



# IMPROVING THE JUVENILE JUSTICE SYSTEM FOR GIRLS:

LESSONS FROM THE STATES

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## EXECUTIVE SUMMARY

**Improving the Juvenile Justice System for Girls: Lessons from the States** examines the challenges facing girls in the juvenile justice system and makes recommendations for gender-responsive reform at the local, state, and federal levels.

This report emerged from the policy series—*Marginalized Girls: Creating Pathways to Opportunity*—convened by the Georgetown Center on Poverty, Inequality, and Public Policy, The National Crittenton Foundation, and the Human Rights Project for Girls. The series focuses on improving public systems' responses to the challenges facing marginalized girls and young women.

The problems facing girls in the juvenile justice system were among the first issues to be addressed in the policy series, in a meeting held at Georgetown University Law Center on September 23, 2011. State reformers, national policy experts, advocates, practitioners, researchers and girls made contributions and insights during that meeting that inspired this report.

Girls make up a growing percentage of the juvenile justice population, and a significant body of research and practice shows that their needs are not being met by a juvenile justice system that was designed for boys.

The typical girl in the system is a non-violent offender, who is very often low-risk, but high-need, meaning the girl poses little risk to the public but she enters the system with significant and pressing personal needs. The set of challenges that girls often face as they enter the juvenile justice system include trauma, violence, neglect, mental and physical problems, family conflict, pregnancy, residential and academic instability, and school failure. The juvenile justice system only exacerbates these problems by failing to provide girls with services at the time when they need them most.

During the past twenty years, there has been a growing effort to reform the juvenile justice system for girls on the local, state, and federal level. This report chronicles the history of those efforts and renews the drumbeat for reform, urging more advocates to take up the cause of girls in the juvenile justice system.

To facilitate their efforts, this report provides:

- A review of literature documenting girls' particular pathways into the juvenile justice system
- A brief history of recent gender-responsive, trauma-informed reform efforts
- Detailed case studies of recent reform efforts in three jurisdictions: Connecticut, Florida, and Stanislaus County, California.

While the precise trajectory of reform in each of the three jurisdictions differs, they share common elements. These elements form the basic architecture of gender-responsive juvenile justice reform at the state and local level:

- Research to Diagnose the Problem
- Public Education Campaign
- Strategic Planning
- Engagement of Key Stakeholders, Including Girls
- Legislation
- Staff Training
- Community-Based Diversion and Prevention Programs
- Pilot and Demonstration Projects
- Outcome Measures and Evaluation
- Technical Assistance
- Funding and Sustainability

Federal policy has been instrumental in seeding state and local gender-responsive reform efforts. This report recommends that the federal government take the following steps to support these reforms:

- Conduct research on programs for girls, particularly regarding best practices in gender-responsive programming, and conditions of confinement for girls
- Develop a stronger, standardized assessment tool for girls entering the system
- Require at least one member of each State Advisory Group (SAG) to have expertise in gender-specific female services



- Mandate a comprehensive effort by the U.S. Department of Justice to improve training and technical assistance for better recognition of the unique needs of marginalized girls among judges, law enforcement, and juvenile justice staff
- Allocate federal funding and encourage states to apply for federal funding for gender-specific programming
- Convene interagency working groups at the federal and state levels to address the needs of marginalized girls and young women
- Close the loophole that currently allows states to detain youths for technical violations of court

orders—a practice that has a disproportionate impact on girls

- Encourage the development of national standards for gender-responsive programming
- Promote policies to keep girls out of the adult criminal justice system

As this report demonstrates, reformers can make real differences in the lives of girls who are involved in, or at risk of entering into, the juvenile justice system. The set of strategies offered in the report are designed to aid future reform efforts.



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## INTRODUCTION

Girls make up the fastest growing segment of the juvenile justice system.<sup>1</sup> As a group, they are disproportionately “high need” and “low risk,” meaning that they face a host of challenges and have a critical need for services, but, for the most part, do not pose a significant threat to the public. The differences between the profiles and service needs of girls and boys entering the juvenile justice system present a significant challenge for the professionals who serve them. Many girls in the system have experienced traumatic events, including sexual and physical abuse and neglect, which have deeply wounded them emotionally and physically. Overall, the juvenile justice system is ill-equipped to serve girls effectively, having failed to implement the reforms called for by a growing body of research on the needs of the girls in its care.<sup>2</sup>

Girls are still far outnumbered by boys in the juvenile justice system. For example, in 2010, 337,450 girls in the United States were arrested and criminally charged, as compared to 816,646 boys.<sup>3</sup> Meanwhile, a snapshot taken in October 2003 found that girls accounted for 15 percent of juvenile offenders in residential placements nationwide.<sup>4</sup>

However, the proportion of girls in the juvenile justice system continues to grow. In 2006, 7,995 girls under age eighteen were committed to juvenile residential placements and an additional 4,458 girls were in detention centers.<sup>5</sup> In recent years, while arrest rates for both girls and boys have slowed down, the slowdown has been more sluggish for girls. In 2010, boys’ arrests had decreased by 26.5 percent since 2001, while girls’ arrests had decreased by only 15.5 percent.<sup>6</sup>

Data from the previous decade show a significant rise in the number of girls in detention and placement.

Between 1991 and 2003, girls’ detentions rose by 98 percent, compared to a 29 percent increase in boys’ detentions.<sup>7</sup> Girls’ commitments to facilities increased by 88 percent between 1991 and 2003, while boys’ commitments increased by only 23 percent.<sup>8</sup> Some of this increase is likely related to increased rates of arrest for non-serious and domestic-related incidents. But it may also signal the lack of appropriate community-based alternatives to detention and residential facilities for girls and young women.

Research suggests differences between girls and boys in patterns of offenses and in the way that those offenses are processed.<sup>9</sup> For example, girls are far more likely than boys to be detained for non-serious offenses.<sup>10</sup> In 2006, technical probation violations and status offenses accounted for 25 percent of boys’ detentions, but 41 percent of girls’.<sup>11</sup> Technical violations can include comparatively minor offenses, such as violating curfew, missing a meeting with a probation officer, truancy, or violating another probation condition.<sup>12</sup> Status offenses involve activity that is only a crime when committed by a youth, including truancy, running away, violating curfew laws, and underage drinking.<sup>13</sup> In contrast to girls’ disproportionate arrests for such relatively minor offenses, girls comprise less than 10 percent of arrests of juveniles for violent crime overall.<sup>14</sup>

Among experts in the field of juvenile justice reform for girls, there is broad agreement that stemming the tide of girls’ involvement in the system requires radically expanding community and public resources for prevention and front-end diversion programs.<sup>15</sup> Likewise, there is widespread agreement that appropriately serving the girls who are already in the juvenile justice system will require significant changes to policy and practice. And there is almost no

disagreement that girls do not belong at all in the adult criminal justice system.

With the objectives of exploring and recommending gender-responsive policy and practice reforms, The Georgetown Center on Poverty, Inequality and Public Policy (“Center”), The National Crittenton Foundation, and The Human Rights Project for Girls convened a meeting on September 23, 2011 that included leading state reformers, national policy experts, researchers and girls involved in the juvenile justice system. This meeting was part of a public policy series—*Marginalized Girls: Creating Pathways to Opportunity*—to be convened by the three organizations between 2011 and 2013. Meeting participants examined recent state- and local-level efforts to improve the systems and services for girls involved in, or at risk of being involved in, the juvenile justice system.

## ROADMAP

Building on what we learned from participants in that meeting and subsequent research, this report:

- reviews literature documenting girls’ particular pathways into the juvenile justice system
- 
- describes the need for gender-responsive, trauma-informed approaches to juvenile justice reform
- 
- documents recent reform efforts in three jurisdictions
- 
- makes policy recommendations for state and local reforms and describes how the federal government can support these reform efforts.

## Girls’ Pathways into the Juvenile Justice System

There is a significant body of literature chronicling girls’ pathways into the juvenile justice system. It describes the disproportionate detention and adjudication of girls for status offenses and technical violations of probation.<sup>16</sup> Despite growing consensus about the need for alternatives to detention for status-offending youth, many of whom are girls, many status offenders, including girls, continue to receive inappropriately harsh treatment. While the Juvenile Justice and Delinquency Prevention Act of 1974 prohibits detaining status offenders, the Valid Court Order exception enacted by Congress in 1980 created an enormous loophole in this prohibition.<sup>17</sup> Under that exception, girls are still routinely detained for status offenses.<sup>18</sup>

The literature also documents girls’ chaotic home lives, which often include violence in the household, parental incarceration, death of a parent or sibling, and residential instability.<sup>19</sup> It describes the trauma, abuse, neglect and other forms of violence that are common among this population.<sup>20</sup> According to a study of 96 female wards from the California Youth Authority, Ventura School, “74 percent reported being hurt or in danger of being hurt, 76 percent reported witnessing someone being severely injured or killed, and 60 percent reported being raped or in danger of being raped,” at some point in their lives.<sup>21</sup> Another study of 319 girls in the juvenile justice system in Florida found that 64 percent reported past abuse, including 37 percent reporting abuse by a parent; 55 percent reporting abuse by someone other than a parent; and 27 percent reporting both types of abuse.<sup>22</sup>

Not surprisingly, girls also enter the juvenile justice system with significant health problems. Often, girls will enter detention and receive medical attention for pressing health problems that previously went unattended.<sup>23</sup> A study of 1000 girls in detention in California found that 88 percent had a serious mental



or physical health problem.<sup>24</sup> Health needs related to pregnancy and childbirth are common; 29 percent of the girls in this same study had been pregnant at least once, and 16 percent had been pregnant while incarcerated.<sup>25</sup>

Family problems are common. In the study of 319 girls in the juvenile justice system in Florida, family dysfunction and ineffective parental supervision were factors for more than 70 percent of girls in residential and 64 percent of girls in non-residential programs.<sup>26</sup> More than half of the girls indicated that their parents had been referred to the state child welfare system for abuse and more than a third reported being abused by their parents.<sup>27</sup> Offenses against family (considered domestic offenses in many states) make up a substantial proportion of the offenses committed by girls. In the Florida study, 61 percent of the girls studied had committed an offense against a family member.<sup>28</sup>

Instability is another major theme in many of these girls' lives. Of those girls in the Florida study whose parents had been referred to the child welfare system, nearly 60 percent reported living in an out-of-home, non-Division of Juvenile Justice placement, including foster care.<sup>29</sup> A majority reported parental involvement in the juvenile justice system and parental histories of substance abuse; 30 percent reported moving more than 10 times in their lifetimes.<sup>30</sup>

Trauma, poor health, family conflict, and residential instability of girls in the juvenile justice system are also connected to poor educational outcomes, with a majority of girls in the juvenile justice system having frequently missed school and failing academically.<sup>31</sup> Both girls and boys get caught in a "school-to-prison" pipeline through zero-tolerance policies in schools, which often lead to severe disciplinary actions like suspension, expulsion, and the involvement of law enforcement for problems that would previously have been handled through less punitive internal school processes.<sup>32</sup>

Detention and placement settings often are not designed to address problems specific to girls: trauma and abuse, other mental and physical health problems, and the needs of pregnant and parenting girls.<sup>33</sup> Because there are so few facilities designed to specifically serve girls, some are placed in secure facilities that are far from home.<sup>34</sup> This makes it difficult to repair broken relationships with family and friends, and often leads to estrangement from families and communities. Many detention and placement settings do not make a serious and sustained effort to help girls get on the path to success in school and in the workforce.

In some cases, girls who have suffered trauma are re-traumatized by their experiences in the juvenile justice system.<sup>35</sup> Helping these girls heal from trauma and abuse is critically important, but many juvenile justice agencies lack the knowledge and training about what services are useful to assist these girls in their recovery. As reformers have noted for more than twenty years, there are simply too few programs and services equipped to serve the particular needs of this population.

## Brief History of Recent Girl-Focused Reform Efforts

During the past two decades, there has been a growing effort to reform the juvenile justice system for girls at the federal level and in individual states and localities.

The 1992 reauthorization of the Juvenile Justice and Delinquency Prevention Act was the impetus behind significant state-level reform.<sup>36</sup> Sections 223 (a) (7) (A) and (B) of the Act required states to assess how their juvenile justice programs were serving girls and take steps to implement gender-responsive plans to better serve them.<sup>37</sup> The Act also included significant funding for gender-responsive programming through a Challenge Grant program which allowed states to receive federal funding to

implement reforms in particular areas of concern identified by the federal government.<sup>38</sup> Twenty-three states applied for and received funding under this program—more states than applied for any other individual Challenge Grant activity.<sup>39</sup>

A 1998 report released by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) chronicled the reform efforts of the twenty-five states supported by these Challenge Grants and put forward the following guidelines for gender-responsive reform efforts:<sup>40</sup>

- Programs should be all female whenever possible;
- Girls should be treated in the least restrictive environment, whenever possible;
- Programs should be close to girls' homes in order to maintain family relationships;
- Programs should be consistent with female development and stress the role of relationships between staff members and girls; and
- Programs should address the needs of parenting and pregnant teens.<sup>41</sup>

This report also provided a set of recommendations to states undertaking reform efforts:

- Establish a representative stakeholder group to generate reform ideas and implement them;
- Assess how the juvenile justice system in a particular state processes girls and the existence of gender-specific services;
- Create specific programming to respond to service gaps; and
- Provide staff with training in female development.<sup>42</sup>

Advocates' and foundations' efforts were also instrumental in laying the groundwork for reform. For example, in 1999, the American Bar Association wrote a seminal piece on the particular pathways that girls take into the system, which drew significant national attention to the issue.<sup>43</sup> The Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative



PHOTO: Bob Madden

provided support for various gender-responsive reform efforts, as documented by Fran Sherman in her 2005 piece, "Pathways to Juvenile Detention Reform – Detention Reform and Girls: Challenges and Solutions."<sup>44</sup>

In 2004, OJJDP convened a Girls Study Group consisting of researchers and practitioners to "develop a research foundation that [would] enable communities to make sound decisions about how best to prevent and reduce delinquency and violence by girls."<sup>45</sup> In 2008, the Girls Study Group reviewed 61 gender-responsive programs across the United States and found only

17 of these had been evaluated by federal or state authorities, with none meeting the OJJDP's criteria for "effectiveness."<sup>46</sup>

In 2009, the House Judiciary Committee's Subcommittee on Crime, Terrorism and Homeland Security held a hearing on "Girls in the Juvenile Justice System: Strategies to Help Girls Achieve their Full Potential."<sup>47</sup> In 2010, The House Education and Labor Committee's Subcommittee on Healthy Families and Communities held a hearing on "Meeting the Challenges Faced by Girls in the Juvenile Justice System."<sup>48</sup>

Also in 2010, OJJDP partnered with the National Council on Crime and Delinquency to create the National Girls Institute.<sup>49</sup> The National Girls Institute is led by experienced and successful girls' juvenile justice reformers Lawanda Ravoira and Vanessa Patino Lydia. It is charged with developing and providing a range of training, technical assistance and resources to tribal, community, and private organizations that serve at risk and delinquent girls.<sup>50</sup>

Gender-responsive reform efforts are hampered, of course, by the harsh reality of declining federal investment in programs to reduce delinquency, which has declined 50 percent overall since FY 2002.<sup>51</sup> The majority of funding for juvenile justice programs comes from the states, and states' budgets have been dramatically reduced as they absorb the blow of the current fiscal crisis. And while a lack of state funding is often cited as the reason for recent closures of a number of juvenile facilities, the resulting savings have not been reinvested in front-end services for girls or boys.<sup>52</sup> Because girls are often "lower risk" than boys, financial challenges can easily result in cutting existing interventions and programs that serve girls.<sup>53</sup>

Although there has been some significant progress toward improving the system for girls in individual states, statewide efforts to reform the juvenile justice system for girls are still few and far between. There is also scant information available about the few gender-focused

reforms that have occurred. Since OJJDP's 1998 report on the status of girl-focused state reforms, no publication has been issued canvassing girls' reform efforts throughout the United States or charting progress. Few gender-responsive programs have been evaluated, leaving reformers with little concrete information on what works. Recognizing the need for more information, OJJDP issued grants in 2011 for the evaluation of "the effectiveness of delinquency prevention, intervention, and/or treatment programs in preventing and reducing girls' risk behavior and offending."<sup>54</sup> This is an important step in the right direction.<sup>55</sup>

Advocates who are focused on improving the juvenile justice system for girls frequently call for more "gender-responsive" programming, which has been defined in various ways. We provide a definition from Fran Sherman's work below.<sup>56</sup>

## DEFINING GENDER-RESPONSIVE PROGRAMMING

The following are often identified as core elements of gender-responsive programming:

- **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 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 community.



PHOTO: Bob Madden



## LEARNING FROM STATE & LOCAL INNOVATION

**G**ender-responsive reform efforts in a number of states and localities have integrated many of the core elements described above into their policies, programs and practices. Participants in the September 23, 2011 meeting at Georgetown Law provided rich and detailed accounts of gender-responsive reform efforts under way in Connecticut, Florida and Stanislaus County, California. Although many of the participants have dedicated their lives and careers to achieving reforms for girls in the juvenile justice system, the stories that were told about how individual states and localities made progress were previously unknown to most of the participants. This meeting provided a rare opportunity for those who are on the front lines of progress in their states to come together to compare notes and think collectively about how to move forward.

Building on what we learned in that meeting and from our own research, the goal of this paper is to analyze the building blocks of system-wide reform efforts during the past decade in several key states profiled in our meeting, and to provide other states with a blueprint for reform. We hope that this information will be useful to those interested in accelerating the pace of change in their own states.

This section provides detailed case studies of reforms undertaken in Connecticut and Florida, as well as a snapshot of a more recent reform effort in Stanislaus County, California. While this report highlights innovation in each of these jurisdictions, reformers from each are quick to point out that their work is far from done, and that while there have been successes in some areas, there have also been some failures. We offer these three case studies in the spirit of progress.

### Connecticut

For more than a decade, Connecticut has been engaged in a systemic and multi-pronged effort to improve its juvenile justice system for girls and young women. These efforts reflect an impressive willingness to embrace change and innovation. As the following case study illustrates, through this set of reforms, Connecticut has made significant improvements to its probation, detention and diversion systems for girls.<sup>57</sup>

Connecticut's gender-responsive juvenile justice reforms emerged out of a larger effort to improve conditions for all children in Connecticut's juvenile justice system. Advocates described conditions of confinement in the early 1990s as "horrendous" with little to no rehabilitative programming, medical care or health care available to children in the system.<sup>58</sup> In 1993, advocates brought the "Emily J." lawsuit alleging numerous violations of the rights of children in detention.<sup>59</sup> The Center for Children's Advocacy, under the direction of Martha Stone, represented the children in the lawsuit, which settled in 1997. That settlement is credited with dramatically improving conditions of confinement for youth, including improving access to education, mental and physical health care, and recreation. The court appointed a monitor to oversee the state's compliance with the settlement. Over time, the court-ordered requirements for better services and less punitive approaches became ingrained in Connecticut's juvenile justice system.<sup>60</sup>

In 1999, the Connecticut Judicial Branch reorganized, creating a Court Supportive Services Division (CSSD), which is responsible for alternatives to sanctions and juvenile detention and probation.<sup>61</sup> Around this time, the CSSD received a planning grant for Alternative

Sanctions and Services for Court-Involved Girls from OJJDP and the Bureau of Justice Assistance (BJA).<sup>62</sup> The grant required Connecticut to establish a Girls Steering Committee, and provided a small amount of resources for Connecticut to begin planning and developing gender-specific services for girls under age 16 in the court system.<sup>63</sup>

## KEY ELEMENTS OF CONNECTICUT'S REFORMS

- **Advocacy** for gender responsive programming, both from outside and within the juvenile justice system
- **Research** that created a profile of court-involved girls in Connecticut's juvenile justice system, including identification of pathways, and assessment of the gaps in the systems and services provided in Connecticut
- **Public investment** in reform—first from OJJDP and then the state budget
- **Collaboration** across the different systems that serve girls involved in the juvenile justice system in Connecticut
- Enactment of key pieces of **legislation** requiring gender-responsive programming and prohibiting the detention of status offenders
- Creation of **new standards** of gender-responsive treatment for girls in the system
- **Training** for probation, detention, and service providers on gender responsive principles and practices, and
- Development of **new programs**, including gender-specific probation, improvements to the treatment of girls in detention, and a temporary respite care facility diversion program for status offenders.

Federal funding allowed for the rapid identification of the needs of girls in Connecticut and shortcomings in the way they were being served within the existing juvenile justice system, as well as the development and implementation of improvements. Early assessments of the treatment of girls in the juvenile justice system showed that girls were often being incarcerated for status offenses simply because of the unavailability of diversion programs.<sup>64</sup> This finding propelled reformers forward. In the early to mid-2000s, a series of state laws were enacted that increased the availability of diversion programming and stopped the incarceration of status offenders.<sup>65</sup>

The resources underpinning this effort were modest. Yearly funding to the CSSD for gender-responsive programming hovered between \$150,000 and \$200,000.<sup>66</sup> Initial funding came from the federal government, and in the later years, funding was provided by the Connecticut legislature.<sup>67</sup> According to Kim Sokoloff Selvaggi, Girls' Program Manager for the CSSD, the grants received from the federal government were significant not simply because of the resources they provided, but also because they brought the key people together to focus on the problems facing girls in the juvenile justice system, and prioritized girl-specific reform efforts at the highest levels of government. Reapplying for federal grants every year required an ongoing and sustained effort from staff and administration.<sup>68</sup>

Girls Grant Steering Committee members included representatives from the judiciary, the Office of the Chief Public Defender, the Department of Children and Families, and other important stakeholders. Grant requirements outlined strict timelines to achieve objectives, which gave staff the ability to move gender-responsive initiatives forward quickly.<sup>69</sup> William Carbone, Executive Director of CSSD, provided the support and leadership necessary to establish and sustain reform efforts.<sup>70</sup>



Advocacy organizations played key roles in strategic planning, enactment of legislation, and litigation that supported these efforts for more than a decade. In particular, the Center for Children’s Advocacy and the Connecticut Juvenile Justice Alliance were critical to achieving gender-responsive reforms.<sup>71</sup>

A chronological history of significant events in Connecticut’s reform efforts is provided below.

**Reformers developed and promoted a new set of standards.** The Center for Best Practices, which was established by CSSD in 2001, provided up-to-date research and evidence-based program models for adult and juvenile offenders, including for girls.<sup>72</sup> A new full-time staff position was created—the Program Manager for Girls’ Services—which helped ensure a sustained focus on gender-responsive programming.<sup>73</sup>

**A Connecticut law required gender-responsive programming.** In 2001, the Office of the Child Advocate, the Center for Children’s Advocacy and the Permanent Commission on the Status of Women convened system leaders to develop and advocate for legislation requiring the juvenile justice system to “create and maintain programs for juvenile offenders that are gender-specific in that they comprehensively address the unique needs of a targeted gender group.”<sup>74</sup> This legislation did not provide funding.<sup>75</sup> But it did lay the groundwork for the Connecticut legislature to later include funding for gender-responsive reforms in the state budget. That state funding became critically important, after federal funding ended. The legislation also established a statewide, system-wide mandate for establishing and maintaining gender-responsive programs, setting the stage for reform efforts that would occur in later years.<sup>76</sup>

**Academic researchers conducted a high-quality needs assessment of girls in Connecticut’s juvenile justice system and service gaps.** In March of 2002, the University of Connecticut’s School of Social Work released a report on girls in Connecticut’s juvenile justice system.<sup>77</sup> This research, which was supported by federal funding, was one of the first steps on Connecticut’s road to reform. Through this work, Connecticut officials gained a better understanding of the needs of girls in the system and gaps in programming and service delivery.

Girls in Connecticut’s detention system were often low-risk but high-need.<sup>78</sup> The report shows that girls made up 34 percent of Connecticut’s juvenile justice system, but only a very low number of these girls had committed felony offenses.<sup>79</sup> Almost half of the girls referred to the court system were first referred for status offenses.<sup>80</sup> 88 percent of girls who were adjudicated delinquent, and placed at the state’s only secure facility for adjudicated juveniles, were status offenders.<sup>81</sup> Researchers also found significant service deficits in Connecticut’s probation, diversion, detention and



PHOTO: Bob Madden

alternatives to detention for girls.<sup>82</sup> These findings supported the later development of a respite care program for high-need, status-offending girls.<sup>83</sup>

Based on the needs and service gaps researchers found, reformers sought more community-based programs for girls. During the early years of reform, CSSD implemented two single-sex community detention centers for girls as an alternative to the state-run co-ed detention facilities.<sup>84</sup> While this was a critically important first step, it quickly became clear that single-sex programming did not in itself result in a gender-responsive facility. For example, a review of community detention centers conducted in 2002 found that staff at these centers needed training in gender-specific approaches, and that the detention centers did not have a safe program culture

for girls.<sup>85</sup> The review also found that restraints and isolation were used for girls at unnecessarily high rates.<sup>86</sup> Following this review, a multi-year project was launched in 2003 that included continued assessment of programming practices, staff training, and gender-responsive and trauma-informed programmatic changes. Results included elimination of restraints, elimination of isolation (“room time”), reduction in worker compensation claims, and increases in the perceived safety of facilities among both facility staff and girls, as reflected in surveys.<sup>87</sup>

**Connecticut enacted legislation improving programming for status offenders.** Pursuant to a law passed in 2004,<sup>88</sup> the Department of Children and Families (DCF), in collaboration with CSSD, the Department of Social Services (DSS), the Office of the Child Advocate (OCA), advocates, and community providers, developed specific recommendations for a continuum of community-based services for girls involved in the juvenile justice system.<sup>89</sup>

During this time, the DCF Program Director of Girls Services and the CSSD Program Manager for Girls Services established a solid partnership. Their partnership helped ensure that programs across the juvenile justice system—whether administered by DCF or CSSD—consistently applied the same gender-responsive principles. In Connecticut, CSSD is responsible for all pre-adjudication services and programs, including probation and detention,<sup>90</sup> and DCF is responsible for the children adjudicated delinquent and committed for placement, and also for juveniles on parole.<sup>91</sup> This collaboration was critical to successfully implementing gender-responsive programming for girls at all stages of their involvement in Connecticut’s juvenile justice system.

Reformers developed innovative programs to meet the need for more community-based services for status offenders. In 2004 and 2005, CSSD piloted a



respite care program in two cities, with 6 beds each, designed to divert status offending girls from further court involvement and detention. Many of the girls entering the court system for status offenses were there essentially because their parents had turned them over to the system, believing themselves unable to care for their children.<sup>92</sup> To address this need, Connecticut created the CARE program to provide temporary respite care for status-offending girls who would otherwise likely end up in the detention system.<sup>93</sup> Girls' stayed in this program from 3 to 14 days. The program was designed as a "bridge to home-based, family-centered treatment." The program projected it would serve anywhere from 100 to 150 girls each year.<sup>94</sup>

**Connecticut passed legislation prohibiting detention of status offenders.** In 2007, Connecticut implemented legislation enacted in 2005 which prohibited the detention of status offenders and required treatment and services for these offenders.<sup>95</sup> The Center for Children's Advocacy played a leading role in securing passage of this legislation, with support from the Tow and Alliance Foundations.

This legislation directed funding to CSSD to design and implement Family Support Centers for status-offending juveniles in an effort to divert them from court involvement entirely.<sup>96</sup> While this effort targeted both male and female status offenders, the model incorporated gender-responsive principles and required services to be gender-responsive for both girls and boys. This legislation helped slow the pipeline of status offending girls and boys into the deep end of the juvenile justice system.<sup>97</sup> It also created a "Families with Service Needs Advisory Board." One of the mandates for the Board was to examine the needs of girls in the juvenile justice system.<sup>98</sup>

**In 2006, Connecticut passed "Raise the Age" legislation removing 16- and 17-year-olds from automatic prosecution in adult court.**<sup>99</sup> This legislation was implemented in 2009 for 16-year-olds

and was implemented in July 2012 for 17-year-olds. As a result, thousands of youths, including girls, are no longer automatically prosecuted in adult criminal court and placed pre-trial or post-conviction in adult prison. This is a substantial improvement for girls in Connecticut's justice system because they are no longer subjected to inappropriate treatment in the adult justice system. The Connecticut Juvenile Justice Alliance, a nonprofit advocacy organization, played a key role in securing passage of this legislation, with the Tow Foundation again providing significant financial support to that effort.<sup>100</sup>

**Reformers implemented a gender-responsive probation model.** In 2006, juvenile probation leader Julia O'Leary successfully advocated hiring additional officers to sustain the implementation of a gender-responsive probation model.<sup>101</sup> Probation officers at thirteen sites were trained in gender-responsive principles and given a girls-only caseload not to exceed 25 girls.<sup>102</sup> These officers continued to receive ongoing training and frequent technical assistance from a designated project coordinator. The model equipped officers to identify root causes of girls' problems and to connect girls to programs and services designed to address their problems.<sup>103</sup> Later, the Department of Children and Families utilized the probation model as the foundation for enhancements to Parole Services. A current evaluation of the model has uncovered areas of strength and areas in need of improvement.<sup>104</sup> CSSD's Kimball Robbins, a key player in enhancing Connecticut's system, is leading current efforts to use these research findings to enhance overall outcomes for girls on probation.

**Collaboration among girl-serving systems improved service delivery.** Between 2005 and 2007 the various agencies serving girls in the juvenile justice system engaged in a multi-system collaboration to improve systems and services for justice-involved girls. The Connecticut Women's Consortium encouraged this collaboration as part of its effort to unite and mobilize

state agency leaders on girls and women's issues.<sup>105</sup> Collaborating agencies included the Department of Children and Families, the Department of Mental Health and Addiction Services, the Department of Corrections, and the Judicial Branch.<sup>106</sup> They met regularly to discuss cross-system approaches to helping system-involved girls and women. During the course of this collaboration, CSSD and DCF decided to work together on a joint set of cross-agency standards for girls' programming to be implemented in both agencies.<sup>107</sup>

**Reformers have implemented quality assurance efforts.** Between 2007 and 2012, Connecticut continued to develop and refine its gender-responsive programs and to implement a model of quality assurance.<sup>108</sup> As part of CSSD's ongoing efforts to establish a research- and evidence-based service continuum, quality assurance is regularly conducted for all programs and services, including probation. The quality assurance (QA) model requires that QA coaches are trained in gender-responsive and research- and evidence-based interventions, and that they provide regular QA reviews of taped individual and group sessions with clients and feedback to practitioners, addressing both practitioner strengths and challenges.<sup>109</sup>

Advocates and agency officials alike in Connecticut continue to work on maintaining the gains made for girls and boys in Connecticut's system over the past decade and further improving Connecticut's juvenile justice system. Two of their recent efforts include ensuring that training for staff continues on an ongoing basis and securing enforcement of the standards written into government contracts. Connecticut's CSSD was recently selected by The Georgetown Center for Juvenile Justice Reform as one of four recipients of technical assistance through the Juvenile Justice System Improvement Project.<sup>110</sup> This initiative will encourage and support Connecticut's efforts to refine services for all children in its care.

## TIMELINE OF CONNECTICUT'S REFORMS

- 1999:** Grant is awarded from OJJDP and BJA
- 1999-2002:** Research is conducted on court-involved girls
- 2001:** Legislation is enacted requiring gender-responsive programming
- 1999-2006:** Education and advocacy are conducted
- 2000-2002:** Single-sex programs emerge
- 2001-2002:** Girls Probation Model is implemented
- 2003:** Center for Best Practices is established
- 2004:** Legislation is enacted requiring the Department of Children and Families to develop a plan for diversion programs for status offenders
- 2003-2006:** Gender-responsive detention centers are established
- 2005-2007:** Multi-system collaboration begins
- 2005-2007:** New gender responsive program models are implemented
- 2007:** Legislation is enacted prohibiting detention of status offenders and requiring diversion programs for this population
- 2006-2008:** Gender responsiveness for both girls & boys emerges
- 2009-2011:** Research and quality assurance

## Florida

To the dismay of advocates, in the early 2000s, Florida's front-end day treatment and prevention programs were cut by the state legislature, with the funds diverted instead to building a maximum security prison for girls.<sup>111</sup> Advocates and concerned legislators challenged

the repeated allocation of funding in the state budget toward incarceration and away from prevention programs.<sup>112</sup> But when state legislators asked the advocacy community for studies supporting their claims that Florida's money would be better spent on front-end prevention, there was no research available that clearly documented the strengths and weaknesses in the treatment of girls in Florida's juvenile justice system.<sup>113</sup>

Galvanized by these events, Lawanda Ravoira, then President of the PACE Center for Girls, asked the Jessie Ball duPont Fund, a local philanthropy, to provide funding to the National Council on Crime and Delinquency to conduct groundbreaking research on girls in Florida, which it did.<sup>114</sup> Under the leadership of Leslie Acoca as the Principal Investigator on the project, NCCD's research was published in a report, *Educate or Incarcerate*, in 2000, which underscored the need for community-based services and advocates' concerns regarding the direction of juvenile justice policy in Florida.<sup>115</sup>

Widening the base of stakeholder support for their approach was critical to convincing the state legislature to eventually reverse course. The PACE Center for Girls partnered with The Children's Campaign to hold community briefings throughout Florida on the need for community-based programs in the early 2000s.<sup>116</sup> A larger goal of the hearings was to reorient the overall state juvenile justice policy direction which had been toward building large correctional facilities rather than developing community-based programming.<sup>117</sup> These hearings were the critical first step in engaging a wide stakeholder base—including citizens, advocates and juvenile justice system officials—in girls' reform efforts.

Despite public outcry, the Florida Department of Juvenile Justice opened a maximum security facility for girls in 2000. Over the next five years, much of the advocacy community's efforts focused on exposing the abuses committed against the girls held there and shutting it down. In 2005, they succeeded.<sup>118</sup> Since

that time, advocates have created and implemented gender-responsive approaches for girls in Florida's juvenile justice system, and have been able to steer public funding more successfully toward prevention, diversion and treatment programs and away from deep-end incarceration for girls.<sup>119</sup>

These gains are the product of hard work by researchers, policymakers, funders, and advocates. For more than a decade, The Children's Campaign and the National Council on Crime and Delinquency (NCCD) have led this charge. The Children's Campaign is an advocacy and watchdog group that initiates systemic reform through public education and public policy.<sup>120</sup> In more recent years, NCCD's work in this area has been led by The NCCD Center for Girls and Young Women. This policy, research and action organization, established in 2008, has significant expertise in long-range planning and strategic thinking on girls' reform efforts.<sup>121</sup>

Talented and dedicated leaders within these organizations made all the difference—Roy Miller, President of The Children's Campaign, Linda Alexionok, Executive Director of The Children's Campaign, Lawanda Ravoira, now Director of NCCD Center for Girls and Young Women, Barry Krisberg, former President of NCCD, and Vanessa Patino Lydia, also of NCCD. A supportive network of funders, including the Jessie Ball duPont Fund, Florida Bar Foundation, Women's Giving Alliance, Allegheny Franciscan Foundation, and the Edythe Bush Foundation, made significant investments in laying the groundwork for and sustaining change.<sup>122</sup> Their funding supported a wide range of strategies including needs assessments, research, public opinion polling, public service announcements, targeted direct mail campaigns, public hearings, strategic planning reports, innovative pilot projects, and direct legislative and administrative advocacy for change.

While there is much to admire about the gender-responsive reforms implemented in Florida, it is

important to also recognize that Florida's overall juvenile justice system remains deeply troubled, transferring more children to adult court and incarcerating more children in adult prison than any other state.<sup>123</sup> A Florida law passed last year over the strong objections of advocates, including the reformers discussed here, allows counties to opt to place children in jail.<sup>124</sup> The Southern Poverty Law Center has recently filed a lawsuit against Polk County for its treatment of jailed children.<sup>125</sup> The suit alleges that children held in the Polk County adult jail are subjected on a regular basis to "abuse, neglect and violence, including the placement of children in a cage for punishment."<sup>126</sup>

All of the children in, or at risk of being involved in, Florida's juvenile justice system deserve far better. The case study of the previous decade of gender-responsive reform efforts, summarized below, provides reason to be optimistic that relentless advocacy can help turn the tide on this latest round of punitive and inhumane treatment.

A chronological history of significant events in Florida's reform effort is provided below.

**Research was integral to understanding the needs of the girls in the system.** In 2000, NCCD conducted 960 case file reviews and in-depth interviews with 86 girls in Florida's juvenile justice system. The report publishing the study findings, *Educate or Incarcerate*, documented Florida girls' pathways into the system: educational failure which often began very early; victimization; early sexual activity; and family incarceration.<sup>127</sup> The research also documented the increasing use of detention of girls for non-serious offenses, and the lack of appropriate prevention, education and other services for girls.<sup>128</sup> The report called on the state to stop construction on a maximum security facility for girls but construction proceeded.<sup>129</sup> The mistreatment of girls in that facility would later become a catalyst and focal point for reformers' efforts.

**Public education helped build a broad base of support for improving the system for girls.** Through hearings and other public events, reformers increased the public's

## KEY ELEMENTS OF FLORIDA'S REFORMS

- **Research** on the needs and profiles of girls in Florida's juvenile justice system and gaps in services
- **Public education** campaigns, including public hearings to garner public support for prevention, early intervention and diversion programs
- Enactment of **legislation** requiring gender-responsive programming in 2004
- Detailed **strategic planning** reports that took stock of past successes, and charted a path forward
- **Collaboration** between the state juvenile justice agency and community-based organizations
- Implementation and testing of **new programs**
- **Training** for all relevant personnel in gender-responsive approaches
- Significant **public investment** of juvenile justice funding in diversion programs, and in particular in The PACE Center for Girls
- **Private foundations' commitment** to seeding, fostering and following through on the reform effort



and policymakers' knowledge of and concern about the issues facing girls in the juvenile justice system. PACE Center for Girls and The Children's Campaign conducted a series of briefings entitled "Justice for Girls" throughout the state of Florida.<sup>130</sup> The Children's Campaign also conducted public opinion polling that showed that the public strongly supported prevention and early intervention.<sup>131</sup> The Children's Campaign strategy included convening a series of roundtable conversations, town hall meetings, truth tours, etc. and actively included community and citizen leaders.

**Direct action drew needed attention to the issues.** Reformers made efforts to elevate girls' voices in the call for change. In 2003, led by PACE Center for Girls, Inc., in partnership with The Children's Campaign and Child Welfare League of America, roughly 500 girls under the supervision of the state juvenile justice system protested at the state capitol against funding cuts to community-based programs for girls in the juvenile justice system.<sup>132</sup>

**Two key legislative successes propelled the reform movement forward:**

**Legislation was enacted that required gender-specific services for girls.** In 2004, bipartisan legislation passed in the Florida legislature that mandated gender-specific services for girls in Florida's juvenile justice system.<sup>133</sup> Florida was only the second state in the country to enact this type of requirement.<sup>134</sup> Lawanda Ravoira and girls from the PACE Center for Girls engaged in extensive advocacy to secure passage of this bill,



including testifying before the relevant committees and meeting individually with state legislators. Bipartisanship was key to the bill's success: the House bill was sponsored by a Republican, and the Senate bill by a Democrat. The bill's most critical supporter was Senator Jim King, a Republican, then-Senate President. His leadership was instrumental in moving the legislation forward to passage during the last hours of the legislative session.<sup>135</sup>

**The legislature closed the maximum security facility for girls.** The Florida Institute for Girls had gained a reputation as rife with abuse, neglect, sexual misbehavior, and mismanagement, which eventually led to a grand jury investigation. Reformers repeatedly called for its closure. Under the leadership of Gus Barriero, of the House Public Safety Committee, funding in the state budget for the Florida Girls Institute was eliminated and the facility was closed in 2005.<sup>136</sup>

**The Department of Juvenile Justice convened a Girls Advisory Council to oversee the transition.**

The Children’s Campaign advocated for the Department of Juvenile Justice to appoint a Girls Advisory Council to create individualized assessments and proper placement plans for the 67 girls being moved from the Florida Institute.<sup>137</sup> Dr. Ravoira (then President & CEO of PACE Center for Girls) was appointed to co-chair the Girls Advisory Council with then-Assistant Secretary Charles Chervanik.<sup>138</sup> Members included Department of Juvenile Justice staff and community stakeholders. The formation of the council was an important step in solidifying a partnership between the state juvenile justice agency and the advocacy community. The next year, the Girls Advisory Council, in partnership with The Children’s Campaign, Inc., hosted a *Girls in Juvenile Justice Summit* from January 19-20, 2006, to identify the needs of girls in the juvenile justice system and to provide recommendations for a blueprint for action.<sup>139</sup>

**The state Office of Program and Policy Analysis and Government Accountability analyzed the gender-responsiveness of existing juvenile justice programs.** That analysis was detailed in the report, *Gender Specific Services for Delinquent Girls Vary Across Programs, But Help Reduce Recidivism*, Report No. 05-13, March 2005; and *Gender Specific Services for Delinquent Girls Vary Across Prevention, Detention, and Probation Programs*, Report No. 05-56, December 2005.<sup>140</sup>

**In 2006, a study using NCCD’s research-based Juvenile Assessment and Intervention System (JAIS) conducted by the NCCD of 319 girls in the juvenile justice system allowed NCCD to develop recommendations for an essential set of services to support the profile of girls in Florida’s juvenile justice system.** The JAIS is a validated risk, needs, and treatment strategies instrument which is used to assess girls’ needs in the following categories—“mental health, family relationships, social skills, peer relationships, vocational skills, value orientation, substance use/abuse,

school/educational issues, and health”—and score their risk to public safety.<sup>141</sup> This information is then used to craft an individualized treatment plan for the girl.<sup>142</sup> Focus groups with 75 staff members who worked closely with the girls were also critical in identifying gaps in services, girls’ needs and barriers to effective service delivery.<sup>143</sup> Reformers were able to identify a complete set of services that helped to concretize what it would mean to be gender-responsive within juvenile justice facilities. NCCD then took this essential set of services to the DJJ and recommended its adoption.

**Reformers wrote thoughtful white papers that chronicled successes to date and set out critical next steps.** Florida’s *Blueprint for Action* was one of those key documents. This document provided concrete steps forward.<sup>144</sup> Co-authored in 2007 by Dr. Ravoira and Roy Miller, it was intended as “a comprehensive blueprint that will guide Florida’s response to girls in or at risk of entering the justice system.”<sup>145</sup> The Blueprint took into

**Florida advocates recommended an “essential set of services” to girls in the juvenile justice system**

- specialized mental health and substance abuse treatment services that recognize and respond to girls’ interconnected problems of addiction, trauma and victimization and offending behaviors;
- family-focused intervention and treatment that respond to each girl’s experiences that contributed to her pathway into the system;
- medical and related services for pregnant and parenting teens;
- traditional education and career and technical education for girls in the juvenile justice system.



account input from a wide range of stakeholders over the course of two years, including national experts, the Girls Advisory Council, the NCCD, PACE Center for Girls, the Florida Juvenile Justice Association, the Florida Network of Youth and Family Services, girls in the juvenile justice system at all levels, participants in the Girls Summit, the courts, attorneys, probation officers, educators, service providers and many others.<sup>146</sup>

**The Department of Juvenile Justice piloted new approaches.** Also in 2007, NCCD partnered with DJJ to pilot the Juvenile Assessment Intervention System (JAIS) in five girls' residential programs and the DJJ implemented an all-girls probation unit.<sup>147</sup>

**Advocates took their statewide advocacy agenda to the local level.** The Children's Campaign's advocacy model, which had begun at the state level, was replicated locally in Jacksonville through *Justice for Girls: The Duval County Girls' Initiative*, an initiative that was led by The Children's Campaign and NCCD.

A local 13-member citizen-driven Leadership Council served as coordinating body of the *Justice for Girls: Duval County Girls Initiative*. Similar to the statewide

needs assessment conducted by NCCD years before, The Duval County Girls Initiative called for a local needs assessment to determine how best to meet the needs of girls in that system.<sup>148</sup> To identify girls' needs and the resources currently available in the community, researchers conducted focus groups with judges, the sheriff, the state attorney, public defenders, service providers, schools, parents and girls.<sup>149</sup> They also analyzed key data sets from relevant public agencies and local service providers.

**Reformers implemented research-based gender-responsive programming.** The Jessie Ball

DuPont Fund provided seed money to launch the NCCD Center for Girls and Young Women in 2007, fueling an even greater focus on this work.<sup>150</sup> In 2009 and 2010, The NCCD Center for Girls and Young Women implemented a new detention model for girls detained at the Southwest Florida Regional Juvenile Detention Center, called Justice for All Girls Services (JAGS). While girls in the JAGS program wait for judicial disposition of their cases or commitment and placement, they receive alternative services, including "assessment, referrals, one-to-one skills training, group skills training, help navigating the system, [and] information about available community programs."<sup>151</sup> Another significant aspect of this program is that JAGS program officers make recommendations to judges about disposition of the girls' cases, and are often able to recommend alternatives to incarceration.

**The PACE Center for Girls continued to provide a critical alternative to incarceration.** Throughout the decade, the PACE Center for Girls, Inc. was a critical resource in helping keep girls out of the juvenile justice system. PACE, a school-based program for girls



involved with, or at risk of involvement with, the juvenile justice system, has served 21,000 girls since 1985.<sup>152</sup> PACE continues to provide community-based, gender-responsive prevention, diversion and early intervention programs, with significant funding from the Florida Department of Juvenile Justice.<sup>153</sup>

**Trainings for personnel reinforced the consistency of gender-responsive programs.** The NCCD Center for Girls & Young Women created a training curriculum, *Girl Matters™*, for the Florida Department of Juvenile Justice. It provides practical steps to create an effective gender-responsive environment for girls in the juvenile justice system, and has since been used in juvenile justice agencies nationwide.<sup>154</sup> Recently, the Duval County Justice for Girls Initiative has begun exploring implementation of a training certification program for all juvenile justice program staff who serve girls. This work is being led by Linda Alexionok, Executive Director of Children's Campaign, in partnership with the NCCD Center for Girls and Young Women.<sup>155</sup>

**Pilot programs were carefully tailored to respond**

**to the needs of girls in the community, as identified through the local needs assessment.** The Duval County needs assessment showed that many girls were being suspended and at-risk of being involved in the juvenile justice system as early as elementary school. In response, a four-year pilot early-intervention program called *Girl Matters: It's Elementary*, was put in place for girls at risk of suspension in Duval County.<sup>156</sup>

**Legislative reform continues.** The Children's Campaign continues to promote, in partnership with NCCD Center for Girls & Young Women, an advocacy agenda at the state level that addresses critical issues facing justice-involved girls and young women. In 2009, advocates helped pass a law to reverse the tide of suspensions and expulsions in schools due to zero-tolerance policies,<sup>157</sup> and in 2010 helped defeat a detention bill that would have widened the net for drawing girls into detention.<sup>158</sup> In 2012, advocates helped pass anti-shackling legislation for incarcerated pregnant women<sup>159</sup> and legislation putting in place supports for sexually exploited children.<sup>160</sup>



PHOTO: Bob Madden



## Timeline of Florida's Reform Efforts

**2000:** The NCCD publishes a policy brief: *Educate or Incarcerate*.

**2004:** The legislature passes H.B. 1989 requiring gender-specific programming.

**2005:** The Florida Institute for Girls—a maximum-security facility—is closed amidst grand jury allegations of abuse, neglect and sexual misconduct.

**2006:** The NCCD publishes policy brief: *A Rallying Cry for Change*.

**2006:** The Florida Department of Juvenile Justice, at the urging of The Children's Campaign, creates a Blueprint Commission for studying and making recommendations on juvenile justice reform, with particular emphasis on the needs of girls.

**2006:** The DJJ publishes *A Blueprint for Change* (called for by The Children's Campaign), with specific reform policy recommendations agreed to by a wide range of stakeholders during a two-year vetting and development process.

**2007:** Two Girls Summits are held in Jacksonville.

**2007:** The NCCD/Children's Campaign community conducts a needs assessment for girls in the system.

**2007:** The DJJ holds the first state conference on girls in the juvenile justice system.

**2007:** The *Justice for Girls: Duval County Girls Initiative* is born out of the Jacksonville needs assessment.

**2008:** The NCCD Center for Girls and Young Women opens in Jacksonville.

**2008:** A zero-tolerance workshop is held.

**2009:** The first-ever Florida legislative hearing on girls in the juvenile justice system is called for by NCCD and Children's Campaign.

**2009-2010:** JAGS Detention Model is implemented.

**2010-2014:** *Girl Matters: It's Elementary* is piloted in Jacksonville elementary schools.

**2012-2014:** Advocates continue to win important legislative reforms.

## Stanislaus County, California

The current reform effort in Stanislaus County is only a few years old. We profile it here because it is a good example of the nuts and bolts involved in getting a new reform effort off the ground. Stanislaus County reformers modeled their efforts on successful reforms in other jurisdictions in California, as well as in Florida. Their work also provides an example of how girls' reform strategies implemented in one jurisdiction can be adapted and transferred successfully to another,

and the role that experienced reformers can play in providing valuable technical assistance.

Local reform efforts are particularly important in California because of the increasing decentralization of California's juvenile justice system. All 58 counties receive state funding to address the needs of justice-involved youth at the local level in juvenile halls and camps or community-based programs.<sup>161</sup> California's committed juveniles are held in local custody in greater numbers than in most other states.<sup>162</sup> This is due in part

to a long history of problems with facilities run by the State Division of Juvenile Justice.<sup>163</sup>

Advocates have achieved positive changes in California's state-run juvenile justice system, and successfully reduced the number of youth in its care, using both litigation and legislative approaches.<sup>164</sup> In 2003, advocates filed what would become landmark litigation alleging unconstitutional and inhumane treatment of youth in the custody of the Division of Juvenile Justice (which was then the California Youth Authority).<sup>165</sup> This litigation successfully illuminated a wide range of abuses against youth in that system and the need for sweeping changes. Significant legislative reform occurred in 2007 when California enacted Senate Bill 81, which limited courts' discretion permitting courts to commit only the most serious or violent juvenile offenders to the custody of the State Division of Juvenile Justice.<sup>166</sup> This law also provided significant new funding to counties to invest in local juvenile justice programming and facilities.

This shift toward local control throughout California's juvenile justice system set the stage for the gender-responsive reform effort which began in Stanislaus County in 2009. Funded by a grant from the State Bar of California, the Prison Law Office in Berkeley, California began investigating opportunities to collaborate with a county to improve services for girls in that county's juvenile justice system. The Prison Law Office is an advocacy organization that has used litigation and other advocacy tools to enforce the rights of California prisoners and improve conditions of confinement.<sup>167</sup> Lynn Wu, a staff attorney in that office, led the gender-responsive reform effort on behalf of The Prison Law Office.

The Prison Law Office sought collaboration with a county that had demonstrated a genuine interest in playing an active role in improving the system for justice-involved girls. Another important quality in a potential county partner was a willingness to be transparent about current policies and practices, and to share data.

When Wu approached the Stanislaus County Probation Department to gauge its interest, she was met with enthusiasm. The Probation Department recognized that it could benefit from the resources and best practices on gender-responsive reform efforts that Wu and her colleagues would bring. Likewise, Wu and other reformers understood that the Probation Department is uniquely positioned to help identify what types of reforms might work well in its particular system. A productive collaboration ensued.<sup>168</sup>

With that partnership in place, Wu then assembled an impressive range of stakeholder groups into a reform taskforce. Throughout the Stanislaus County community, there is a high level of engagement in moving the reform effort forward. The wide range of stakeholders invested in these reforms have been critical to its success.<sup>169</sup> In fact, reform efforts were able to continue without skipping a beat even when Jerry Powers, the Chief Probation Officer at the helm of the original partnership, left the Probation Department.<sup>170</sup> The following case study describes the steps advocates took to jumpstart the reform effort in Stanislaus County

### KEY ELEMENTS OF STANISLAUS COUNTY'S REFORM EFFORT

- **Community needs assessment**
- Encouraging **community engagement** through formation of a taskforce
- **Strategic planning and goal-setting by stakeholders, including justice-involved girls and families**
- Gender-responsive staff **training**
- Receiving **technical assistance** as needed from experts
- **Documenting** the process and outcomes



and their many achievements during the past two years.

**A community needs assessment was the critical first step.** In 2010, reformers conducted two online surveys of stakeholders in the fields of criminal justice, education, child development, and public and mental health in Stanislaus County.<sup>171</sup> The goals of the surveys were to: gauge community stakeholders' understanding of girls' needs, facilitate a process of mapping currently available community resources and identify gaps in available resources, as well as engage local stakeholders in the strategic planning effort.<sup>172</sup> The NCCD Center for Girls and Young Women played a significant role in helping Stanislaus County reformers conceptualize, design and implement the surveys.<sup>173</sup>

In general, the surveys revealed that community stakeholders were enthusiastic about the idea of reforming the system for girls, and agreed that girls' needs were not being met. However, respondents expressed a good deal of confusion about what "gender-responsive" reform efforts were, and what it would mean to implement them in their work.<sup>174</sup>

Building on the interest generated by the community surveys, in July 2010, advocates conducted focus groups and interviews with stakeholders, including justice-involved girls and their families. These focus groups and interviews allowed advocates to gauge the girls' current needs, as well as gaps and strengths in services.<sup>175</sup>

Based on the surveys, focus groups, and interviews, reformers began drafting a strategic plan document, receiving support from experienced reformers at NCCD's Center for Girls and Young Women.<sup>176</sup>

**Reformers released the Strategic Plan and then proceeded to implement it.** In December 2010, the Girls Juvenile Justice Initiative released the strategic plan with the following goals:

- To divert girls who do not pose a public safety risk from the juvenile justice system and refer them and their families to appropriate community based services;
- To align out-of-home placement decisions with the assessed needs of justice-involved girls;
- To identify or develop gender-responsive and culturally competent treatment options aligned with the assessed needs of justice-involved girls and include these services in their probation plans;
- To document the process and outcomes of the initiative to assist other counties in identifying the most effective ways to meet the needs of young women at-risk of being involved, currently involved, and previously involved in the juvenile justice system.<sup>177</sup>

The strategic plan prioritized the following reform areas:

- assessment of policies and practices negatively impacting girls;
- improvement of gender-responsive and trauma-informed services;
- provision of gender-responsive training for juvenile justice staff and other service providers;

- improvement of collaboration among stakeholders; and
- improvement of assessment and data collection systems to understand girls' profiles and trends.<sup>178</sup>

Support for this project came from the State Bar of California's Equal Access Fund and the Sierra Health Foundation.<sup>179</sup>

### **Reformers assembled a taskforce to implement the Strategic Plan.**

In February 2011, community stakeholders began meeting as a multidisciplinary taskforce to implement the strategic plan.<sup>180</sup>

Taskforce members formed committees to work on specific projects that met more frequently than the quarterly taskforce meetings. Dividing the work into discrete action steps for which specific committees and their members were accountable accelerated the pace of change. In year two, the taskforce revisited the committee structure, eliminating and consolidating committees, and adjusting their focus as needed.<sup>181</sup>

A list of the committees and their objectives provides an impressive taxonomy of a girls' reform effort.<sup>182</sup>

The following achievements are owed in large part to the committees' efforts:

**Staff received training in providing gender-responsive services.** Experienced trainers from NCCD's Center for Girls

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#### **Successful Diversion Committee**

- MISSION: Increase successful diversion completion rates and refer girls to individualized services (e.g. trauma-informed care, substance abuse treatment).

#### **Gender-Responsive Alternatives to Detention Committee**

- MISSION: Provide enhanced services (e.g., dedicated probation officer, case manager, and clinician) for low-risk, high-needs girls to prevent them from being detained.

#### **Girls' Unit Policies/Procedures**

- MISSION: Review policies and procedures for gender-responsivity. Encourage girls to give feedback and propose changes to current policies and procedures.

#### **In-Custody and Transitional Programs Committee**

- MISSION: Develop gender-responsive programs to facilitate girls' development in custody and as they transition out of custody. Create list of available county services and develop a system to regularly update and distribute the list to youth in custody, under supervision, and in the community. (Eventually match existing resources to JAIS interventions.)

#### **Successful Placement Committee**

- MISSION: Develop a nurturing, therapeutic placement in Stanislaus County for girls who cannot stay or return home right away.

#### **Gender-Responsive Training Committee**

- MISSION: Work with non-profits to develop and conduct gender-responsive training for stakeholders and build internal county capacity to continue these trainings.

#### **Educational Success Committee**

- MISSION: Identify push-out (prevention) and block-out (reentry) issues that prevent girls from enrolling and succeeding in the least restrictive educational placement. Conduct trainings with district schools to improve these challenges.

#### **Court Process/Legal Information Committee**

- MISSION: Clarify the court process for girls and their families.



and Young Women and San Francisco's Youth Justice Institute have conducted trainings for over 80 service providers for girls in the county's juvenile justice system over the past two years.<sup>183</sup> The Probation Department has set a new goal for all service providers to deliver services that are gender-responsive, evidence-based, and family-engaging. Currently, the Probation Department is receiving training from the National Girls Institute for its staff.<sup>184</sup> The Probation Department is also currently seeking funding for "train the trainers" resources so that it will have the ability to deliver these trainings internally, conserving resources in the future. Interest in receiving training in gender-responsive programs and practices has skyrocketed since the reform effort began. Other neighboring counties are also participating in the trainings being conducted by The National Girls Institute.<sup>185</sup>

**Girls participated in the advocacy process.** Girls have been actively involved in the advocacy process throughout this effort. Recently, with support and guidance from Unit Staff, girls in juvenile hall launched an organization they named Young Women United for a Better Cause.<sup>186</sup> The organization meets weekly and has been successful in advocating for some policy changes. As important, the girls are learning leadership skills in the process.<sup>187</sup>

**Information about community resources is much more widely available.** The Probation Department has installed resource racks in all juvenile hall units so that youth can learn about available services before they leave custody. County partners have developed and disseminated fact sheets regarding suspension, expulsion, and special education rights.<sup>188</sup>

**New gender-responsive approaches have been put into place.** These include: improved assessments, a probation officer with an all-girl caseload, a mentoring program and opening an in-county girls' group home.

- **Assessment.** Recognizing the need for better assessment of the particular needs of both boys

and girls, the Probation Department recently implemented the JAIS assessment system, which was used in Florida.<sup>189</sup>

- **Girls Probation Officer.** A dedicated girls Probation Officer and a Center for Human Services caseworker and clinician now work together to divert girls from detention for probation violations, bench warrants, or failures to appear and provide them with services to support them in successfully completing probation.<sup>190</sup>
- **Girls mentoring program.** Reformers developed a mentoring program for girls in custody whose mentors continue to work with them when they leave custody.<sup>191</sup> This mentoring program is modeled on a similar program run by the Youth Justice Institute at San Francisco's Youth Guidance Center, the local juvenile hall.<sup>192</sup>
- **Girls group home.** After the lack of a girls group home was identified as a serious problem, a community service provider converted a group home serving boys to one that serves girls. Both clinical and house staff participated in gender-responsive training.<sup>193</sup>

Documenting the process and outcomes has been a key goal of the initiative. Currently, the NCCD Center for Girls and Young Women is conducting a process- and outcome- evaluation of the reform efforts to date.<sup>194</sup>

Although the Stanislaus County Girls Juvenile Justice Initiative is still quite young, it provides a strong example of how local reformers were able to partner effectively with juvenile justice officials; draw on technical assistance from other reform efforts; develop a strong base of stakeholder support and involvement in reforms; and document the process in a clear manner that will be helpful to other states and localities in the future.



## THE ARCHITECTURE OF STATE & LOCAL REFORM

**T**he robust decade-long reform efforts in Connecticut and Florida, and the much newer reform effort underway in Stanislaus County, California, have a number of common elements. Considered as a whole, they provide a set of building blocks for states and localities seeking to implement gender-responsive reforms. Our goal here is to capture those core elements so that policymakers, community-service providers, courts, law enforcement, educators, juvenile justice agencies, girls involved in the system and other stakeholders might use this document as a guide to improving their state or local juvenile justice system for girls.

In the sections that follow we elaborate on each of these elements.

### Building Blocks of Reform

- Research to Diagnose the Problem (including listening to system-involved girls)
- Public Education Campaign
- Strategic Planning
- Engagement of Key Stakeholders, including Girls
- Legislation
- Staff Training
- Community-Based Diversion and Prevention Programs
- Pilot and Demonstration Projects
- Outcome Measures and Evaluation
- Technical Assistance
- Funding and Sustainability

### Research to diagnose the problem

Research, using a variety of methods, played a critical role in each of the examples profiled here. Research on the needs of the girls in the particular system targeted for reform; research on the gender-responsiveness of existing juvenile justice programs; and research on community attitudes and the availability of appropriate community-based services is critical to laying the groundwork for system change.

Research can be accomplished on a number of different scales, depending on resources and capacity. For Connecticut, where overall resources were quite limited, a partnership with an academic institution, the University of Connecticut, made key research possible. In Florida, research was undertaken by The National Council on Crime and Delinquency and in California, a legal advocate conducted more informal research in the form of surveys and focus groups, with support from the NCCD Center for Girls and Young Women.<sup>195</sup> Once this building block is in place, reformers can use findings from the research to create a blueprint for change.

#### 1. RESEARCH ON THE NEEDS OF GIRLS

In all of the reform efforts, needs assessments were a centerpiece of the research agenda and critical in identifying the course that reform should take in the particular state or community. While much is known about the different pathways that girls take into the system and their challenges, research on girls in the target state or local jurisdiction and how those needs are or are not being met is critical. Needs assessments should focus both on assessing the girls themselves and assessing the gender-responsiveness of the systems with which and stakeholders with whom they interact.

For example, in Florida, NCCD used the Juvenile Assessment and Intervention System (JAIS), which consists of individual interviews, to create an overall profile of the needs of girls in the system, and to develop interventions for individual girls. This research included a large sample of girls—319—at all levels of the system: girls from low, medium, high and maximum risk residential Department of Juvenile Justice programs and girls from non-residential PACE diversion programs.<sup>196</sup> The interviews allowed researchers to identify girls' pathways into the system and strategies for improving outcomes for each girl. The interviews also provided a vehicle to include and consider, in a meaningful way, the perspectives of girls who were incarcerated or at risk of being incarcerated.<sup>197</sup>

Gender-responsive needs assessments can also be key to understanding the prevalence of particular challenges among girls in the juvenile justice system, such as pregnancy, substance abuse and mental health problems, and help guide decisions about where to focus resources. In particular, girls could be routinely screened for histories of trauma and abuse, mental health and substance abuse needs. For example, Leslie Acoca, the Juvenile Law Center of Philadelphia and Philadelphia Children's Hospital have collaborated to produce a Girls' Health Screen for girls between the ages of 11 and 17 who are in detention. The screening allows for the immediate detection of health conditions for girls entering the system, and paves the way for proper treatment.<sup>198</sup>

In addition to a general needs assessment, the implementation of valid risk-assessment tools can be critical to making appropriate recommendations for detention, placement and services. This is important to reducing the number of girls in secure facilities who do not need to be there. Reformers in each of the case studies profiled are working to make alternative community-based placements and programs available. For example, in Stanislaus County, a girls probation officer works with a caseworker and clinician to meet



the needs of girls who do not need to be in secure facilities, but have a high level of needs that must be addressed to prevent deeper involvement in the justice system.<sup>199</sup> Before these reforms were put in place, because there were no in-county group homes for girls in Stanislaus County, any girl who needed to go into placement had to be sent out of the county.<sup>200</sup> In response, local service providers converted a boys' group home to one that serves girls, and adjusted staff training and programming to be gender-responsive.<sup>201</sup>

## 2. RESEARCH ON THE GENDER-RESPONSIVENESS OF THE TARGET JURISDICTION

In addition to assessing the girls themselves, it is important to evaluate the availability and gender-responsiveness of current programs. In Florida, the Florida Department of Juvenile Justice conducted such an analysis.<sup>202</sup> In Connecticut, audits of



detention centers found that staff did not know how to implement gender-responsive approaches or what constituted best practice; did not have trauma-informed programs in place; and lacked gender-responsive behavior management approaches.<sup>203</sup> In Stanislaus County, a survey of community-based organizations, along with informal meetings with stakeholders, revealed the need for more alternatives to detention for low-risk girls.<sup>204</sup> These findings provided a clear roadmap for reformers.

### **3. RESEARCH ON THE AVAILABILITY OF COMMUNITY-BASED RESOURCES**

Surveys of community stakeholders can help determine the availability of gender-responsive services in the community, as well as stakeholders' level of knowledge and interest in gender-responsive programs. Mapping out currently available resources will reveal service and location gaps, which is key to identifying the goals of a reform effort.

## **A Public Education Campaign**

A public education campaign is critical to developing public support for reform. Key elements in a public education campaign include: the identification of interested stakeholders; community briefings and public hearings; and elevating girls' voices and stories in the public dialogue.

### **1. IDENTIFY AND ORGANIZE STAKEHOLDERS**

One of the central goals of a public education campaign is to engage stakeholders and deepen their commitment to advancing change. Reformers in each of the case studies put significant effort into engaging a wide range of stakeholders. In Stanislaus County, community surveys were the first step. Advocates later followed up with survey respondents, inviting them to community meetings, and engaging many in a planning taskforce. That taskforce led to the creation of a number of action-oriented committees that have been

able to accomplish significant changes.<sup>205</sup>

Likewise, in Florida, both in the state reform effort and in the reform effort in Duval County, stakeholders formed taskforces that helped set the strategic direction for reforms at the state and local level. In many cases, these taskforces promoted collaboration between the players within the system and outside reformers. In Florida, reformers successfully urged the Department of Juvenile Justice to create a Girls Advisory Council. The Council was co-led by a high-ranking official within the Department of Juvenile Justice and Dr. Ravoira.<sup>206</sup> In Connecticut, the Connecticut Women's Consortium formed a working group to promote a critical collaboration among the various public agencies that serve girls involved in the juvenile justice system.

Engaging stakeholders through a public education campaign and formalizing their commitment through participation in a taskforce or working group is a critical step in a reform effort. Maintaining their commitment over time requires strong organization and planning.

### **2. HOLD COMMUNITY BRIEFINGS AND PUBLIC HEARINGS**

Community briefings and public hearings help raise the profile of reform and garner support from a wide range of important stakeholders. Advocates in Florida used these tools with great success. For example, The Children's Campaign facilitated a 2007 Justice for Girls Summit at which roughly 125 stakeholders representing the widest possible range of stakeholders reviewed and approved draft policy recommendations for gender-responsive juvenile justice reform.<sup>207</sup>

### **3. ELEVATE GIRLS' VOICES IN THE PUBLIC DIALOGUE**

Hearing directly from girls about their needs and current gaps in services is critical to ensuring that a reform effort focuses its efforts on the correct targets. Each of the reform efforts prioritized learning firsthand

from girls about their needs and engaging girls in public advocacy efforts on their own behalf. Focus groups with affected girls were a key element of the reform efforts. In Stanislaus County, girls in juvenile justice facilities were encouraged to form their own advocacy organization. In Florida, girls spoke at community briefings, legislative hearings and other public events. Analyzing and reporting on the results of girls' needs assessments in the aggregate, to form an overall profile of their treatment in the system, as NCCD did, is another way of including girls' perspectives.

## Strategic planning

In each of the reform efforts, strategic planning documents provided blueprints for reformers and the public. These documents took stock of past successes and failures, explained their likely impact, and set out goals for the future. Without these roadmaps in hand, it would have been much more difficult for reformers to stay on course. At various points along the way, reformers in Stanislaus County, California and Florida held public meetings and secured support from a wide variety of stakeholders for the strategic planning documents. This buy-in was instrumental to continued public participation in and support for gender-responsive reforms.

Key steps in strategic planning for a reform effort include: identifying and fostering support from funders; conducting needs assessments that are critical to developing a responsive reform agenda; bringing stakeholders together to brainstorm and commit to a reform plan; identifying key objectives (such as achieving closure of a particular facility or keeping girls in school and out of the juvenile justice system altogether); documenting the reform plan; and holding stakeholders accountable for short- and long-term progress.

Connecticut's initial strategic planning efforts were launched in response to federal grant requirements.

Indeed, the grant application process in and of itself helped create the initial impetus for agency leadership that supported planning and implementation of Connecticut's reforms.<sup>208</sup> In Florida, reports authored by the NCCD Center for Girls & Young Women and The Children's Campaign provided a comprehensive reform platform and documented recent successes.<sup>209</sup> Stakeholders contributed to the development of and later signed off on these recommendations.

In Stanislaus County, a strategic planning effort is currently underway, as outlined in the *Stanislaus County Girls Juvenile Justice Initiative: Improving Services for Justice-Involved Girls Strategic Plan*, December 2010. The strategic plan calls for reformers to focus on assessing current policies and practices toward girls in the system; improving gender-responsive programming; training program staff in gender-responsive approaches; strengthening collaboration among stakeholders; collecting data and assessing outcomes; and documenting progress.<sup>210</sup> In all of these reforms, documenting the trajectory of reform and the specific steps taken was key to the ability to move forward and chart future directions.

## Recruitment of Key Stakeholders

When designing a reform effort, it is critical to be strategic about whom to bring to the table, and when to involve the various players.

In Florida, the stakeholders included NCCD's Center for Girls & Young Women, a think tank, research and advocacy organization; the Children's Campaign, a children's advocacy organization and specialist in messaging strategies; the Department of Juvenile Justice; and key funders such as the Jessie Ball duPont Fund, Florida Bar Foundation and others that were willing to support direct advocacy efforts.<sup>211</sup>

In Connecticut, key stakeholders included the Connecticut Judicial Branch Court Support Services

Division; the Women’s Consortium; the Department of Children and Families; The Center for Children’s Advocacy; the Office of the Child Advocate; and the University of Connecticut.<sup>212</sup>

In Stanislaus County, key stakeholders include the Prison Law Office, a non-profit legal organization; the Stanislaus County Probation Department; the Youth Justice Institute, a local juvenile justice reform organization with experience implementing gender-responsive reforms in San Francisco and Alameda County; and the NCCD Center for Girls and Young Women.<sup>213</sup> The wider group of stakeholders involved in the strategic planning process in Stanislaus County includes more than 25 stakeholders from community-based organizations; and government education, workforce development, health, and juvenile justice agencies, among others.<sup>214</sup>

Taskforces played an important role in the reform efforts to push particular changes forward.

It is significant that in addition to community advocates, officials from the juvenile justice agency were often members of the task force. Working closely with a juvenile justice system while advancing a reform agenda can be difficult. But in each case, reformers found officials within the agency who were concerned about these issues and developed critical alliances with them.

In Florida, this collaboration was institutionalized in the form of the Girls Advisory Council that oversaw closure of the state girls’ facility. The Girls Advisory Council later held the Girls Summit on juvenile justice reform. Advocacy materials praised the Department of Juvenile Justice’s willingness to undertake reform efforts and cooperate

In recent annual reports, the Department of Juvenile Justice has tracked the provision of gender-responsive programs at all of its detention centers as one of its key outcome measures.

## Organizations involved in Stanislaus County’s Strategic Planning

California Rural Legal Assistance  
 Center for Human Services  
 Court Appointed Special Advocates  
 CSU Stanislaus  
 Community Services Agency  
 El Concilio  
 Excell Center  
 Health Services Agency  
 Keyes Union Elementary School District  
 Modesto City Schools  
 Modesto Police Department  
 Parent Resource Center  
 Sierra Vista Child & Family Services  
 Stanislaus County Behavioral Health and Recovery Services  
 Stanislaus County Center for Human Services  
 Stanislaus County Board of Supervisors  
 Stanislaus County Children and Families Commission  
 Stanislaus County Juvenile Court  
 Stanislaus County Office of Education  
 Stanislaus County Office of the District Attorney  
 Stanislaus County Probation Department  
 Stanislaus County Public Defender’s Office  
 Turlock Unified School District  
 United Way

Securing buy-in from the broader juvenile justice community is another important step in girls' reform efforts. In Florida, juvenile justice reformers with a major focus on gender-responsive reforms—including the Children's Campaign and the Florida Juvenile Justice Association—convinced the governor to create a Blueprint Commission to evaluate and recommend reforms to the juvenile justice system overall (for boys and girls). In 2008, the Commission released a report that incorporated many of the key recommendations from the *JUSTICE FOR GIRLS: BLUEPRINT FOR ACTION*<sup>215</sup> into a broader set of reform recommendations.<sup>216</sup> Roy Miller of the Children's Campaign and Lawanda Ravoira of the NCCD Center for Girls and Young Women acted as key advisors to that Commission, ensuring strong ties between the girls' reform movement and the broader

juvenile justice community.<sup>217</sup> In Stanislaus County, the taskforce's multidisciplinary nature has led to a deeper and more comprehensive reform effort by improving services and interactions between justice-involved girls and local agencies and organizations.<sup>218</sup>

## Legislation

A number of states have specific legislative requirements that strengthen gender-responsive juvenile justice reform efforts. These include requirements to:

- Establish a commission to study the problem and make recommendations (e.g., Alabama and New Mexico);<sup>219</sup>





- Assess and report on the extent to which existing programs meet both girls' and boys' needs and/or provide equitable programming for boys and girls (e.g., Florida, Maryland, New Mexico, and Texas);<sup>220</sup>
- Implement gender-specific programming (e.g., Connecticut, Florida, Hawaii, and Minnesota).<sup>221</sup>

Legislative advocacy played an important role in both Florida's and Connecticut's reform efforts. In Connecticut, legislation enacted in 2001 required the implementation of gender-specific programming; legislation enacted in 2004 engaged the Department of Children and Families to plan and implement gender-responsive services; and legislation enacted in 2007, while not specifically referencing girls, decriminalized status offenses and authorized funding for diversion programs for status offenders, with very significant results for girls.<sup>222</sup>

In Florida, legislation enacted in 2004 required that the Office of Program Policy Analysis and Government Accountability conduct an analysis of programs for girls within the Department of Juvenile Justice and analyze whether existing juvenile justice programs met their needs.<sup>223</sup> The Florida legislation further required that entities receiving state juvenile delinquency prevention funds design their programs to be gender-responsive.

Whether these laws simply establish a commission to study the problem, require the state agency to undertake its own assessment and report back to the legislature on the extent to which programs are gender-responsive, decriminalize status offenses and create diversion programs for status offenders, or mandate the implementation of gender-responsive programming, they can play a key role in advancing the cause of reform. While a legislative strategy must be tailored to fit within a particular state and local jurisdiction's political climate, a legislative agenda is a key ingredient in any gender-responsive juvenile justice reform effort.

## Leadership

A somewhat more ephemeral but critical element in all of these reform efforts is the role of key leaders for whom making the system better for girls is their life's work. They must have the ability to lead and inspire others to join them. Finally, they must be able to garner commitment to the reform effort from a broad range of individuals, so that securing reform does not rest on the shoulders of any one person.

In each of these reform efforts, inspiring individuals led the way. In Connecticut, from within the juvenile justice system, Kim Sokoloff Selvaggi led a decade-long crusade for reform. In Florida, advocates working outside the system managed to transform it in critical ways. Roy Miller, President of Children's Campaign, Lawanda Ravoira (formerly President of PACE and now Director of NCCD Center for Girls and Young Women), Barry Krisberg (former President of NCCD), and Vanessa Patino Lydia of NCCD, all led different aspects of a popular movement for reform.<sup>224</sup> In Stanislaus County, Lynn Wu, a legal advocate, and Jill Silva, of the Stanislaus County Probation Department, are leading the charge in a reform effort that is bringing together nearly all of the key players both within and outside the system.<sup>225</sup>

## Staff Training

There is a significant amount of mystery around what gender-responsive programming is and how to put it into practice. Beyond getting staff to accept the need for gender-responsive programming, it is critical to provide staff with the tools to implement these changes. Bringing in experts to provide technical assistance by advising on reform efforts or training key personnel can accelerate and secure the pace of change. Key steps in a staff training protocol include: surveying training participants to determine where training is most needed; bringing in outside trainers if the jurisdiction does not yet have the required internal

expertise; developing internal training capacity; and conducting training on a regular basis so that new staff receive training and incumbents' knowledge is reinforced.

For example, in Connecticut, audits revealed a dearth of knowledge about what constituted best practice in gender-responsive programming or even how to define gender-responsive approaches. In particular, staff in the detention system needed to learn gender-responsive behavior management strategies. Technical assistance funding from OJJDP allowed Connecticut to bring in outside trainers initially, and then to develop the internal capacity to train its own staff in gender-responsive practices.<sup>226</sup> With this funding, Connecticut reformers brought in several experts in the field, including Dr. Stephanie Covington, a widely known expert in gender-responsive programming and author of many gender-responsive curricula, to train system officials and service providers; Giovanna Taormina, Executive Director of Girls Circle Association, to train probation officers and service providers on the Girls Circle Model; Rebecca Maniglia, a consultant, to train staff to train others to work effectively with girls; and Dr. Marty Beyer to develop recommendations for system, focusing on girls at the highest levels of system involvement.<sup>227</sup> Connecticut later developed its own internal capacity to provide training. Once gender-responsive interventions and approaches were implemented, training and quality assurance was provided on an ongoing basis.<sup>228</sup>

In Florida, the NCCD Center for Girls and Young Women has provided extensive staff training to juvenile justice agencies, and provides a "training for trainers" that is used widely throughout the Florida Department of Juvenile Justice. "Girl Matters™," a 5-day training-of-trainer's curriculum, is a comprehensive step-by-step guide to creating effective gender-responsive services to improve outcomes for girls and young women in the juvenile justice system."<sup>229</sup> The goal of the training is to provide

participants with the concrete information they need to train others at their respective juvenile justice agencies.

In Stanislaus County, California, the Youth Justice Institute and the NCCD Center for Girls and Young Women have provided gender-responsive training for Probation Department staff and community service providers, including training on implementation of the JAIS assessment instrument.<sup>230</sup> While a significant amount of time has been spent conveying the nuts and bolts of gender-responsiveness, reformers have also used the training to explain the rationale behind this approach. By imparting information about why these reforms are likely to make a difference for girls, reformers hope to increase support for gender-responsive approaches among the staff that will be charged with implementing them.<sup>231</sup>

## Community-Based Diversion and Prevention Programs

The unavailability of community-based diversion programs in many jurisdictions has meant that often, even when court personnel recognize that diversion programs may be most appropriate for juvenile offenders, they are not an option. Adequately funding diversion and prevention programs is critical to reforming the juvenile justice system for girls. Key steps toward garnering support for these programs include: an assessment of the needs of girls in the jurisdiction; legislation supporting or requiring the provision of and planning for diversion programs; and marshaling public and private resources in support of innovative efforts.

Connecticut recognized early on that many of the girls in its system were status offenders who were low-risk and high-need. These girls were often being incarcerated simply because Connecticut lacked adequate community-based diversion programs. Several pieces of legislation supported the development of diversion programs, including a prohibition on the



incarceration of status offenders<sup>232</sup> and a requirement that the Department of Children and Families develop a plan and description of community-based resources available for status-offending youth.<sup>233</sup> Connecticut opened two voluntary respite care facilities for girls who are status offenders, also known in that state as girls from “Families With Service Needs.”<sup>234</sup> These facilities are for non-delinquent, high-risk girls who are referred by the Probation Department for a stay averaging between three and fourteen days, during which the girls are connected with appropriate interventions. Girls make formal agreements to receive ongoing treatment with local service providers in their communities.<sup>235</sup> The goal of these programs is to keep

girls who are at risk of becoming delinquent out of the delinquency system.

The PACE Center for Girls in Florida is another example of a successful diversion program. It receives significant funding from the Department of Juvenile Justice to serve girls who are involved in the juvenile justice system and girls at-risk of involvement.

Reformers must continually assess whether existing diversion programs are meeting their goals. In Stanislaus County, stakeholders recognized that many girls were not successfully completing diversion and sought to address that by providing gender-responsive training to service providers.<sup>236</sup>

States can take a huge step forward in reducing the number of girls in the deep end of the system by adequately funding, evaluating and improving gender-responsive diversion and prevention programs.

## Pilot and Demonstration Projects

Once reformers have identified the reforms needed in a particular jurisdiction, they can begin to innovate. For example, after identifying the need for gender-responsive probation programs, Connecticut created girls-only caseloads for a small number of probation officers at 13 sites and provided training to these officers in how to work with girls. Dedicated caseloads and a full-time coordinator are available to provide day-to-day assistance to probation officers.<sup>237</sup>

After realizing that school push-out begins as early as elementary school for many girls, NCCD’s Center for Girls & Young Women piloted a four-year project to divert elementary school girls who are at risk of entering the juvenile justice system.<sup>238</sup> *Girl Matters™: It’s Elementary* provides a “gender-responsive training curriculum to teach school personnel, project staff, and community partners effective strategies for addressing the factors that cause girls’ acting out behaviors.”<sup>239</sup> It also provides direct services to help address the

problems these girls are facing, including family counseling, therapy and other services.<sup>240</sup>

Reformers can use research on the needs of girls in the juvenile justice system and those at risk of being in the juvenile justice system to inform the development of pilot projects.

## Outcome Measures and Evaluation

All programs should track outcomes and measure effectiveness based on concrete indicators of change. For example, in Connecticut, the following outcome measures were used to evaluate the near-term effectiveness of gender-responsive programs: “frequency of targeted operational occurrences (*e.g.*, use of restraints, accidental or intentional injury of staff or detainees/clients, suicidal behavior); staff attitudes and mastery of training topics; and client perception

of facility programming.”<sup>241</sup> Increased resiliency skills, protective factors, reductions in recidivism, decreases in severity of offenses, cost-effectiveness, and feasibility of replication are other important factors Connecticut is using to measure effectiveness.<sup>242</sup>

There is a growing consensus that while there is a significant literature base on girls’ pathways into criminality, far less work has been done to evaluate what works in gender-responsive programming. Indeed, a recent report by OJJDP documents an apparent “disconnect” between the literature identifying the causes of female delinquency and the literature that focuses on the principles of effective intervention.<sup>243</sup> Reformers and researchers need to close this gap. Stanislaus County, for example, will “document the process and outcomes of the initiative to assist other counties to identify the most effective ways to meet the needs of their young women at-risk of being involved,

currently involved, and previously involved in the juvenile justice system.”<sup>244</sup> It is helpful for reformers to build documentation efforts into reform efforts early, which facilitates transferring these efforts to other jurisdictions and bringing them to scale.

As recommended by the Girls Study Group, any funding for gender-responsive programming should include, if at all possible, a set-aside of funds to conduct an evaluation, and strongly encourage partnerships with universities or other researchers qualified to perform rigorous evaluations.<sup>245</sup> When possible, gender-responsive programs should identify a control group or outside comparison group, and have multiple outcome measures that are tracked for both groups.<sup>246</sup>



PHOTO: Bob Madden



## Technical Assistance

Technical assistance in planning and implementing reforms can help reform efforts progress quickly and on much surer footing. In Stanislaus County reformers received significant technical assistance from the NCCD Center for Girls and Young Women and the San Francisco Youth Justice Institute in developing and implementing their strategic plan.<sup>247</sup>

Connecticut sought extensive technical assistance from leading experts to build the capacity of the detention system to: “1) assess gender specificity in the detention system; 2) train staff to implement a gender specific behavior management system using key concepts of gender specific programming; and 3) provide technical assistance to ensure consistent application of a gender specific philosophy.”<sup>248</sup> To maximize the effectiveness of this process, Connecticut consulted with several experts in the field “to help design and facilitate comprehensive assessment, training, and technical assistance” at the detention centers.<sup>249</sup>

Seeking out technical assistance from experienced reformers is a key step in any new gender-responsive reform effort.

## Funding and Sustainability

Funding for these reform efforts came from diverse sources. In Connecticut, funding from the OJJDP seeded the project for several years, and funding was later continued by the Connecticut legislature. In Florida, funding came from the Jessie Ball duPont fund and other private foundations, and later from the Department of Juvenile Justice Programs. Support for NCCD’s Center for Girls and Young Women also provided significant resources to the project. In Stanislaus County, a very small amount of money was used to start the project, and after the initial two-year launch, advocates received state grants to implement various projects.<sup>250</sup> Although funding for these efforts



was often quite limited, advocates in all of these states were successful at sustaining their efforts over time. In the case of Connecticut and Florida, reforms have been going strong for more than a decade.

However, at the program level, the lack of sustainability of many gender-responsive programs was identified in an analysis conducted by the Girls Study Group as a significant problem. The analysis found that seven out of the eighteen girls-only programs evaluated were no longer in operation and that all four of the “promising” programs were no longer operating.<sup>251</sup> Developing a long-term plan to achieve sustainability and steady funding is critical to the success of girls’ reform efforts.



## FEDERAL POLICY RECOMMENDATIONS TO SUPPORT STATE AND LOCAL REFORM EFFORTS

Federal policy has been instrumental in seeding state and local gender-responsive reform efforts. In Connecticut, federal funding was largely responsible for the initiation of a decade of reforms.<sup>252</sup> In Florida, the National Council on Crime and Delinquency, which receives funding from OJJDP, was instrumental in carrying out the reforms. More recently, OJJDP has funded the National Girls Institute to support state and local gender-responsive reform efforts by providing leadership, training and technical assistance to reformers.<sup>253</sup> A strong federal focus on supporting gender-responsive reforms at the state and local level is critical. Below we recommend a number of steps the federal government ought to take to support state and local reform efforts.

### Conduct and Fund Research and Evaluation

OJJDP should work to fulfill the need for evaluation and research on gender-specific programs for girls, including updating the 1998 Inventory of State Best Practices (*Guiding Principles for Promising Female Programming*). Two areas of particular importance for research include: best practices in gender-responsive programming and conditions of confinement for girls in the juvenile justice system.

To help identify best practices in gender-responsive programming, OJJDP should provide funding for a 3- to 5-year demonstration projects in multiple states to test various approaches. Services should be provided in a manner that is trauma-informed, strength-based, gender-specific and comprehensive.

OJJDP should also take the lead on conducting a national study of conditions of confinement for girls. Incarcerated girls are placed in solitary confinement,

shackled and restrained, and strip-searched unnecessarily. Many of these practices re-traumatize girls or deepen previously experienced trauma, such as physical or sexual abuse and neglect. A national study on conditions of confinement for girls and young women could be instrumental in garnering support for trauma-informed and rehabilitative approaches toward girls in the juvenile justice system.

While more research is needed, OJJDP should not require all program evaluations to be based on an experimental design methodology of randomized controlled trials. Through the Child and Family Services Improvement and Innovation Act, Congress directed HHS to take into account the quality of the methodology of proposed evaluations by prospective grantees, but also stated that grants should not be denied on the basis that a grantee's evaluation methodology does not include a randomized control model.<sup>254</sup> OJJDP should make the same explicit commitment. Because intervention quality can be so determinative in the lives of girls, many delinquency programs that serve girls do not wish to participate in randomized control evaluations that randomly assign some girls to lesser-quality programs. The continued emphasis on rigorous experimental models at the federal level, combined with the reluctance of quality programs to participate in these studies, perpetuates a lack of information about what works.

### Develop and Promote High-Quality Assessment and Data Collection Tools for Girls

Girls often enter the juvenile justice system having been sexually or physically abused. Many have also been subject to commercial sexual exploitation and

domestic sex trafficking.<sup>255</sup> Many of the assessment instruments currently available do not adequately screen girls for these and other problems that are common among girls. When girls are not properly assessed, the juvenile justice system misses an opportunity to provide girls with the treatment they may need. Further, a stronger and standardized assessment tool for girls would result in a much better national portrait of girls in the juvenile justice system. OJJDP could take the leading role in the creation and promulgation of an evidence-based standardized gender-responsive assessment instrument, in collaboration with leading experts like the National Girls Institute.

### **Encourage State Advisory Groups to Focus on Gender-Specific Programming**

State Advisory Groups (SAGs) are required by the Juvenile Justice and Delinquency Prevention Act to conduct an assessment and include in their annual state plans which they submit to OJJDP a “plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency.”<sup>256</sup> But many states do not comply with this requirement and few states provide services that are proportional to the percentage of male and female juveniles held in detention. OJJDP should redouble its efforts to ensure that State Advisory Groups fulfill this plan requirement and encourage states to provide sufficient gender-responsive services to meet the needs of their female juvenile justice populations.

To promote this, OJJDP could require at least one member of each SAG to have expertise in the challenges facing girls in, or at risk of being involved in, the juvenile justice system, including sexual abuse and trauma and commercial sexual exploitation and domestic minor sex trafficking, as well as effective interventions. OJJDP could also sponsor a yearly convening of SAGs and girl-focused program leaders

at a national conference to highlight the specific needs of girls in the juvenile justice system and promising approaches.

### **Train Judges, Law Enforcement, and Juvenile Justice Staff**

We urge a DOJ-wide effort to improve training and technical assistance for better recognition of the unique needs of marginalized girls. Many juvenile justice program staff are ill-equipped to fully address the dynamic needs of girls in the juvenile justice system. OJJDP should improve training for staff and state leaders to better serve female populations.

OJJDP is uniquely positioned to act as a nationwide resource in the collection and provision of gender-responsive training and protocols. OJJDP should embrace this role and explore opportunities to disseminate this information to the states, through conferences, webinars, a website, and other materials. Further, OJJDP could provide grants to states specifically to support staff training.

### **Encourage Use of Federal Funds to Promote Gender-Responsive Reform Efforts**

Instead of funding the programming both girls and boys need, Congress has decreased JJDP funding from more than \$500 million to \$100 million in the past decade, with the current House bill proposing another round of drastic cuts.<sup>257</sup> Further diminishing funding for juvenile justice programs would terribly damage efforts to make systemic improvements for girls and boys alike. Congress should increase, not decrease, federal funding for the JJOPA Title II formula grants.

Indeed, federal funding should play a positive role in the establishment of gender-responsive policies and practices at the state level. In general, girls’ programs receive a disproportionately small share of federal funding. OJJDP





should strive to achieve parity in funding programs for girls. To accelerate states' participation in gender-responsive reforms, OJJDP should encourage states to apply for federal funding for that purpose. Although gender-responsive programming is an eligible category under JJDPA-authorized Title II Formula grants, state commitment to apply formula grant funds to address the needs of girls has waned. As noted in a 2009 GAO report, in fiscal years 2007 and 2008, OJJDP reported that states used approximately \$1.9 million in formula grant money for girls' delinquency programs, representing approximately 1 percent of such funding for those years with an additional \$1.8 million in discretionary grants in 2007.<sup>258</sup> OJJDP should aid states in recognizing the need for gender-specific programming and encourage use of Title II block grant funds for such programs.

The federal government should also re-establish a

dedicated funding stream for gender-responsive reform. The 1992 reauthorization of the JJDPA established the Challenge Grant program, and more specifically the Challenge E Grant program, under which many states applied and received funding to address gender bias and to establish policies and programs to address the specific needs of girls.<sup>259</sup> But the program has not been re-funded since 2003.

### **Convene Interagency Working Groups at Federal and State Levels to Address the Needs of Marginalized Girls and Young Women**

For marginalized girls and young women, the juvenile justice system is only one of the many public systems in which they are involved. Without better cooperation and braided efforts from the child welfare, foster care, education, labor, and health care systems, we will not identify and address the upstream causes and contributing factors for girls' delinquency. Both federal and state collaborative working groups are needed.

### **Eliminate Valid Court Order Exception for Status Offenders**

While the current JJDPA prohibits detaining youth for status offenses, youth are still often detained for technical violations of valid court orders.<sup>260</sup> This practice has a significant impact on girls, who make up a disproportionate number of status offenders.<sup>261</sup> The JJDPA should clearly prohibit states from detaining juveniles for violating valid court orders by removing the Valid Court Order exception from the JJDPA. The JJDPA is five years overdue for reauthorization, and it is past time to fix this loophole.<sup>262</sup>

### **Ban Shackling for Pregnant Girls**

Pregnant girls in the juvenile justice system are often subjected to the same forced restraint policies as all



PHOTO: Bob Madden

juvenile offenders.<sup>263</sup> Use of restraints during pregnancy, labor, and delivery is a health risk. Congress should ban this practice. Absent a total ban, the reauthorization of the JJDPA should require states to document and report to DOJ the use of restraints on pregnant juveniles, and DOJ should compile the results in a report to Congress.

### **Monitor Compliance with the Prison Rape Elimination Act and its Implementing Regulations**

Sexual abuse and misconduct against incarcerated girls and boys is a significant problem. DOJ has recently

issued regulations implementing the Prison Rape Elimination Act.<sup>264</sup> States have one year to come into compliance these regulations.<sup>265</sup> The Act requires major reforms, including regulations on the placement of youth in adult jails and prisons; prohibiting contact between youth and adults in common areas; and limiting use of isolation.<sup>266</sup> If properly implemented, the Act should have a significant impact on stemming the tide of sexual abuse and misconduct toward incarcerated girls and improving their treatment. OJJDP should closely monitor states' compliance with these regulations, and promote policies to keep girls out of the adult criminal justice system.

### **Encourage the Development of National Standards for Gender-Responsive Programming**

With an increase in the number of juvenile serving programs, detention centers and probation departments seeking accreditation from groups, such as the National Commission on Correctional Health Care, the Council on Accreditation, and the American Correctional Association, standards for juvenile programming, detention, and probation should include those directly related to gender-responsive practice.

There are many more federal legislative proposals that would improve outcomes for both girls and boys in the juvenile justice system. We encourage those interested in advancing federal reforms to review the recommendations of the leading juvenile justice reform coalition, the National Juvenile Justice & Delinquency Prevention Coalition.<sup>267</sup>

## CONCLUSION

The experiences of reformers in Connecticut, Florida and Stanislaus County suggest that there are concrete steps reformers can take to make a significant difference in the lives of girls currently in, or at risk of entering, the juvenile justice system. This paper has identified those key steps on the path to reform: research to diagnose the problem, a public education campaign, strategic planning, recruitment of key stakeholders, legislation, staff training and technical assistance, community-

based diversion and prevention programs, pilot and demonstration projects, and program evaluation. We encourage stakeholders committed to improving the juvenile justice system for girls to investigate and implement the strategies discussed here, as appropriate, in their own jurisdictions. We hope that this paper will also contribute to and help renew the dialogue on state-level innovations designed to both keep girls from entering the juvenile justice system and better serve the girls in its care.





## ENDNOTES

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