



Girls and Boys in the Juvenile Justice System:
Are There Differences That Warrant Policy Changes in the Juvenile Justice System?

While girls have historically made up a small percentage of the juvenile justice population, offending by girls is on the rise. Not only is the overall number of juvenile delinquency cases for non-violent crimes on the rise, girls are accounting for a larger proportion of the delinquency pie than they did during the 1980s. While violent crime by juveniles has decreased overall since 1985, girls are committing more of those offenses than they did in 1985.

While we know that there has been an increase in justice system involvement among girls, we do not really understand the underlying causes since research about female offenders is generally lacking. At first glance, it may appear that girls and boys in the justice system are more alike than they are different. Both boys and girls in the justice system are more aggressive, have more mental health problems, and experience more risk factors such as child abuse or poverty in comparison to their non-offending counterparts. There are, however, some subtle and surprising differences between male and female youth offenders.

Characteristics of Female Offenders

- Across all four categories of offenses—person, property, drugs, and public order offenses—girls accounted for a greater proportion of delinquency cases in 2005 than in 1985 because the number of cases for females increased at a greater rate than those for males across that time period.
- Between 1980 and 2003, youth arrests increased—peaking in the mid-1990s—and then decreased. Because female arrests increased more sharply and then fell more gradually, the share of female juvenile arrests grew from 20 to 29 percent in those years.
- Between 1985 and 2002, the overall number of delinquency cases for girls increased 92 percent—as opposed to a 29 percent increase for boys. Some of these increases are certainly due to a rise in female offending, but some may also be due to the fact that offending girls once treated with kid gloves by the justice system are now receiving the same attention as the boys.
- While most offenses that lead to arrest are committed by boys, girls account for the majority of arrests for certain types of offenses such as running away—59 percent—and prostitution and commercialized vice—69 percent.

- Female offenders are *less* likely than male offenders to be arrested and formally charged for most offenses. Once charged, however, female offenders are *more* likely than male offenders to receive secure confinement.
- Research suggests that girls may be becoming more violent—over the past several decades the share of arrests for aggravated assault by girls increased from 15 percent to 24 percent of total arrests. This increase may be due in part to an increase in violent behavior by girls, but it might also be due in part to changes in policy, such as the reclassification of simple assault into aggravated assault.
- In 1980, boys were four times as likely as girls to be arrested for a violent crime; today they are only twice as likely. This is partly explained by the fact that while *all* violent crime has decreased, the decline for boys has been more dramatic. For example, the female share for violent crimes such as robbery and murder remained relatively stable from 1980 to 2003. Moreover, girls account for a very small proportion of some of the most serious types of crimes—such as homicide and sexual assault.
- In detention, the pattern of violent behavior reverses: research shows that female juvenile offenders are more violent toward staff in institutionalized settings than male offenders.
- Boys and girls generally start offending at the same ages for less serious types of crime (e.g., drug offenses), but for more serious or violent types of crime, girls tend to start offending at a *younger* age than boys.
- Female youth offenders have higher rates of mental illness than male youth offenders. In the general population, girls have higher rates of what are termed “internalizing” mental disorders (e.g., depression and anxiety) while boys have higher rates of “externalizing” disorders (e.g., ADHD, conduct disorder, and other behavioral problems). Among juvenile justice populations, however, girls exhibit higher rates of *both* types of mental disorders, as well as a greater number of overall symptoms of mental illness than is usually seen in the general population.

Risk Factors for Offending

Similar factors increase risk for offending among both boys and girls. Risk factors can be:

- Biological: prenatal exposure to high levels of testosterone.
- Psychological: neurological impairment such as low IQ.
- Environmental: exposure to dysfunctional families or deviant peers.

Risk factors often “hang together,” meaning that youth rarely experience only one risk factor but more often experience multiple related risk factors. For example, poverty is a well-known risk factor for offending. Poverty in turn is associated with other risk factors, such as child abuse, parental substance use, and living in a dangerous neighborhood. Early childhood aggression is one especially important risk factor that has been linked to later offending among both boys and girls, serving as a potential “early marker” for delinquency.

While boys and girls share many of the same risk factors for offending, these risk factors may *impact boys and girls differently*. Although exposure to the same *types* of risk factors are linked to offending for boys and girls, there are subtle differences in the *level* of risk conferred and the *rate* of exposure for particular risk factors. For example, victimization—such as child abuse—is a risk factor for later offending among both boys and girls. However, delinquent girls report being exposed to child abuse at a much higher rate than boys—92 percent versus 10 to 47 percent respectively—and may have a more pronounced reaction to child abuse due to differences in the way that they cope with the stress of being abused.

Assessment and Treatment

Most assessment tools and treatment models used with youth in the justice system were designed for use with male offenders and have not been adequately tested with females. Until we have more research, we cannot know if these assessments and interventions are effective with offending girls.

Given the high rates of mental health disorders of female offenders, it is imperative that services be offered. However, girls with conduct disorders are far less likely than their male counterparts to find, receive, or complete treatment.

The lack of community-based treatment options for offending girls stems from three related problems:

- Many programs are “boys only”—i.e., they are designed specifically for boys (but are technically open to all), or do not accept girls at all.
- Programs that do accept girls do not address female-specific needs.
- There are few programs that have been scientifically evaluated to show that they are actually effective with girls. Even when research has been conducted, it has not yielded definitive results. Most have not been evaluated for use with girls. Even the one program that has been evaluated for use with girls—Multidimensional Treatment Foster Care (MTFC)—yielded vague results. In that case, the MTFC program evaluated had been redesigned with “gender-specific components,” so while it

showed efficacy it was impossible to know whether the program itself made the difference for the girls or the gender-specific modifications made the program effective—or a little of both. In other words, we don't know if MTFC as initially designed without gender modifications would have worked just as well.

Long-Term Consequences

Engaging in antisocial behavior has long-term negative consequences for girls that reach well into adulthood. Even if they have stopped offending, women with a history of juvenile delinquency have higher mortality rates, more mental health problems, dysfunctional and violent relationships, and poorer educational and employment outcomes than women who do not have a history of delinquency.

Both male and female juvenile offenders often exhibit negative behaviors once they reach adulthood, regardless of whether they continue to engage in criminal behavior during adulthood. However, more females express their negativity with children, romantic partners, and other family members than do males. For example:

- **Marriage:** For offending males, marriage and increased responsibility have a positive influence, helping them to discontinue their criminal behavior. For females, the opposite is true—female offenders are more likely to marry a mate who is also antisocial, which then leads to more drug abuse, criminal behavior, and relationship conflict.
- **Domestic violence:** Instead of “outgrowing” their offending behavior as the vast majority of boys do, women with histories of juvenile delinquency appear to replace their criminal behaviors with violence towards their partners. Some of this abuse is serious enough to necessitate medical treatment and create fear in the victim.
- **Children:** Female offenders are more likely to pass an antisocial legacy on to the next generation. Female youthful offenders tend to have children at a younger age than their non-offending counterparts—usually with a father who is also antisocial. The combination of early parenthood with the multitude of stressors that female offenders face—such as poverty, domestic violence, and poor parenting skills—place their children at increased risk to follow in their footsteps.

Conclusion

In sum, girls in the justice system experience a multitude of risk factors, often at higher rates than their male counterparts. Offending girls exhibit higher rates of mental health problems, exhibit more aggression toward family members and romantic partners, and suffer more negative consequences from their justice system involvement than offending boys. Antisocial girls are less likely to access treatment and have fewer community-based

treatment options than boys, despite their increased need for services. Finally, girls who are formally charged are more likely to be placed in secure confinement than boys in the same situation and to act out violently once there. The combination of these factors puts female offenders on a pathway to continued justice system involvement and long-term dysfunction that they carry on into adulthood and pass on to their children.

Adapted from “Understanding the Female Offender,” by Elizabeth Cauffman, and “Adolescent Offenders with Mental Disorders,” by Thomas Grisso in *The Future of Children, Juvenile Justice*, Volume 18, Number 2, Fall 2008., www.futureofchildren.org; and Melissa Sickmund, “OJJDP Fact Sheet: Delinquency Cases in Juvenile Court 2005,” (Office of Juvenile Justice and Delinquency Prevention: June 2009). This “Highlight” was prepared by Hilary Hodgdon.

