help. I became even more withdrawn and angry. I felt completely disconnected from my family, from friends, and the counselors inside offered no support for the real problems I was facing. I felt like nobody believed that I could actually do something positive with my life, especially the staff inside the facilities who treated me like a case number, not like a person.

At that time, what I needed was to talk to folks about all I had been through, to feel connected to people, to feel useful so that I could find my own direction in life. I needed to heal from the trauma and be supported with love and encouragement.

It was inside the halls of juvenile hall that I was introduced to the Center for Young Women's Development, also known as CYWD. Members of their organization came monthly to meet with all the young women in lockup. When it was my turn to meet with them, Marlene Sanchez, who is now the executive director, talked to me in a way that showed me she felt I had the potential to do something with my life. She said, As soon as you come out, come straight to CYWD. We can support you. I learned that they had a program run by and for previously incarcerated young women. I mean it when I say this: That meeting changed my life forever.

Once out, I applied for the Sisters Rising 9-month employment training program and was hired in spite of just having gotten out of lockup. I spent the next 9 months taking part in healing circles, one-on-one counseling, and building sisterhood with other young women who shared similar experiences. I learned about our hard and proud history as people of color, things they never taught us in school. I learned about the criminal justice system and disproportionate minority confinement. I learned how to advocate for myself and other young women, and how to organize our community to fight for fairer policies and practices.

CYWD gave me opportunities to lead projects and workshops that helped improve my community, sparking in me a passion for social justice and community work. The staff treated me like someone who was important, rather than a juvenile delinquent. They helped me enroll back in school and got me a tutor to get and keep my grades up.

What if I had gone directly into CYWD instead of being locked up? And when I think about all the girls who are detained, how much better their lives would be if they were placed in programs like CYWD instead of jail.

CYWD's youth leadership development model empowers young women by providing them with the opportunity to advance within the organization. I have worked at CYWD in several leadership roles, beginning as a Sisters Rising intern, and now as the newest and youngest board member. CYWD has inspired me to dream more, learn more, and do more for the betterment of my future and the future of other young people.

By sharing my personal testimony, I hope to convey how CYWD's programs and youth leadership development models are a long-term investment for the future of young women and the future of this country. Through building community, having a space to heal, learning about my history, and having access to leadership opportunities, I became empowered. I was able to complete my juvenile probation, graduate high school, and go to college. I recently received my—I recently graduated from California State University Eastbay with a bachelor's degree in political science, and I am now in the process of applying to law school.

Thank you for your time.

Mr. SCOTT. Thank you.

[The prepared statement of Ms. Shereff follows:]

PREPARED STATEMENT OF NADIYAH SHEREFF

TESTIMONY OF

NADIYAH SHEREFF

YOUNG WOMAN FORMERLY DETAINED IN THE
JUVENILE JUSTICE SYSTEM

SUBCOMMITTEE HEARING
GIRLS IN THE JUVENILE JUSTICE SYSTEM:
STRATEGIES TO HELP GIRLS ACHIEVE THEIR FULL POTENTIAL

U.S. HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
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SUBMITTED BY
REBECCA PROJECT FOR HUMAN RIGHTS
CENTER FOR YOUNG WOMEN'S DEVELOPMENT

My name is Nadiyah Shereff. I am 23 years old. I was born in a women's prison where my mother was locked up. When I was 2 days old I was taken from my mother and placed with my Grandmother in San Francisco, California.I never knew my father and my mother was incarcerated my entire life.

I was raised by my grandmother who was forced to go on welfare to pay for the extra expense of caring for me. We lived in public housing also known as the projects. Every day, on my way to school, I had to navigate through drug dealers, drug addicts and poor folks looking for their next crime victim. I saw my first shooting when I was 9 years old. My house was accidentally shot into twice, luckily we were not hit. Although shootings were a regular scene where I lived, the instantaneous fear that comes when you hear a gunshot always left me and my family trembling for days and saying things like "we got to get out of these projects". We all knew it was a very real possibility that one of us could be accidently or purposefully shot at and killed.

Over the years I witnessed countless murders, many of which were classmates and friends. This made it difficult for me to focus in school and before long I began smoking marijuana and drinking as a way to escape the daily violence. At that time I didn't see much of a future for myself, due in part to a lack of positive role models. The positive role models that existed at that time were not made visible to me in my neighborhood or in my school. I attended the worst of the worst public schools complete with run-down facilities, out-dated-books, curricula that undervalued minority communities, and overall had a very low standard of excellence.

At 13, I got arrested for the first time and was charged with assault. I was taken to San Francisco's juvenile hall and began a cycle of going in and out of detention. I was locked up ten different times within a two year period. Inside juvie I met other girls like myself that were there for prostitution, assault, theft, and truancy. We were not violent girls. We were girls who were hurting. All of us were from the same neighborhoods, poor families and seemed to have the same disposition of trauma, anger mixed with hopelessness. Being confined to a tiny cement room was one of the hardest things I have ever had to experience. Being locked up all I could do was reflect on my life but it didn't seem to help. I became even more withdrawn and angry. I felt completely disconnected from my family, from friends and the counselors inside offered no support for the real problems I was facing. I felt like nobody believed that I could actually do something positive with my life especially the staff inside the facilities, who treated me like a case number not like a person. At that time what I needed, was to talk to folks about all I had been through, to feel connected to people, to feel useful so that I could find my own direction in life. I needed to heal from the trauma and to be supported with love and encouragement.

It was inside the walls of juvenile hall that I was introduced to the Center for Young Women's Development also known as CYWD. Members of their organization came monthly to meet with all the young women in lock up. When it was my turn to meet with them, Marlene Sanchez who is now the Executive Director, talked to me in a way that

showed me she felt like I had the potential to do something with my life. She said "as soon as you get out come straight to CYWD, we can support you". I learned that they ran a program for previously incarcerated young women run by young women who had also been locked up. I mean it when I say this. That meeting changed my life forever.

Once out, I applied for the **Sister's Rising 9 month Employment Training Program**, and was hired in spite of having just gotten out of lock up. I spent the next 9 months taking part in healing circles, one-on-one counseling and building sisterhood with other young women who shared similar experiences. I learned about our hard and proud history as African Americans, Latinos and Pacific Islanders, things they never taught us in school. I learned about the criminal justice system and disproportionate minority confinement. I learned how to advocate for myself and other young women and how to organize our community to fight for fairer policies and practices. CYWD gave me opportunities to lead projects and workshops that helped improve my community, sparking in me, a passion for social justice and community work. The staff treated me like someone who was important rather than a "juvenile delinquent."They helped me enroll back in school and got me a tutor to keep my grades up. What if I had gone directly into CYWD instead of being locked up—and when I think about all the girls who are detained, how much better would their lives be if they were placed in programs like CYWD instead of jail.

CYWD instilled in me a sense of purpose and hope and it was there that my world changed and I began to find myself. CYWD helped me begin the process of healing from all the things that occurred in my life and after graduating from Sister's Rising I felt like a truly transformed person.

CYWD's youth leadership development model empowers young women by providing them with the opportunity to advance within the organization. I have worked at CYWD in several leadership roles beginning as a Sister's Rising Intern and then moving into the Program Associate position. At 18 years old, a senior in high school, I served as the Sister's Rising Program Coordinator. I have also worked as the Education Advisor and currently serve as the newest and youngest board member.

CYWD has inspired me to dream more, learn more, and DO more for the betterment of my future and the future of other young people. By sharing my personal testimony I hope to convey how CYWD's programs and youth leadership development models are a long-term investment for the future of young women and the future of this country. Through building community, having a space to heal, learning about my history and having access to leadership opportunities I became empowered. I was able to complete my juvenile probation, graduate from high school, and go to college. I recently graduated from California State University Eastbay with a Bachelors Degree in Political Science and I am now in the process of applying to law school. I am proud to be a positive example for my daughter and other young women.

Mr. SCOTT. Dr. Jackson.

TESTIMONY OF C. JACKIE JACKSON, Ph.D., EXECUTIVE DIRECTOR, GIRLS, INC. OF THE GREATER PENINSULA, HAMPTON, VA

Ms. JACKSON. Mr. Chairman and Members of the Committee, thank you for the opportunity to testify before you today. I am Jackie Jackson, executive director of Girls, Incorporated of the Greater Peninsula in Hampton, Virginia. My organization has been serving girls on the peninsula for over 60 years. Our local affiliate was founded as Girls Club of the Greater Peninsula in 1947. Based on our long history of service to girls, we honor the opportunity to provide our perspective today.

As you have heard all the witnesses before me, representation of girls in the juvenile justice system has been on the rise for the last 20 years. Under the leadership of the National Juvenile Justice and Delinquency Prevention Coalition, the National Girls Inc.'s Office has worked with like-minded organizations and put forth specific recommendations for changes in Federal law to improve conditions and service for adjudicated girls.

Girls, Inc. advocates diverting girls away from detention whenever possible and providing needed service for victims of abuse. We are also very concerned with the fate of status offenders, who are disproportionately girls, and often incarcerated over technical violations despite the fact that they pose no safety threat to the community.

I respectfully ask your attention to these critical issues; however, this afternoon I want to speak to you about primary prevention, the most cost-effective way to address juvenile justice crimes.

First, generally speaking, we must invest in prevention; 15 million children and youth are released from school every day without adult supervision. Unfortunately, after-school hours become high-risk hours for juvenile crime and other dangers for both boys and girls. Girls, Inc. and other programs like ours fill that gap by providing transportation, positive adult role models, and safe environment for children of working families. We serve girls every day from 2 p.m. to 6 p.m. during the school year, and from 6 a.m. to 6 p.m. during the summer.

But quality prevention does not mean just a place to store children and teens with a ping-pong table and a television set. Girls at Girls, Inc. participate in proven research-based programs that nurtures their healthy development and reduce negative behavior.

For example, an experimental design evaluation of Girls, Inc. substance abuse prevention program found that girls who participated were half as likely as nonparticipants to report involvement with abusive substance. Scientific evaluation of youth programs has shown reduction in vandalism, assault, drug activity, and juvenile arrests when compared to other controlled groups.

In addition to bettering the lives of children, prevention programs also save money. In my own community, the average cost to house a child in one of Hampton's facilities is about $51,000. Nationwide, estimates for secured detention ranges anywhere from $32,000 to $65,000 per year per youth. In contrast, 1 year of com-

prehensive after-school programs and summer program at Girls, Inc. costs less than $2,000.

However, despite the obvious return on the investment of these programs, we at Girls, Inc. and other similar organizations are struggling. Families come to us all the time that do not even have the ability to pay. We try to make Girls, Inc. affordable for them by charging just $5 per day for us to maintain quality staff and programming and also providing transportation. We need investment from Congress and from the community.

Secondly, girls prevention programs should be gender-specific, as we have heard. The male and female offender populations are different. Girls commit fewer violent offenses than boys. They are more likely to be status offenders. And girls enter the juvenile justice system with a disturbing history of emotional, physical, and sexual abuse.

So, clearly, prevention programs should not be a one-size-fits-all. Our Girls, Inc. pregnancy prevention program and newborn program provide a forum for discussing child abuse with trained professional staff in an all-girls environment. It is critically important for girls to feel safe and free to discuss such sensitive issues.

In addition, research has also showed that girls will fight with members and siblings more frequently than boys. Some research suggests that girls are three times as likely as boys to assault a family member. Prevention programs designed for boys, then, will fail to address these issues adequately for girls.

Finally, substance abuse prevention programs must be gender-specific as well. Girls' substance rates have now caught up with those of boys, but girls are more likely to accept substance from an older boyfriend and girls are more likely to use substance to manage stress or to lose weight. Prevention programs for girls must address healthy relationships, anxiety, and body image issues in order to meet the difference of girls' needs. Unfortunately, however, our Nation affords too little attention to vulnerable girls.

While preparing for this testimony, the local police department could not readily provide me with data breakdowns for juvenile crime by gender, while they quickly provided breakdowns of the 11 most violent offenses for the last year.

Finally, prevention should be strength-based. All children, whether or not we call them at-risk, deserve positive programs, not session after session of what they can't or they shouldn't do. At Girls, Inc. we offer financial literacy programs that help girls learn about planning for a financial secure future. We also offer media literacy programs which help girls recognize how music videos, lyrics, television shows, and movies glamorize sex, violence, and drugs.

Girls, Inc. programs are fun, so girls want to come to Girls, Inc. Programs are in community centers, churches, and anywhere that girls are, regardless of school boundaries. Girls get to know each other in a positive environment, working together, and they forget about which school or neighborhood they are from. When tension may arise later between rivalry schools or neighborhoods, Girls, Inc. know each other as friends, and they don't feed into the false rumors and reputations that causes so much danger and problems in our community today.

So I want to commend this Committee for convening this hearing today, and especially for listening to the voices of girls. Thank you.

Mr. SCOTT. Thank you.

[The prepared statement of Ms. Jackson follows:]

PREPARED STATEMENT OF C. JACKIE JACKSON

Statement of

Dr. C. Jackie Jackson, Ph.D.

Executive Director

Girls Inc. of the Greater Peninsula

Hampton, Virginia

Presented before the

Subcommittee on Crime, Terrorism, and Homeland Security

Committee on Judiciary

U.S. House of Representatives

Hearing on

Girls in the Juvenile Justice System:

Strategies to Help Girls Fulfill Their Full Potential

October 20, 2009

girls inc. Inspiring all girls to be strong, smart, and bold℠

Mr. Chairman, Ranking Member Gohmert, and members of the Committee, thank you for the opportunity to offer this testimony regarding girls in the juvenile justice system. My name is Jackie Jackson, and I am the Executive Director of Girls Incorporated of the Greater Peninsula, the non-profit youth organization that inspires all girls to be strong, smart, and bold. On behalf of Girls Inc. and the girls we serve, I want to thank you for the opportunity to speak to you today about the importance of primary prevention in keeping girls from entering the juvenile justice system.

Girls Incorporated of the Greater Peninsula has been serving girls on the Peninsula for over 60 years. Our local affiliate was incorporated as the Girls Club of the Greater Peninsula, Virginia in 1947. However, when Girls Clubs of America changed its name to Girls Incorporated in 1990, we in turn changed our name to Girls Inc. Last year, over 1100 girls benefited from Girls Inc. national research-based programs that address media literacy, economic literacy, sexual health, substance abuse, violence prevention, sports, and science, math and technology in four local Girls Inc. sites, schools, and during community workshops. Based on our long history of service to girls, we are honored to provide our perspective to you today.

Introduction

As you will hear from other witnesses before you, representation of girls in the juvenile justice system has been on the rise for 20 years, even as overall juvenile crime has decreased. In fact, between 1985 and 2002, the overall delinquency caseload for females increased 92%, while it decreased 29% for males.[1]

In coalition with other concerned organizations, the national office of Girls Inc. has put forth specific recommendations for changes in the federal Juvenile Justice and Delinquency Prevention Act to improve conditions and services for adjudicated girls. These will be submitted to you separately by our national organization. Girls Inc. advocates diverting girls away from detention and into community-based youth programs whenever possible. We are also particularly concerned with the fate of status offenders, who are disproportionately girls, and often are incarcerated for technical violations despite the fact that they pose no safety threat to the community.

I join with other witnesses today in asking your attention to these critical issues. However, this afternoon, I want to speak to you about primary prevention, the most cost-effective way to address the problem of juvenile crime among girls.

First, generally speaking, we must invest in prevention.

On school days, when the school bell rings, 15 million children and youth are released from school without adult supervision.[2] Unfortunately, the hours between school dismissal and dinnertime become high-risk hours for juvenile crime, and for youth becoming victims of violence and other dangers.

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[1] Snyder, Howard N., and Sickmund, Melissa. (2006). *Juvenile Offenders and Victims: 2006 National Report.* Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

[2] "America After 3 PM: The most in-depth study of how America's children spend their afternoons." Afterschool Alliance. October 2009.

Indeed, according to FBI Crime statistics, juvenile crime peaks during the afterschool hours of 3pm to 6pm, for both boys and girls. In addition, being unsupervised afterschool doubles the risk that an eighth grader will smoke, drink, or abuse drugs. And the afterschool hours are the most common time for teens to become pregnant.[3]

Girls Inc. and other programs like ours fill that gap by providing transportation, positive adult role models, and a safe environment for the children of working families. We serve girls from 2pm to 6pm during the school year, and from 6am to 6pm during the summer. Some Girls Inc. affiliates serve dinner to girls, and all serve as a second home for those who lack family and economic stability in their lives.

But quality prevention does not mean just a place to 'store' children and teens with a ping-pong table and a television set. Girls at Girls Inc. participate in research-based programs that stimulate and nurture and maximize their healthy intellectual and emotional development. In addition to homework help, we provide positive life skills and social skills that help children adopt positive peer groups and succeed in school, which promotes engagement, and in turn reduces truancy and other negative outcomes.

And we know prevention programs work. Scientific evaluations of youth programs have shown reductions in vandalism, assaults, drug activity, and juvenile arrests when compared to a control group.[4] For Girls Inc., a 2001 experimental-design evaluation of Friendly PEERsuasion®, our substance-abuse prevention program, found that girls who participated were more likely than nonparticipants to avoid situations where peers were smoking, drinking, or using drugs. And, one month after completion of the program, only 22% of girls ages 11 to 12 reported involvement with abusive substances, compared with 40% of girls who did not participate in the program.

In addition to bettering the lives of children, prevention programs save money. In my own community, according to the Hampton Court Services Unit, the average yearly cost to house a child in one of their facilities is $51,000. Nationwide estimates for secure detention range from $32,000-$65,000 per year. In contrast, one year of comprehensive afterschool and summer programming at Girls Inc. costs less than $2,000. Even considering the average stay in a detention center for a Hampton Roads youth of 30 days, that cost is still more than twice the cost of a full year of programming at Girls Inc.

However, despite the obvious return on investment of these programs, we at Girls Inc. and other similar organizations are struggling to continue our programs. Families come to us routinely that do not have the ability to pay for our programs, especially during these difficult economic times. We try to make Girls Inc. affordable for them by charging only $5/day. For us to maintain the quality of staff and programming required by our national organization, we need investments from Congress and the community.

Girls Inc. commends you, Chairman Scott, as well as other supporters for your work in supporting evidence-based prevention strategies through the Youth Promise Act.[5] All children are at heightened risk of becoming involved in juvenile crime or becoming a victim of crime as well as other dangers while unsupervised during after school time. Therefore, it is important to have best practices and strategies

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[3] Newman, Sanford A., James Alan Fox, Edward A. Flynn, and William Christenson. "America's Afterschool Choice: The Prime Time for Juvenile Crime or Youth Enrichment and Achievement." *Fight Crime: Invest in Kids*. p. 7-9. 2000.
[4] Ibid.
[5] Youth PROMISE Act, H.R. 1064, 111th Cong. Print.

that will direct young people toward productive and law-abiding alternatives to negative behaviors. Thank you for your leadership in this area.

Second, prevention should be gender-specific.

As I suspect you will hear from other witnesses today, research points to significant differences in the male and female offender populations. Girls commit fewer violent offenses than boys. They are more likely to be status offenders. And, girls enter the juvenile justice system with a disturbing history of emotional, physical, and sexual abuse—with estimates as high as 78% or higher of incarcerated girls.

Clearly, prevention programs should not be one-size-fits-all.

Our Girls Inc. Preventing Adolescent Pregnancy Program and new Girls Inc. BeBOLD program provide a forum for discussing child abuse with trained professional staff in an all-girl environment. It is critically important for girls to feel safe in order to do education about these and other issues. It is imperative that girls understand their innocence and their rights and get the help that they need.

In addition, according to the Girls Study Group commissioned by the U.S. Department of Justice to investigate this population, family dynamics may be contributing to gender differences in juvenile arrests for assault. Research indicates that girls fight with family members or siblings more frequently than boys, who are more likely to fight with friends or strangers. Some research suggests that girls are three times as likely as boys to assault a family member.[6] Prevention programs designed for boys will fail to address these issues adequately for girls.

Finally, substance abuse prevention programs must be gender-specific as well. Girls' substance use rates have now caught up to those of boys. However, according to recent research by the Center for Addiction and Substance Abuse at Columbia University, there are key differences in girls' and boys' motivations for using substances. For example, girls are more likely to access substances from an older boyfriend. And girls are more likely to use substances to manage stress or to lose weight, including methamphetamines. Prevention programs for girls must address healthy relationships, anxiety, and body image issues in order to meet the differential needs of girls.[7]

Unfortunately, however, our nation affords far too little attention to vulnerable girls. When I contacted our otherwise excellent sheriff's department in Hampton, they could not even provide me with data breakdowns for juvenile crime by gender. When they did quickly provide breakdowns of the 11 most violent offenses for the last year, girls' numbers were up in six of them.

Finally, prevention should be strength-based.

As you can see from the courageous young women appearing before you today, young people involved in the juvenile justice system are smart and savvy and have bright futures. All children, whether or not

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[6] "Violence by Teenage Girls: Trends and Context." Girls Study Group. Office for Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. May 2008.

[7] "The Formative Years: Pathways to Substance Abuse Among Girls. *CASA: The National Center on Addiction and Substance Abuse at Columbia University*. February 2003.

ATTACHMENT

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GIRLS AND JUVENILE JUSTICE

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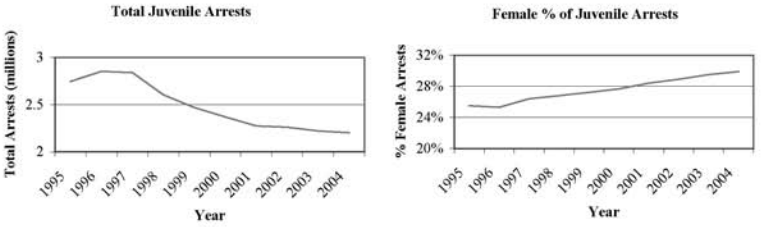
Inspiring all girls to be strong, smart, and bold℠

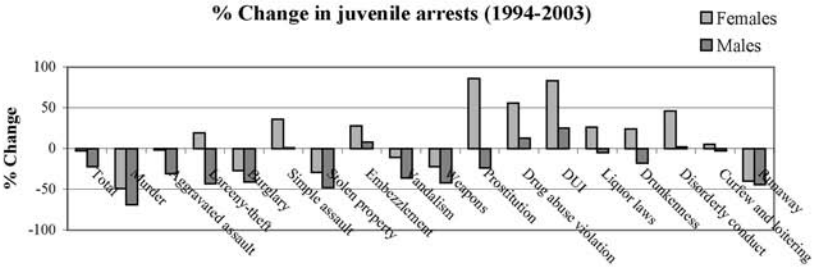
Girls Inc. believes that a strong federal role in juvenile justice administration is essential to protecting girls in the system, and implementing prevention and intervention approaches to stem the increase in female juvenile arrests. Seven out of ten Girls Inc. affiliates serve girls on referral from the juvenile justice system, offering proven, research-based programs to reduce violence and substance abuse among girls, and informing our advocacy in this critical area.

Overall juvenile offending has decreased over the past decade, but the proportion of female juvenile offenders has steadily increased, continuing a 20-year trend. Between 1985 and 2002, the overall delinquency caseload for females increased 92%, while it increased 29% for males.[1] More recently, from 1994 to 2003, juvenile arrests declined 18% overall but only 3% for girls.[2]



(Source: FBI Uniform Crime Reports for the United States, 1995-2004)

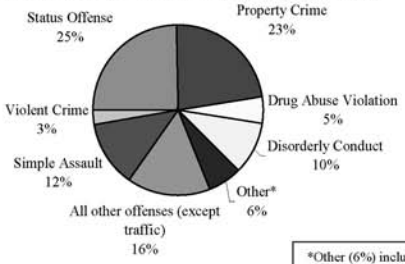
The proportional increase in female juvenile offending holds across almost all offense categories. Girls' arrests have either increased more or decreased less than boys' in 24 out of 28 offense categories.[3]



The juvenile justice system remains under-equipped to handle the increased presence of girls. Because boys still dominate in the juvenile justice system, a system that evolved largely to respond to offenses committed by boys, juvenile facilities, staffing, and policies have been slow to respond to the girl population. Extensive research has documented shortcomings, failures, and even dangerous situations for both boys and girls that must be addressed. At the same time, research points to significant differences in the male and female population that call for a gender-responsive approach:

- **Girls rarely commit violent offenses.** Of the offenses girls commit, only 15% involve physical violence. The majority of offenses committed by girls are property crimes and status offenses (running away, liquor laws, curfew and loitering laws violations).

Percentage of arrests of juvenile females, 2005, by offense[4]



*Other (6%) includes, but is not limited to:
- Prostitution and commercialized vice: 0.2%
- Sex offenses (except forcible rape and prostitution): 0.24%
- Offenses against family and children (e.g. abuse, neglect): 0.3%

- **Girls are disproportionately arrested for running away from home.** Though girls represent 29% of total juvenile arrests made in 2005, they accounted for 58% of the runaway arrests.[5] Girls often run away to flee violence or other abuse in the home, and are known to "self-medicate" through alcohol and other illegal substances if they are depressed or being abused. Under current law, runaways and other status offenders who violate parole can be, and frequently are, incarcerated.

- **Girls often enter the juvenile justice system with a history of emotional, physical, and sexual abuse.** Of girls in juvenile correctional facilities, 61% had been physically abused, and 54% had been sexually abused.[6] One federal study found that females with histories of childhood abuse or neglect were 73% more likely than those without such histories to be arrested for property, alcohol, drug, and misdemeanor offenses, a higher effect than for boys.[7]

- **Girls are often re-traumatized once incarcerated.** Girls are more likely than boys to be sexually victimized while in a facility.[8] Many girls are subjected to excessive physical force by staff in response to minor rules violations that pose no threat to security or safety. They are often denied mental health, educational, and other rehabilitative services they need.[9] One report of girls in New York girls' facilities described frequent strip searches and forcible restraints, which are physically and mentally scarring.[10]

- **Female juvenile offenders have a high prevalence of mental and substance abuse disorders.** One federally funded study found that nearly three quarters of girls in juvenile detention have at least one psychiatric disorder (compared with two thirds of detained boys and 15% of youth in the general population).[11]

Systemic problems within the juvenile justice system are especially hard on girls. Many girls in facilities are not under the care of adequately qualified or trained staff.[12] Also, too many girls are housed in co-ed facilities that were designed through research on boys.[13] A lack of oversight of facilities' conditions and a lack of response to inmates' grievances further emphasizes the need for reform within the juvenile justice system.[14] To cite a particularly grievous example, an investigation by the Assistant Attorney General of Mississippi found an instance of girls being placed naked in a windowless, dark isolation cell, with only a drain in the floor, for as long as three days to a week at a time. The facility had no separate logbook to record the use of this isolation cell, resulting in no documentation of these abusive punishments.[15]

Like boys of color, girls of color are overrepresented in all stages of the juvenile justice system. While youth of color represent 34% of the nation's population, they account for 67% of youth committed to public facilities. African American youth are six times more likely to be incarcerated than white youth for comparable offenses, and ethnic bias among female juvenile offense cases is evident. Seven of every 10 cases involving white girls are dismissed, compared with only three of every 10 cases involving African American girls.[16]

Recommendations

Girls Inc. calls on Congress to reauthorize the Juvenile Justice and Delinquency Prevention Act in the 111th Congress expeditiously and with the following improvements:

- In the OJJDP Administrator's Annual Report: add an accountability mechanism for the existing state plan requirement, which is often ignored; and collect data on juveniles who are pregnant and parents.

- Require members of the State Advisory Group to have expertise in gender-specific services and in services for victims of sexual violence.
- Authorize funding to gender-specific prevention and treatment programs under Title V prevention grants and to services for victims of sexual violence under Title II.
- Eliminate the Valid Court Order exception for status offenders.
- Increase research, evaluation, and information dissemination on effective practices.

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[1] Snyder, Howard N., and Sickmund, Melissa. (2006). *Juvenile Offenders and Victims: 2006 National Report.* Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

[2] *Ibid.*

[3] *Ibid.*

[4] Federal Bureau of Investigation. (2005). *Uniform Crime Reports for the United States: 2005.* Washington, DC: U.S. Government Printing Office. Property Crime: Burglary, larceny-theft, motor vehicle theft, arson; Status Offense (violations only for minors): Liquor laws, runaways, curfew and loitering law violation; Violent Crime: Murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault; All other offenses (except traffic): Vary by state, but may include littering, trespass, blackmail, or bomb threats.

[5] *Ibid.*

[6] Cook County Commission on Women's Issues. (Aug 2006). *Girl Violence and Aggression: Problems and Solutions.* Chicago, IL: Cook County Commission on Women's Issues.

[7] Cathy S. Wisdom and Michael G. Maxfield. (2001). "An Update on the 'Cycle of Violence'." *Research in Brief.* Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

[8] Snyder and Sickmund.

[9] Lewis, Mie (2006). *Custody and Control: Conditions of Confinement in New York's Juvenile Prisons for Girls,* New York, NY: American Civil Liberties Union and Human Rights Watch; Krisberg, Barry, Ph.D. (2006). *Stopping Sexual Assaults in Juvenile Correctional Facilities: A Case Study of the California Division of Juvenile Justice,* Oakland, CA: National Council of Crime and Delinquency; Boyd, Ralph F., Jr., Assistant Attorney General (June 19, 2003). Letter to The Honorable Ronnie Musgrove, Governor of Mississippi, Re: CRIPA Investigation of Oakley and Columbia Training Schools in Raymond and Columbia, Mississippi; Kim, Wan J., Assistant Attorney General (May 9, 2007). Letter to The Honorable Ted Strickland, Governor of Ohio, Re: Investigation of the Scioto Juvenile Correctional Facility, Delaware, Ohio.

[10] Lewis.

[11] National Institutes of Health (December 9, 2002). *Psychiatric Disorders Common Among Detained Youth.* National Institutes of Health.

[12] Lewis; Krisberg; Boyd; Kim.

[13] Center on Juvenile and Criminal Justice. *CJCJ: Girls in the Juvenile Justice System.* 31 July 2007 <http://www.cjcj.org/jjic/girls_jj.php>.

[14] Lewis; Krisberg; Boyd; Kim.

[15] Boyd.

[16] American Bar Association and National Bar Association (2001). *Justice by Gender: The Lack of Appropriate Prevention, Diversion and Treatment Alternatives for Girls in the Justice System.* Washington, DC: ABA and NBA.

Mr. SCOTT. Mr. Stickrath.

TESTIMONY OF THOMAS J. STICKRATH, DIRECTOR, OHIO DEPARTMENT OF YOUTH SERVICES, COLUMBUS, OH

Mr. STICKRATH. Thank you, Chairman Conyers, Chairman Scott, Ranking Member Gohmert, and distinguished Members.

As mentioned earlier, I am the Director of the Ohio Department of Youth Services. And having spent over 30 years managing various aspects of adult and juvenile corrections, I know that female offenders present a particular set of challenges and rewards, and in many cases require more time and energy to manage.

Many practitioners, like myself and like you, have heard that work with girls, already know that in many ways our current juvenile justice system is designed for male offenders. And criminologists continue to study the differences between male and female pathways to crime. They tell us that girls differ in their reactions to sexual abuse and other maltreatment, family and other life stressors, attachment and bonding, relationship violence, depression, anxiety, and peer victimization.

Mr. Chairman, Mr. Gohmert, the girls committed to our agency look similar to those that you described earlier; 91 percent are on our mental health caseload. Most have substance abuse issues. Over half have attempted suicide. And nearly all have experienced early childhood trauma. And while the average age of our female population is 16, the average school grade level is only seventh grade.

My vision in Ohio has been to reduce admissions of youthful offenders to our large State institutions, consistent with public safety, and to build our community capacity. By providing research and data to our courts, youthful offenders are more likely to be placed in the environment most appropriate for rehabilitation, and the collaborative efforts of our agency and Ohio's juvenile courts have supported a decrease, in the population of girls, of 65 percent over the past 3 years.

Recognizing the need for a consistent and validated approach to evaluating youth throughout their involvement in our system, we created an Ohio indigenous assessment system so that juvenile courts could speak a common language. And I am pleased to report that this system was normed and validated on both genders separately, and adjustments were made to develop a final set of parameters that incorporate the different needs and risk levels of boys and girls.

We have taken to heart the research and the lessons learned from working with the female population. Five years ago, allegations of abuse, lack of mental health treatment, and scarce education plagued the girls' facility, much as you heard from the earlier witness. Since then, we have worked hard to change the milieu into one that is less penal, more program structured, and better prepared to effectively care for the particular challenges that this population presents.

Examples include instructing our employees that come in contact with girls, from security staff to cafeteria workers, in a research-based training which covers topics such as posttraumatic stress disorder; intervention strategies to reduce the use of restraints and se-

clusion; creating comfort rooms in all of our female units, therapeutic spaces that are designed to serve as quiet places of retreat to help youth calm down and avert a crisis; developing a state-of-the-art mental health unit for girls which is richly staffed by a multidisciplinary team of professionals; and implementing a new, comprehensive, evidence-based and gender-responsive treatment program for our female population. The programming will be grounded in cognitive behavioral ideas and principles.

We also work to strengthen each girl's practical life skills, career planning and reentry, to ensure a well-planned community reentry strategy which is vital for any offender returning home.

And although the work we do within our facilities to address the specific needs of girls is critical, the majority of girls in Ohio's juvenile justice system are not committed to our agency, so it is vitally important for our local courts to have effective community tools to address the needs of this population. And new programs are showing promise in working with girls at Ohio in our community, including our behavioral health juvenile justice initiatives.

Ohio, like other States, has struggled to find appropriate methods of managing the very challenging population of juvenile offenders. And jurisdictions across the country often create programs that may feel good but are not evidence-based and may not work, so we need research and evaluation support to ensure that the programs being administered are not harmful to the youth but, in fact, yield the desired successful outcomes.

With OJJDP-funded research and program evaluations, States will not have to reinvent the wheel when establishing new programs for juvenile offenders. I believe that supporting the research for evidence-based programs will, in the long run, work to save precious State and national resources, enhance public safety, and provide effective interventions for juvenile offenders.

Thank you for the opportunity to appear before you today on this very important issue.

Mr. SCOTT. Thank you.

[The prepared statement of Mr. Stickrath follows:]

PREPARED STATEMENT OF THOMAS J. STICKRATH

Testimony before the Subcommittee on Crime,
Terrorism and Homeland Security

"Girls in the Juvenile Justice System:
Strategies to Help Girls Achieve Their Full Potential"

Testimony Provided By:

Thomas J. Stickrath, Director
Ohio Department of Youth Services

October 20, 2009

OHIO DEPARTMENT OF YOUTH SERVICES

Ted Strickland, Governor • Thomas J. Stickrath, Director

Chairman Scott, Ranking Member Gohmert and members of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security:

My name is Tom Stickrath, and I am the Director of the Ohio Department of Youth Services (DYS). I have served in this role for 5 years after spending over 25 years managing various aspects of adult corrections. Whether it is in the adult prisons or juvenile facilities, female offenders present a particular set of challenges and rewards, and in many cases require more time and energy to manage within an institution.

In March 2009, the National Juvenile Justice Network (NJJN) published a paper stating what many practitioners who work with girls already knew: the current juvenile justice system is designed for male offenders. The report stated that "Most theories of juvenile delinquency are based on adolescent male behavior, and this has led to a set of juvenile justice policies that is tailored to boys. Girls in the juvenile justice system have unique emotional, mental and physical health needs which require gender-specific programs and services."

Criminologists continue to study the differences between males and females in their pathways to crime. Both boys and girls are impacted by the major risk factors of family problems, education/school problems, antisocial peers, antisocial attitudes/personality and substance abuse. However, girls differ in their reactions to sexual abuse and other maltreatment, family and other life stressors, attachment and bonding, relationship violence, depression and anxiety, peer victimization and early puberty.

The girls committed to DYS look similar to those across the nation involved in the juvenile justice system. Ninety-one percent are on the mental health caseload with 63 percent on psychotropic medications. Most have substance abuse issues, and over half have attempted suicide. While the average age of our female population is 16, the average school grade level is only 7th grade and 40 percent are in need of special education services. Physical, mental and/or sexual abuse is the norm for these girls, and nearly all have experienced some sort of trauma in their lives.

Ohio's Approach

My vision has been to reduce admissions of youthful offenders to large state institutions, consistent with public safety, and to build community capacity. By using research and data to equip courts with helpful information, youthful offenders are more likely to be placed in the environment most appropriate for rehabilitation. Low to moderate risk youth are diverted to community options when appropriate, and higher risk youth are served in larger DYS facilities. The collaborative efforts of our agency and Ohio's juvenile courts have supported a decrease in youthful offenders served in institutions. The population of girls in DYS was 129 in July 2006

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but today is 45, a decrease of 65 percent, and the population of both girls and boys in DYS was 1,792 in July 2006 and today is 1,200, a decrease of 33 percent.

Recognizing the need for a consistent and validated approach to evaluating youth throughout their involvement in the juvenile justice system, Ohio sought and received funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to create an Ohio-indigenous assessment system so that juvenile courts in Ohio could speak a "common language." DYS worked with the University of Cincinnati (UC), to develop the Ohio Youth Assessment System (OYAS) to create statewide consistency in the determination of treatment and level of supervision for juvenile offenders. I am pleased to report that the OYAS was normed and validated on both genders separately, and adjustments were made to develop a final set of parameters that incorporated the different needs of boys and girls.

The OYAS is comprised of validated tools that identify the youth's risk and need areas so that an appropriate intervention can be determined. Over the past three years, UC has interviewed and collected follow-up data on 2,500 youth throughout the Ohio juvenile justice system. DYS, juvenile courts, community corrections facilities and various community programs also supplied insight and support to the project.

Although the DYS female population has been historically much smaller than our male population, we recognize that meeting the unique needs of this group is drastically different than the approach needed for boys. DYS has taken to heart the research and the lessons learned from working with the female population. When I took the position of Director five years ago, the girls' facility was a different place. Allegations of abuse, lack of mental health treatment and scarce education plagued the facility. Over the past five years, we have worked tirelessly to change the milieu of the girls' facility into one that is less penal, more structured and better prepared to effectively care for the particular challenges this population presents.

Employees in contact with girls, from the security staff to the cafeteria workers, participate in a two-day, research-based training developed by sociologists from the Girls Institute of Ohio. This training, called "Working Effectively with Girls," provides facility staff with the basic demographics of the female population, the key elements of effective girls programming and strategies to enhance the services provided to girls.

Because of the amount of trauma that our youth have experienced, DYS has equipped staff with more effective ways of working with this population. Together with the Childhood Trauma Task group, we developed staff training on the prevalence and impact of trauma. This training also provides strategies for assisting these youth to cope and points out "traditional" correctional practices which have the potential to be re-traumatizing. Staff learn the symptoms of Posttraumatic Stress Disorder, the impact of trauma on early brain development, intervention strategies to reduce the use of restraints and seclusion, how to create trauma informed care living environments on the units and how to use trauma sensitive tools to teach youth how to self-regulate their emotions.

Not only do the employees working with our female population learn about trauma, the girls do as we
In the program titled "Girls Trauma Recovery and Empowerment Model," or G-TREM, girls learn hc

current behaviors are linked to past abuses as well as basic skills in boundary maintenance and communication.

We have increased the staffing of our female facility in key areas including social workers and mental health staff. Staffing for female offenders reflects a clinician for every fifteen female offenders diagnosed with mental health needs.

All of the female units have comfort, or sensory, rooms. These therapeutic spaces are designed to serve as a quiet, safe and respectful place of retreat to help a youth calm down and avert a crisis. Sensory rooms are used for crisis de-escalation and also crisis prevention as youth learn safer and healthier ways to regain self-control.

We have also created a state-of-the-art mental health unit for girls which is richly staffed by a multidisciplinary team of mental health professionals. The unit is devoted to providing treatment to youth who have been diagnosed with significant mental illness that compromises their ability to reasonably function within the general population. While on the unit, girls participate in weekly individual sessions, group therapy and also family therapy. It is the goal of the unit to equip the youtl with the skills necessary to appropriately engage in general population programming and eventually return to the community.

A major part of managing behavior within the institutions is using gender specific incentives. The females have five reinforcement categories that include verbal applause, Golden Ticket (based on the five pillars of citizenship from Character Counts), daily review (youth earn points for pro-social behavior), weekly shopping at the incentive store (items and activities are based on what has meaning to girls) and a monthly behavior party.

In the early part of 2010, we will implement a new, comprehensive, evidence-based and gender responsive treatment program for the female population. Using a treatment milieu, the programming will be grounded in cognitive-behavioral ideas and principles. The core programming will address issues such as domestic violence, emotional trauma, self-image and conflict management. Delivery will be consistent with a relational model of treatment and will involve all staff working on the unit.

A well planned community reentry strategy is critical for any offender returning home. The new female programming will work to strengthen each girl's practical life skills, career planning and reentry preparation.

Community Capacity

Although the work we do within our facilities to address the specific needs of girls is critical, the majority of girls in Ohio's juvenile justice system are not committed to DYS. Over 1,000 girls each year are adjudicated delinquent of a felony level crime in Ohio and even more are seen by the court on misdemeanors and status offenses. Females make up about 30 percent of the admissions to state funded community programs.

New programs are showing promise in working with girls in the community including the Behavioral Health / Juvenile Justice (BH/JJ) initiatives that have begun in Ohio. The BH/JJ

programs were created to enhance the community's ability to locally serve juvenile offenders with serious behavioral health needs by transforming the community's capacity to identify, assess, evaluate and treat multi-need, multi-system youth and their family.

Our first Community Based Treatment Center for males will open this month, and its cognitive-behavioral approach addresses criminogenic factors and provides aftercare with strong community linkages. We are currently developing a similar option for girls. In addition, we have committed to provide additional funds to Ohio's 6 largest courts that commit 63 percent of youth to DYS to support evidence-based and model programs. We anticipate that this initiative will decrease the commitments to DYS institutions by 189 youth.

Moving forward

Progress is being made on many fronts in Ohio, and across the nation, to address the needs of females in the juvenile justice system. However Ohio, like other states, has struggled to find appropriate methods of managing a very challenging population of juvenile offenders while balancing the multifaceted aspects of public safety, victims and rehabilitation. Jurisdictions across the country often create programs that may "feel good" but are not evidence-based and may not work.

We in Ohio are committed to offering safe, evidence-based programming for females that includes family involvement and other community resources. We need support from Washington to ensure that the programs being administered are not harmful to the youth involved but in fact yield the desired successful outcomes. With OJJDP funded research and program evaluation, states will not have to "reinvent the wheel" when establishing new programs for juvenile offenders. Supporting the research for evidence-based programs will, in the long run, work to save precious state and national resources, enhance public safety and provide effective interventions for juveniles who have committed delinquent acts.

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Mr. SCOTT. And I want to thank all of our witnesses for testifying. This is tremendous information.

We are going to ask questions under the 5-minute rule, and I will begin with asking Mr. Stickrath: You indicated a question on restraints testimony. We heard testimony about women being restrained during childbirth. Do you have a comment on that?

Mr. STICKRATH. Well, the use of restraints and the overuse of restraints has been a concern of mine and something that we saw I

think in our system, as probably other systems. And so we have worked—we just actually completed a renewed round of training on use of restraints and how to appropriately deal with youth when that situation arises. It is a concern probably in nearly every detention system and State juvenile system, and requires, I think, hiring the right people with the right kind of training and avoiding those situations.

Mr. SCOTT. Is there a standard specifically on childbirth—restraints during childbirth?

Mr. STICKRATH. That would be something—and fortunately we have not had the degree of childbirth issues in Ohio that some other States have had—but that is something we would avoid in Ohio.

Mr. SCOTT. And you had also indicated a need for evaluations. Do you have specific topics that would be helpful to you to have more information on?

Mr. STICKRATH. Yes, Mr. Chairman. As Mr. Gohmert indicated, there have been a lot of programs that are being implemented and tried in counties and jurisdictions and States across the country, including in Ohio. But, as I said, too often they might look good or they might feel good, like when I first did a boot camp and I was real proud of what I thought was going to be the result until the research came out.

So I think the kind of evaluation of programing, of making sure that there is—based in evidence, I think would be helpful.

Mr. SCOTT. Let me ask Tiffany and Nadiyah what kinds of programs are most important to turning people's lives around, like what happened in your cases. What elements are there in the programs that are most effective?

Ms. SHEREFF. Certainly, programs like the Center for Young Women's Development and Girls, Inc., GEMS, who offer counseling, because a lot of times we are committing acts because there is a lot going on. And so I think that it is important to have that counseling and have the support to kind of get at the underlying reasons of why we are acting out and then just having a strong supportive sisterhood, you know.

Ms. RIVERA. Also, programs that specifically deal with the trauma that these girls dealt with, whether it is family drug abuse—programs that specifically help them get through the family issues they had in the past and are able to overcome it, or whether they were raped or something, programs that specifically deal with that and they are around other people who have experienced the same thing so they know they are not alone, because often times girls feel everything that happened to them, just happened to them and nobody else, so they act out on that.

Ms. SHEREFF. And then also one of the greatest things about being at the Center for Young Women's Development for me was the fact that I was hired as an intern. And so that employment piece is very critical. As I mentioned, I was able to move up within the organization. So also having employment programs as well as other support.

Mr. SCOTT. Thank you. Dr. Ravoira, you mentioned foster care. What is the problem with foster care that causes people to be bounced around and not having a secure youth?

Ms. RAVOIRA. What we found in the research that we conducted in Florida, we have a research report called: A Rallying Cry for Change, a significant number of the girls ending in juvenile justice had been in foster care. And they were running from foster care.

I think it gets to the issue of foster care parents are not trained either on how to work with young girls and women. And so the foster care parents get overwhelmed by the issues that girls bring into the home, and it is the unaddressed trauma, it is some of the mental health issues that girls are bringing, and so they will run.

So I think it goes back to a training issue in both child welfare as well as the juvenile justice system and a culture that doesn't really celebrate all that is right about teenage girls. So foster care parents have no idea how they are intervening in trying to control girls, how that can trigger their behaviors.

Mr. SCOTT. Thank you. Dr. Jackson, are the girls in your program already in the system?

Ms. JACKSON. Well, fortunately, we only have one girl that had actually been in the system. We have served last year over 1,100 girls. And I think that is pretty good that we have only one that was in the system.

When I say in the system, she didn't stay over 30 days within the system, 2 years ago, and she's no longer with the program.

Mr. SCOTT. Now all of the others, how are they selected to participate?

Ms. JACKSON. Well, we recruit from schools. We have a partnership with all the school systems in Hampton and Newport News and what we do is pass out flyers and they take those flyers home to the parents. One thing, too, that I would like to add, the importance of parent involvement at an early age. That is very important.

And the way that girls register for our program is pretty much like you will in a college. It is a semester. So every semester we have contact with those parents that are registering those girls. Also, each girl who leaves our sight has to sign out—has to be signed out by a parent or a guardian and also at that time we can at that time interact with the parents.

And girls see the stability in being at Girls, Inc. They know Monday through Friday that we will be there and that we expect them to be there. So when they are brought in through the transportation, they will sign in and they will sign out by someone that their parent had identified for them to be picked up. And that is including the teenagers.

Mr. SCOTT. Thank you.

Mr. Gohmert.

Mr. GOHMERT. I want to thank all the witnesses for their wonderful testimony. Tiffany and Nadiyah, I appreciate the example you are setting just by being here and by letting people know that you realize the kind of self worth I hope you fully realize that you have and the difference you make.

I didn't recall either one of you testifying but it has been brought up in some of the statistics, did either one of you consider taking your own life?

Ms. SHEREFF. No.

Ms. RIVERA. Yes, I have. It started around I guess the age of 13. Even while being locked up, I used to—I mean I thought about it. Never really tried. I mean I have cut myself repeatedly. But I remember one time being in juvenile detention and I cut myself and it was kind of like a cry out for help for somebody to come and talk to me. I had cut wound on my arms for about 2 weeks before anybody even realized that I cut myself.

Mr. GOHMERT. Nadiyah.

Ms. SHEREFF. No.

Mr. GOHMERT. So you realized early on you had value, right?

Ms. SHEREFF. Yes, but I have several friends and have been in detention with young women who have attempted suicide.

Mr. GOHMERT. Apparently, it is a common thing. And it seems like the difference is—and it has been mentioned here—when somebody let's you know that you have value, that you make a difference, that they care about you. Correct?

Ms. RIVERA. Uh-huh.

Mr. GOHMERT. And it seems like the programs that are most successful like we have heard about here today is where that is conveyed—it seems it is true, whether it is guys or girls. Sometimes it is harder to get across to a guy because they are too busy acting tough—but that they have value.

Ms. Jackson, you mentioned the importance of parental involvement, but given the statistics that we know exist, that can't be too easy to get parents involved, is it?

Ms. JACKSON. No, it is not easy at all. A lot of times it is not even the parents; it is the counselors that are bringing the young people in and signing them out. It is grandparents. It is other people; foster parents.

And so when we say parents' involvement, just an adult person that is going to come in and after we are finished with them for the day, then we hope that someone will continue the process of what we are doing.

So when we say parent involvement, we are just talking about the other adult that is going to take over where we left off when they go home.

Mr. GOHMERT. And if there is no follow-up, then the chances of success are drastically minimized, right?

Ms. JACKSON. Yes. We like to say also that the girls in our program grow with our program. Girls can come into our program in the second or third grade and they will come back the next year. So they begin to grow up in Girls, Inc. Since I have been with Girls, Inc., we have had about a 75 percent repeat of girls coming back through our program.

Mr. GOHMERT. Dr. Ravoira, you mentioned about Maria and her quote that asks the adults to be there for us to do what our parents couldn't do. Be somebody we didn't have. And she mentioned she had no one.

But I come back to what seems to me to be the biggest question, and maybe it is not something we have done adequate studies on, but why couldn't the parents be there for them? Why wouldn't they be there for them? Because it seems like whether it is a parent, it is a grandparent, someone; a counselor, someone like yourselves that conveys that message, that this child has value and they mean

something and do great things, that there has got to be something at the heart of why there are so many parents that don't fill that need.

Have you looked at that issue at all?

Ms. RAVOIRA. I spent 14 years as the President and CEO of PACE Center for Girls, where we served about 4,000 girls annually.

Mr. GOHMERT. Does PACE stand for something?

Ms. RAVOIRA. PACE stands for Practical, Academic, and Cultural Education. It is a day treatment model; a diversion program to keep girls from penetrating further into the juvenile justice system.

You know, what we found, about 75 percent of the girls that were served at PACE were coming from single-parent households, particularly moms. Many of the moms were working two or three jobs just to keep a house for the general children to live in.

So they were taking care of their children. The moms were overwhelmed. And there were very few support systems in the community. And as the girls had greater needs and there was no support systems coming in and just trying to keep the family together, yet we are willing to invest in $50,000 a year to remove a daughter from the home as opposed to investing in keeping a family together.

And there are models of programs where we can go into the home, that are very cost-effective, and try to heal that fractured family and keep them together. Because I will tell you, in my 20 years of doing this work, families want to do a good job, the majority of the families I worked with, but they are overwhelmed by just trying to make it day by day.

So I think it is whether or not we can provide the services to keep families together. And I think the girls probably found that. Or, whether it was a grandmother or an auntie or a mom, there are certainly family members who are trying.

And so in my testimony, I am not blaming the family. I am saying that we need to wrap our arms around families who are in crisis as opposed to breaking them apart and sending their daughters 6 hours away from home.

Mr. GOHMERT. I would certainly agree with that; that to get to the very heart seems like it would be helpful to know why the family is in crisis. I have seen the same thing; mothers working two or three jobs trying to make it, so they are not there, and then some gang member shoots somebody and they ended up in my court. And so I understand that. But, as you mentioned, most of them were single-parent homes. And we come back to: Why is there such an epidemic? Why is the dad a deadbeat that never gets across to his precious daughter just how much worth she really has.

Anyway, I see my time has expired, but I appreciate it, Chairman. Thank you all very much.

Mr. SCOTT. Thank you. The gentleman from Michigan, the Chairman of the full Committee, Mr. Conyers.

Mr. CONYERS. Thank you, Chairman Scott. I am really impressed with the six of you, especially the young lady that is going to law school. I have encouraged a lot of people to go to law school.

Tiffany, could I encourage you to consider it? I could.

Ms. RIVERA. I want to do special victims, a detective.

Mr. CONYERS. You want to be a detective? Well, detectives go to law school.

Ms. RIVERA. I do.

Mr. CONYERS. You do. Okay. You know how to respond, don't you? That is great. I appreciate your cooperation.

Before I get started, just a note. There are only seven men in this room. How do I know? I counted them. That is not counting there are four up here. I counted them. And what I read into this, Judge Gohmert, is that there are women that are at this hearing that have an intense interest in this subject matter. This is not just Tuesday afternoon, Chairman, that it just so happened, a lot of women came by 2141; it doesn't mean anything special. It does. It means something I interpret as very, very important to them.

If we could hear any of their stories that wanted to come forward, I bet it would enrich this hearing even beyond what has already happened.

Now here is the work part.

Mr. GOHMERT. Would the gentleman yield?

Mr. CONYERS. Of course I would yield to the judge.

Mr. GOHMERT. I think we would be open to anyone who wanted to submit anything in writing that was here telling us their stories, anything they had to submit.

Thank you for yielding.

Mr. CONYERS. Yes. That is a great idea. How do we make this hearing—we can't sit in a hearing much longer than we are going to sit in it. And here is what I have suggested through my chief of staff to the Chairman and to the judge. How about all of us that can and will, let's gather in an informal setting and discuss some of the—we will have staff with us—and let's talk about what it is we want the Department of Justice to do. And we called my little errant friend, whom I have forgiven now; I am not angry at him anymore; we are going to be friends—to get himself down here right away after this hearing. I presume he had enough initiative to turn on the television screen so that he heard what we have benefited from. And let's get down to business.

Now I also—our former Attorney General for Puerto Rico just told me why he may not have shown up. And we forgive him for that, too. The GAO ripped them from one end to the other in how they were dealing with girls and women in delinquency settings.

Okay. We understand. He said, Well, look, I'm not going to face these guys today. I'm busy. And we understand that. But Staff Attorney McCurdy said that they conceded to all of the problems in the GAO criticism. Now that is a good step forward, isn't it? It is not a back and forth about who did what and who is wrong and the finger pointing.

So we want to sit down constructively for a short while and let's get this—and we have invited Chairman Miller's staff to join us because we are going to work out a bill together. They ought to be glad that we are not going to work on the bill ourselves. But we share in the Committees, don't we? We don't take each other's jurisdiction unless severely pressed.

So that is what I propose to Chairman Scott that we do immediately after this hearing. This is a permanent record that goes into

American congressional judiciary history. But we are going to meet off the record. We are going to roll up our sleeves and start moving—the bill on this subject is 2 years late. No wonder so little has been done. And we want to make up for lost time, don't we?

That is how I propose that we do it, Chairman Scott.

Mr. SCOTT. Thank you. We will do.

The gentleman from Puerto Rico.

Mr. PIERLUISI. I likewise thank all the witnesses. I am particularly disturbed that OJJDP is not present here. They should have been here just listening to you and participating in this exchange. So I welcome what the Chairman is proposing. I think it is the right thing to do.

I am troubled by a couple of things. First of all, with respect to Ms. Larence, the GAO's report, it seems to me that there are no standards or goals or benchmarks or expectations are being imposed, or at least laid out when giving out all this Federal funding. That is the impression I have got. Am I right or wrong? They fund these programs and they don't set any standards at the outset.

Ms. LARENCE. It has been 7 years since they had an overall plan that articulated their strategies and goals for their juvenile justice programs. Somewhat in their defense, a lot of the moneys are statutorily congressionally directed so there is maybe not as much money that they have discretion over. So maybe that influenced their decisions about how seriously they needed to do that plan. But they are making a commitment to have one by the end of this calendar year.

Mr. PIERLUISI. I see. So if we come up with a bill, I guess we can set some meaningful standards that would actually take into account what you have been telling us today.

Another thing that really troubled me is this business about male guards watching girls in the showers and watching while girls are being stripped. That is outrageous.

Ms. Ravoira, what is going on here? Is it that we don't have enough female in the labor force to do these jobs?

Ms. RAVOIRA. I think it is deeper than that. I think it is a culture in the juvenile justice system in many instances that doesn't honor and respect girls and that it is a system that is designed for custody and control as opposed to rehabilitation and addressing the issues that drive girls into the system.

And training is an issue. Staff have got—there isn't any protocol that mandates gender-responsive training for staff who are inside of these institutions. So when you have a culture that is designed without even considering girls and the needs of girls and young women and that emphasizes custody and control and controlling behavior and not what you heard from these young women, the issues that are really driving that behavior, you create a culture that is extremely abusive and just negates and further victimizes and traumatizes girls and young women.

Mr. PIERLUISI. Finally, because I don't want to belabor my comments, but I just hear all this about lack of counseling, not good enough counseling out there. So I wonder, when reviewing all these programs, did you see a lot of programs that are actually encouraging good counseling and intensive counseling? I refer to you, Ms. Larence.

Ms. LARENCE. We did not look at the individual programs, but the Girls Study Group looked at 61 programs that they had identified specifically for girls. They ranged in a number of issues, including substance abuse, mental health, and a wide menu of programs.

Mr. PIERLUISI. Sounds to me that that is something we could do as Members of Congress, is encourage better counseling for all these girls out there who really need it.

So that is all I have for now. Again, I thank you.

By the way, I tell both of you, Tiffany and Nadiyah, you did very well. I am not sure I could do as well sitting there. Keep it up.

Ms. SHEREFF. Thank you.

Mr. SCOTT. Thank you. I had a couple of other questions.

First, Ms. Larence, you indicated a need for more research. Do you have specific topics for which research should be done?

Ms. LARENCE. What the study group found is that particular girls programs need to be better evaluated. And so they are trying to determine of all the menu of programs that we discussed earlier, what ones really are effective.

They are trying to identify—right now—and they are trying to choose 10 to 12 different programs that they will set up to be evaluated so they can better identify what ones will work for communities.

Mr. SCOTT. Are there specific topics that prospectively need—you are talking about programs that are in existence today, to ascertain whether or not they are making a difference. Is there any research that would help us try to develop the appropriate programs?

Ms. LARENCE. Well, in a separate review that we are doing for you as well, it is not specifically focused on girls, but it is focused on effective types of juvenile justice programs, and so we are looking at 8 to 10 models and what the researchers say about those models and which ones have been more effective than others.

So in that report, which we expect to issue in mid December, we are looking at different types of programs that do prove to be more promising than others. At the top of the list would be family-based programs that do involve the family.

The other thing that the research shows——

Mr. SCOTT. What about kind of a holistic, long-term prevention and early intervention strategy rather than kind of a focused approach, more general approach to get young people on the right track and keep them on the right track generally. As you know, I have introduced the Youth PROMISE Act, which is aimed at that. I know NCCD and Girls, Incorporated have endorsed that, that bill, which would provide grants for holistic programs to deal with people very early on in strategies to keep them on the right track from a prevention and early intervention approach.

Is that being studied?

Ms. LARENCE. The area that seems to be promising as well is to diagnose individual girls' needs. So each girl might need a different menu of programs to provide the best care and support. The most effective programs are those that take that individual approach as opposed to what was mentioned earlier by one of the young ladies about—or Ms. Jackie, I think it was, that trying to take a one-size-fits-all approach to programs is not the most successful, and in-

stead try to assess the individual issues of the girls and address those needs with a menu.

Mr. SCOTT. But the idea being to get each child on the right track and keep them on the right track with whatever needs that specific child has.

Ms. LARENCE. Exactly.

Mr. SCOTT. Mr. Stickrath, are there adverse consequences to people that are inappropriately incarcerated?

Mr. STICKRATH. Mr. Chairman, yes. We have actually had research by the University of Cincinnati that shows that. In our situation, where we were bringing, for instance, low- and low-moderate risk youth under some of the various level of service inventory, LSI scores, we were actually doing harm to those youth. And so that was where our research was going in terms of developing assessment tools so that our courts know when they are adjudicating the youth that level of risk.

That goes, I think, to your earlier question in terms of looking for the kind of research. Know as I was trying to develop that assessment tools or develop an internal classification system for the youth in our facilities, we looked around and ended up, as I said, kind of reinventing or starting the wheel by doing it ourselves and spending a good bit of research dollars with our universities in Ohio to develop our tools.

So those are the kind of things I think as we develop those and as I have developed this assessment process with the University of Cincinnati, or the classification, if OJJDP can serve as almost a clearinghouse of sorts with some of that to assist other jurisdictions, I think that would be helpful.

Mr. SCOTT. Thank you.

Mr. Gohmert.

Mr. GOHMERT. Mr. Stickrath, do you have suggestions that States should take to heart in making legislative changes in the States to address the needs of female juveniles in their custody?

Mr. STICKRATH. Yes, Mr. Gohmert. I think as State legislators, I think, yes, look at the way we assess youth coming through our system, we know that detention numbers drive ultimate State institution numbers; issues, of course, of disproportionate minority contact. I think those are State issues and issues we are trying to deal with in Ohio to have more of those options for the communities.

As we expand our local community options, treatment centers, we are finding evidence-based programs like multisystemic therapy, family functional therapy, things that we have heard about here today, work. In our case, we have had about 800 youth go through what we call our behavioral health juvenile justice initiative. Kids that are on a

pathway to my agency that, through early intervention, as was discussed, have avoided coming to our agency. So I think as States push more of those kinds of initiatives, it will pay dividends in the long run.

Mr. GOHMERT. Thank you.

Ms. Larence, I appreciate your comments and what is going to be done by Justice. When you commented you want to involve the family more, you kind of looked my way because obviously that is

a concern of mine, except it seems like the problem is, for most of these kids, there is no family.

And so I guess my comments were more to the effect: Why isn't there a family there for these kids? What are the root causes? Because when we talk about prevention, I mean you can look one step back, what would prevent this, but seems like we would be bet served to go to the real heart of what created the different things along the way for prevention, in that regard, because that is something I dealt with that went across gender lines, guys and girls. Fathers just were not around.

I took my own study, not scientific, of course, because it was people that came before me as a felony judge, but who had had no relationship with fathers. And it was dramatic.

Why isn't there a family there? What have we done?

One of the things that broke my heart when I was sentencing adult women is I saw repeatedly the same story where, out of the best of intentions, we were offering a check for each child—each baby a female could have out of wedlock. And so one would get bored and say, Hey, I'm going to have a kid. I've got nobody at home for me. Nobody cares. I can get a check.

And it seemed like we lured young women into a rut and then they would have another and another, thinking maybe if I have another check, then that gets me ahead, not realizing they would get further and further behind, and then they would either go get a job and not tell the welfare workers, which meant now it is a felony, you have got to come to court because it is welfare fraud. Some of them got involved in drug dealing.

But it was heartbreaking to me that it seemed like the Federal Government lured them into a rut from which there seemed to be no escape. That we should have been looking for ways to provide those young women incentives to reach their potential rather than to get in a rut with children they were too young really to take care of, not finishing high school.

Anyway, it just seems like there have got to be better ways to help ensure the stability of the family or at least give better odds for a family existing down the road.

Why have so many fathers been deadbeats? Why have they not taken an interest and seen the beauty and the wonder and the worth of daughters they fathered.

Anyway, there are questions out there that seem like might help get us to the real root of what is happened with the juveniles in America. But please know that, as with the Chairman and the Chairman of the whole Committee, my friend from Puerto Rico, my friend from Texas, we are very grateful for the work you have done in trying to get that across to young women. And I appreciate your being here today. Thank you.

Mr. SCOTT. Any other questions? If not, I want to thank all of our witnesses for the testimony here today. It is very powerful testimony and it points out our need to make sure we focus on the needs of young ladies. I think we have got some direction, particularly in the area of research.

So, without objection, the hearing record will remain open for 7 days for inclusion of additional materials. Without objection, the Subcommittee now stands adjourned.

[Whereupon, at 4:08 p.m., the Subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF VANESSA PATINO LYDIA, SENIOR RESEARCH ASSOCIATE, NCCD CENTER FOR GIRLS AND YOUNG WOMEN

Mr. Chairman and distinguished members of the Committee, thank you for inviting members of the audience at the subcommittee hearing on "Girls in the Juvenile Justice System: Strategies to Help Girls Achieve Their Full Potential" on October 20, 2009 to submit written testimony about the issues discussed and suggestions for the Office of Juvenile Justice and Delinquency Prevention(OJJDP).

The NCCD Center for Girls and Young Women has launched an innovative approach to tackle the competing social and systemic forces as well as a range of complicated issues that impact the plight of girls in juvenile justice This work entails a multi-pronged approach: 1) improving the conditions of facilities, including reducing the level of physical and sexual abuse; 2) providing training and technical assistance to programs that are ill-equipped to meet the needs of girls; 3) increasing awareness and accurately conveying the issues and facts to stakeholders; and 4) continued research to fill the gaps in the field.

In field research, I have interviewed over 100 girls inside the juvenile justice system. Their stories are reminders that our systems are not set up to address the complexities of what drives behaviors. Often the result is staff who feel challenged by girls' acting out behaviors and girls who pick up additional charges inside institutions. Girls true needs often go unnoticed. Further, the common practices often contribute to deeper turmoil inside of girls' already hurting lives. These practices include being placed naked in solitary confinement because they are a suicide risk, sharing undergarments, refusal to file a grievance, lack of medical or mental health attention, overuse of psychotropic medications, and frequent and forceful use of restraint by several staff members to "control" acting out behavior. More often than not, when girls are held down, feelings of loss of control and thoughts of previous abuse and victimization can be triggered. The American Civil Liberties Union reports that male corrections officers are

"allowed to watch the women when they are dressing, showering, or using the toilet, and some guards regularly harass women prisoners. Women also report groping and other sexual abuse by male staff during pat frisks and searches. For victims of prior abuse, this environment further exacerbates their trauma(2009)."

Few programs have undergone documentation of their models or rigorous evaluation. In addition, the existing research lacks theoretical frameworks for how gender-responsive programs operate. This poses serious limitations regarding our knowledge of what works in programming for girls and prohibits replication of programs that are effective.

The need for gender-responsive programs has been well-established. There exists enormous variation regarding the intervention approaches, gender-specific components, participants, activities, and desired outcomes. Even experts in the field are hard-pressed to identify which elements are the most effective in meeting the needs of girls.[1] A focus on which components and processes are gender-responsive has been missing from the literature and is the logical scientific next step needed to build our understanding of which types and aspects of programming are best suited for girls.

Further, these gaps in the research and conflicting perspectives between the evidence based groups and the gender-responsive groups create confusion among prac-

[1] Kempf-Leonard, K. & Sample, L.L. (2000). Disparity based on sex: Is gender-specific treatment warranted? *Justice Quarterly* 17 (1), 89–129.

titioners.[2] However, there are evaluation topics that can benefit girls and the field and which the OJJDP should consider funding. These topics and potential research questions include:

Program Effectiveness

- What are the components of gender-responsive programs that make them effective?
- What are model culturally competent and gender-responsive strategies?

Conditions of Confinement

- What are the national conditions of confinement (e.g., extent of abuse, treatment, length of stays) for incarcerated girls?
- What are the challenges faced by staff working with girls?
- What is the extent of gender-responsive staff training across states?
- Which states are showing improved outcomes for girls? What and how are they doing it?

Alternatives to Incarceration

- Pilot gender-specific alternatives to detention/incarceration on outcomes for girls (e.g., reduced charges against staff, reduced technical violations, etc).

It is clear that more funding is needed to address the escalating numbers of girls in the system and provide training and assessment resources to the staff providing their care. Unfortunately, even when funding is available, the Office of Juvenile Justice and Delinquency Prevention has not given priority to the issues of girls. The National Council on Crime and Delinquency scored 96/100 points to develop a National Resource and Training Center for Girls in the juvenile justice system but was not awarded the grant. Instead, OJJDP " bypassed the top-scoring bidders for National Juvenile Justice program grants, giving money instead to bidders that its staff ranked far lower."[3] Even with funding of the Girls Study Group, it is not clear the direction of the Department in regards to the Juvenile Justice and Delinquency Prevention Authorization Act and the inclusion of gender-specific services in all states. We would like to call for the convening of a legislative task force that would direct the OJJDP to submit an annual report to the Judiciary with specific plans to address girls in juvenile justice and the scope of request for proposals (RFP's).

Thank you for allowing me to submit this written testimony.

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[2] Hubbard and Matthews.

[3] Youth Today, March 28, 2008. Congress Probes Justice Department Grants: Did OJJDP play favorites with competitive bids? By Patrick Boyle.

Grounds at Ron Jackson State Juvenile Correctional Complex, Brownwood, TX

"Freedom" Dorm at Ron Jackson State Juvenile Correctional Complex, Brownwood, TX

Transport to solitary confinement at Ron Jackson

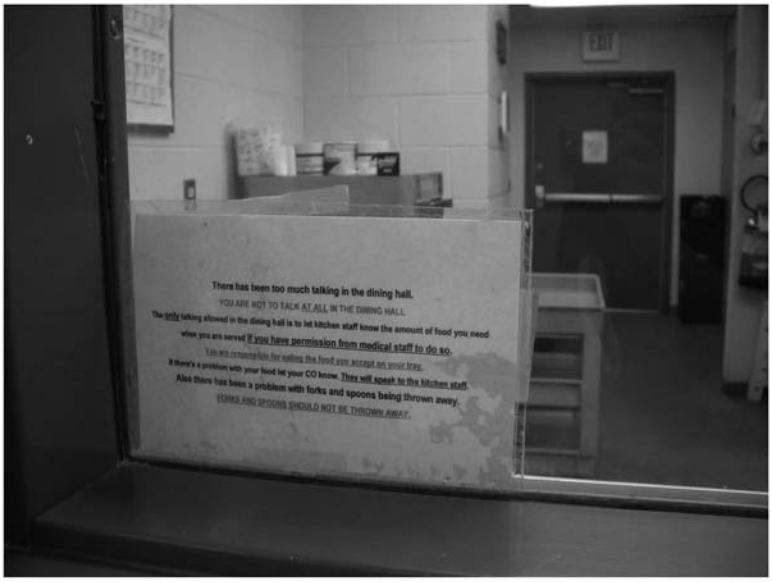
A look inside solitary confinement cells

Interior shots

Dorm Room

View from interior window

Visitation phones



"You are not to talk at all in the dining hall"

Riot Gear and Leather Restraints

Department of Justice

STATEMENT FOR THE RECORD

JEFF SLOWIKOWSKI
ACTING ADMINISTRATOR
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES

ENTITLED

GIRLS IN THE JUVENILE JUSTICE SYSTEM: STRATEGIES TO HELP GIRLS ACHIEVE THEIR FULL POTENTIAL

OCTOBER 20, 2009

Mr. Chairman, Ranking Member Gohmert and Members of the Subcommittee: thank you for the opportunity to discuss the U.S. Department of Justice's (DOJ) efforts to address the issue of girls' delinquency, and respond to the report issued by the Government Accountability Office (GAO) titled "Juvenile Justice: Technical Assistance and Better Defined Evaluation Plans Will Help to Improve Girls' Delinquency Programs."

My name is Jeff Slowikowski and I am the Acting Administrator for the Office of Juvenile Justice and Delinquency Prevention (OJJDP), a component of the Office of Justice Programs within the U.S. Department of Justice. As you know, OJJDP provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families. Historically, OJJDP has had considerable involvement in the issues of girls in the juvenile justice system and we will continue to foster the understanding of factors that contribute to girls' delinquency, and work to develop and promote programs that protect girls. We look forward to continuing to work with Congress on this important issue.

Among its findings, the GAO reported that the lack of rigorous evaluations of girls' delinquency programs makes it difficult to definitively conclude "what works" in preventing and reducing girls delinquency, and therefore hard to promote specific program models at the state and local level. The report specifically recommends that "the Administrator of OJJDP develop and document a plan that 1) articulates how the agency intends to respond to the program findings of the Girls Study Group, 2) includes time frames and specific funding requirements and

commitments, and 3) is shared with stakeholders." I assure you, Mr. Chairman, it has always been our intent to respond to the findings of the Girls Study Group (GSG) and we are doing so in some important ways. I would like to take this opportunity to provide background on the GSG, what we have learned, and how we are moving forward.

Mr. Chairman, in general, trends show juvenile violent crime is down in the United States. Juvenile violent crime arrests grew dramatically between the late 1980s and 1994, when they peaked, and then fell sharply for the ten years that followed and have continued to drop, though less dramatically, since then. Nevertheless, there remain causes for concern as recently highlighted by the brutal beating of a young student in Chicago that shocked this nation.

One of the areas in which we remain concerned is the high number of girls who enter the juvenile justice system. Trends indicate the female proportion of juvenile arrests has increased (or failed to decrease) since the 1990s, differing sharply from trends for male juveniles. Between 1987 and 1994, aggravated assault arrest rates for both male and female juveniles rose substantially and then fell through 2008. The female rate, however, rose more (114% vs. 72%) and then fell less (27% vs. 44%) than the male rate. Accordingly, the 2007 male juvenile arrest rate was just 8% above its 1980 level, while the female rate was 83% above its 1980 level. Noting this increase in arrests among female juveniles, OJJDP convened the GSG in 2004, to gain a better understanding of girls' delinquency and guide policy toward female juvenile offenders.

The GSG has already produced valuable research findings to provide a solid foundation to build effective programming. Because of the bulletins published thus far, we have gained valuable insights into girls' delinquency. Information has been published examining and describing trends and settings in which girls commit crimes; and whether certain factors (a caring

adult, school connectedness, school success, and religiosity) can protect girls from becoming delinquent.

I want to stress that OJJDP has not finished disseminating the research conducted by the GSG. We will be publishing bulletins that include information on what factors and pathways can lead to delinquency; and reviews on girls' delinquency programs and whether they effectively intervene.

As I mentioned, we have already learned a lot about girls' delinquency through GSG's work. We found that even though arrests are up, girls are not more violent now than in previous years. Instead, it appears that the way we are handling girls has changed - more cases are being handled formally, and the net appears to have widened. However, as the GAO correctly notes, in 2007, states reported in the Federal Advisory Committee on Juvenile Justice's annual request for information, girls' delinquency as a top issue affecting states' juvenile justice systems. Indeed, despite the GSG finding that the increase in girls' arrests does not reflect an actual increase in violent behavior, they continue to flow into an already overburdened juvenile justice system, and female offenders generally have more serious and wide-ranging service needs than male offenders do. In 2008, states again noted that more funding is needed for gender-specific programs.

We have learned that girls and boys experience many of the same delinquency factors and that, while some are more gender-sensitive, focusing on general risk and protective factors for all youth is effective. The GSG did identify and review dozens of programs that focus on girls' delinquency. However, few of these programs have been evaluated with the rigor required to determine their effectiveness. While none of the programs reviewed were identified as "ineffective," the results, at best, were inconclusive. We need to do better at finding and

implementing evidence-based programs, both overall and specifically for girls. This last point is one I want to stress and one that this Administration has placed high value. A key role of OJJDP is to help juvenile justice constituents identify and implement such practices.

I would like to mention that OJJDP has developed, and continues to enhance a Model Programs Guide (MPG), which is an online tool designed to assist communities and practitioners in identifying programs and strategies that have the most promise in addressing the needs of youth and reducing risk factors and offending behavior. MPG profiles and rates the effectiveness of more than 175 prevention and intervention programs across the juvenile justice spectrum, and helps communities identify those that best suit their needs. Users can search the MPG's database by program category, target population, risk and protective factors, effectiveness rating, and other parameters, including gender.

I assure you Mr. Chairman, all of our steps to meet the recommendations in the GAO report, are on track. Moving forward, we hope to be able to support further evaluation of girls' delinquency programs to improve and expand the pool of available evidence-based strategies for community use.

To this end, we are working to provide more hands on evaluation technical assistance. At the end of October we hosted a workshop in Chapel Hill, North Carolina to better equip girls delinquency programs to conduct rigorous evaluations of their interventions. The workshop will be tailored to address the needs of the participating programs. One of the goals is that participants will leave the workshop with a customized plan with how to evaluate their programs. Workshop participants are limited to programs that provide gender-responsive delinquency prevention or interventions for girls and who have some level of evaluation experience.

Through this workshop, we ultimately hope to be able to strengthen the evidence base in this field.

We are also revising the existing Training and Technical Assistance Curriculum for Girls' Delinquency Programming, which we expect to be completed in December 2009. The curriculum is designed to address girls' unique experiences relating to race, culture, gender, development, economic status, and physical appearance. The curriculum can enhance services in a range of settings, from community-based prevention programs to intensive residential programs and detention.

We are also preparing a solicitation for the evaluation of girls' delinquency programs. Pending the availability of funding, the solicitation will encourage partnerships between girls' delinquency programs and evaluators and provide funding for various evaluations of girls' delinquency funding.

I am confident these steps as I have outlined, will not only fulfill the recommendations as described by the GAO but will produce meaningful research and effective programming to implement girls' delinquency programs. OJJDP is committed to providing support to States and local communities to develop services to ensure young females and their families have access to a range of programs.

In closing, I thank the Subcommittee for this opportunity to provide the perspective of the U.S. Department of Justice. We are committed to continuing to work with our federal, state, local, and tribal partners to address girls' delinquency. This concludes my statement Mr. Chairman. Thank you for the opportunity to submit my statement for the record.

WASHINGTON
LEGISLATIVE OFFICE

November 4, 2009

The Honorable Robert C. Scott
Chairman, Subcommittee on Crime, Terrorism and Homeland Security
House Judiciary Committee
United States House of Representatives
Washington, DC 20515

The Honorable Louie Gohmert
Ranking Member, Subcommittee on Crime, Terrorism and Homeland Security
House Judiciary Committee
United States House of Representatives
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Dear Chairman Scott and Ranking Member Gohmert:

On behalf of the American Civil Liberties Union (ACLU), a non-partisan organization with more than a half million members, countless activists and supporters, and fifty-three affiliates nationwide, we applaud the Subcommittee for its hearing "Girls in the Juvenile Justice System: Strategies to Help Girls Achieve Their Full Potential." This important hearing helped to shine a light on an aspect of the juvenile justice system that is often ignored – the plight of the more than 14,000 girls currently incarcerated in the United States, and we are pleased to have an opportunity to address some of the specific concerns articulated by Committee members.

The ACLU has a longstanding commitment to the welfare of incarcerated children, and we are especially attentive to the experiences and needs of incarcerated girls. We have investigated juvenile conditions of confinement across the country, brought civil rights actions where conditions fell below constitutional standards, and conducted other advocacy on behalf of girls and boys in the juvenile justice system. Within the ACLU Women's Rights Project, moreover, we work specifically on behalf of girls in the juvenile justice system. As part of this work, we have conducted one-on-one interviews with well over a hundred girls in various states, amassing a wealth of knowledge and a national perspective on the needs of incarcerated girls and the challenges faced by state agencies in meeting those needs.

One aspect of the hearing that deserves emphasis is the urgency of the need for reform. While further research can help, girls are suffering from a broken system at this moment, and there are several areas of juvenile justice administration where the problems, and their solutions, are already known. As elucidated by the testimony of Eileen Larence of the Government Accountability Office, millions of dollars are being spent on research, yet

the yield from such expenditures is often neither immediate nor unambiguous. Let us fix what can be fixed right now, even as the research continues.

One settled fact about the juvenile justice system is that too many girls are being locked up, including those who pose no safety threat and who are damaged, not helped, by incarceration. As confirmed by Thomas Stickrath of the Ohio Department of Youth Services, inappropriately incarcerating low and low-moderate risk children actually harms them. Nevertheless, children are still being incarcerated for "status offenses" – acts like truancy or running away from home, that are not crimes if committed by adults – as well as for technical violations and minor and non-violent crimes. The policy implication of this fact is that resources must be diverted away from the maintenance of large, prison-like institutions, and toward prevention programs and community-based alternatives to incarceration like those represented at the hearing and those envisaged in your Youth PROMISE Act (H.R. 1064). At the same time, juvenile courts must be made to divert children away from state institutions whenever possible, reserving remand to such institutions for cases when every other alternative has been tried and has failed.

One important fact not noted at the hearing is that girls are especially harmed by the unavailability of non-incarcerative and lower-security alternatives. Our research has revealed that in many jurisdictions, such programs for girls are absent, even when they are offered for boys. For example, in Maryland, the paucity of alternatives to incarceration means that girls are confined in a prison-like institution even when their male counterparts would be sent to a home-like community facility. Similarly, in Texas, there is only one halfway house for girls in the entire state, as compared with several for boys, resulting in effectively longer sentences for girls and eventual placement in a halfway house many hours away from their homes and families.

We therefore urge that the highest priority be placed on reducing the over-incarceration of girls, and ceasing the practice of placing girls in excessively secure facilities. As more than one speaker noted, this is not only more humane, it is the only fiscally responsible course of action. While the speakers quoted costs of incarceration in the tens of thousands of dollars per child, in New York, the cost is a staggering $150,000 to $200,000 per child, each year. This represents a huge sum that can and should be redirected to local prevention and diversion programs. Dramatic reductions in children's incarceration in the U.S. are, moreover, within our reach. Looking internationally, some countries which we consider our peers incarcerate many fewer children than we do, or even none at all.

While reducing the population of girls in prison is a paramount concern, conditions of confinement in juvenile institutions also present urgent problems. As described by Tiffany Rivera and Nadiyah Shereff, the two young women who spoke at the hearing, incarcerated children regularly experience abuse, neglect, and callous indifference. The experiences of Tiffany and Nadiyah match those of the many incarcerated girls whom we have interviewed face-to-face.

One aspect of abusive conditions that is widespread throughout juvenile prisons in the U.S. is solitary confinement. As Nadiyah testified: "Being confined to a tiny cement room was one of the hardest things I have ever had to experience . . . I became even more withdrawn and angry." Although the isolated confinement of children is prohibited by U.S. law as well as international human rights norms, our investigations have revealed that such confinement occurs every day in

juvenile prisons in the U.S. Isolation is especially harmful to girls in light of their mental health profiles. As Thomas Stickrath noted, an astonishing 91 percent of girls incarcerated in Ohio are on the mental health caseload. Numerous studies have established isolation compounds mental illness, even in adults. In children, its effects are even more devastating, and we have witnessed children in solitary confinement cells cutting themselves, banging their heads and other parts of their bodies against cell walls, and screaming for help.

There is an even more disturbing aspect to the isolation of children in juvenile facilities: Many are placed in isolation, not for hurting other people, but for committing self-harm, or confessing that they have considered suicide. Children are isolated for self harm every day in, for example, Texas and Puerto Rico. As Ranking Member Gohmert's question to Tiffany revealed, such self-harm is a cry for help, and no response to an emotional crisis could be more destructive to a child than to punish her by abandoning her alone in a cell. Ranking Member Gohmert captured the heart of the matter when he stated: "The difference is when somebody lets you know that you have value, that you make a difference, that they care about you." Solitary confinement communicates the opposite, namely, that a child and her profound pain are not worth bothering with.

Both of these problems, over-incarceration and the isolation of children, are amenable to a federal legislative solution. We would be delighted to contribute our substantive expertise, as well as our legislative know-how, to your efforts to respond to these pressing problems.

In addition, our research confirms the array of other abuses described by the participants in your hearing, including the misuse of psychotropic medications, the routine and demeaning strip searching of girls, the overuse of physical restraints, the violations of children's privacy rights, and the lack of consistent access to counseling and other needed services. It is also vital to note that while rehabilitative services are essential, they cannot succeed against a background of institutionalized abuse. Thus, while it is unarguably worthwhile to research the best ways to deliver services to girls, it is equally important to eliminate abusive practices that we know to be widespread, such as the isolation of children and the other practices identified by the hearing speakers.

In closing, we again commend the Committee for its attention to this vital issue, as well as the opportunity to provide this statement for the record. The ACLU looks forward to working with you and other members of Congress on ways to improve the juvenile justice system for girls.

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Enclosure