Specialized Responses for Girls in the Juvenile Justice System

The 1992 reauthorization of the Juvenile Justice and Delinquency Prevention Act added a focus on addressing the needs of girls in the juvenile justice system. Concurrently, alternative judicial responses began to emerge for justice-involved girls. Alternative judicial responses are understood as a specialized court process that takes into consideration the biological and psychosocial differences between girls and boys, and addresses the unique characteristics of girls (discussed further below), such as developmental distinctions, differential offending patterns, and prevalence of reported trauma.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) convened the Girls Study Group in 2004 to respond to a perceived increase in delinquency among girls. After examining data from the FBI’s Uniform Crime Reports, the Monitoring the Future study, and the National Crime Victimization Survey, the group determined that self-report data presented convincing evidence that girls’ delinquency behaviors had not increased but that official responses, such as arrest laws and changes in law enforcement policy, largely accounted for the changes in official statistics (Zahn et al., 2008a).

The Girls Study Group found evidence to suggest that mandatory and pro-arrest policies had increased rates of arrest in 2008 for both boys and girls, but that these policies disproportionately affected girls. One explanation for this finding is that such policies lower the threshold for classifying and reporting assaults; therefore, domestic disputes that might once have been classified as status offenses instead became classified as simple assault, resulting in increased arrests because of mandatory arrest laws (Zahn et al., 2008a). Since girls were more likely than boys to fight with family members, this law enforcement policy would affect girls more frequently than boys (Zahn et al., 2008a). Subsequent research findings and data further the understanding of girls’ delinquency and specialized responses in the juvenile justice system.

This review includes literature relative to specialized court processing responses and targeted programs or services developed in response to the identified need to provide specialized and tailored approaches to girls involved in the juvenile justice system. Specifically, this review focuses on 1) trauma-informed approaches in courts, which respond to girls’ experiences of trauma as a precursor to their delinquency (Day, Zahn, and Tichavsky, 2015); 2) a multidisciplinary service approach, which involves a comprehensive response to education, physical and mental health, safety, relationships, and financial security for girls (Sherman and Balck, 2015); 3) gender-responsive programming, which includes the provision of services that address the distinct needs of girls in the justice system (Zahn et al., 2009); and 4) specialized court responses, such as girls’ courts, which aim to provide a therapeutic solution to the specific needs of girls (Lerer, 2013; Sherman and Balck, 2015).

The overall goal of these specialized court responses and targeted programming and services is to respond to the individual characteristics and needs of girls and reduce their involvement in the justice system.

**Delinquency Trends**

Historically, most juvenile arrests have involved boys. In 2016, girls comprised 29 percent of the estimated 856,130 juvenile arrests. Across genders, juvenile (ages 10–17) arrest rates have been falling since peaking in 1996. As of 2016, they were at their lowest level since 1980 (OJJDP Statistical Briefing Book, 2017a). However, the magnitude of this trend differs by gender. Between 1996 and 2015, the arrest rate for boys fell by 70 percent, whereas the arrest rate for girls fell by 59 percent (OJJDP Statistical Briefing Book, 2017b). Specifically, the rate of arrest for boys dropped from 12,686.6 to 3,806.2 per 100,000 and the rate of arrest for girls dropped from 4,029.5 to 1,651.1 per 100,000.

With regard to types of offenses committed, girls in 2016 accounted for 41 percent of arrests for larceny-theft, 37 percent of simple assault arrests, and 36 percent of disorderly conduct arrests. Boys comprised 89 percent of all juvenile arrests for robbery, 88 percent of all juvenile arrests for burglary, and 89 percent of all juvenile arrests for weapons law violations (OJJDP Statistical Briefing Book, 2017a).

Relative to most delinquency offenses, girls tend to be involved in a higher percentage of status offenses (acts that are only illegal because of the individual’s status as a juvenile), such as under age drinking, truancy, and running away (Nicholls et al., 2015). Running away is an especially common offense among girls. While arrest data is no longer available on juvenile runaways, girls in 2015 accounted for 56 percent of petitioned runaway cases, the only status offense category in which girls represented a larger proportion of the caseload than boys (OJJDP Statistical Brief Book, 2018). Some research suggests that girls run away in an attempt to remove themselves from a dysfunctional or abusive home environment (Zahn et al., 2008a; Bloom et al., 2002).

In 2016, girls comprised 73 percent of juvenile prostitution arrests (OJJDP Statistical Briefing Book, 2017a). Prostitution is a complicated offense, especially when committed by a minor. This offense is often viewed as commercial sexual exploitation of children (CSEC), which encompasses a “range of crimes and activities involving the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value (including monetary and nonmonetary benefits) given or received by any person” (OJJDP, n.d.). Additionally, under federal law and some state laws, the youth is considered a victim of trafficking.

Presently, no federal or national estimates of the extent and prevalence of CSEC in the United States exist due to issues of general underreporting and difficulties associated with identifying and measuring victims and perpetrators. However, the occurrence of CSEC and sex trafficking has led to the development of safe harbor laws. Safe harbor laws represent an alternative judicial court process for youths in the juvenile justice system. They also represent a paradigm shift in juvenile justice system processing and services for sexually exploited youth, which is particularly relevant for girls because they make up such a high proportion of arrests for prostitution (Development Services Group, 2014). The laws recognize juveniles involved in prostitution as victims of commercial sexual exploitation and sex trafficking, by virtue of their age. These laws attempt to divert them away from the juvenile justice court system to agencies that may be better equipped to address their specific needs, such as child welfare (Geist, 2012; Wayman, 2013). For more information, see the Model Programs Guide (MPG) literature review on Commercial Sexual Exploitation of Children/Sex Trafficking.
Gender Differences in Pathways to Delinquency and Judicial Processing

Some research has suggested that there are differences between girls’ and boys’ trajectories toward delinquency. For example, formal system processing of certain minor offenses is more prevalent among girls than boys. As mentioned before, these minor offenses may be indicative of major familial or relational victimization (Zahn et al., 2010). Thus, girls may be susceptible to risk factors that could presuppose their justice involvement. Additionally, while similar risk factors may attribute to delinquency across genders, variation in biological processes, psychological characteristics, and “social interpretations may explain the different types and rates of delinquent behaviors for girls and boys” (Zahn et al., 2010:3).

OJJDP’s Girls Study Group in 2008 examined the available literature on girls and identified factors that may predict or prevent delinquency. Many of these factors apply equally to boys and girls; others seem particularly influential for girls. Those identified as equally influential for both sexes included family dynamics, involvement in school, the level of neighborhood disadvantage, and the availability of community-based programs. Factors that seem to have more of an effect on girls’ delinquent behaviors include early puberty (which can lead to increased conflict with parents and associations with older boys or men), sexual abuse or maltreatment, depression and anxiety, and romantic partners. Other factors that may work to support resilience—at least for some behaviors—include the presence of a caring adult, school success, and religiosity. School connectedness appeared not to function as either a risk or protective factor (Zahn et al., 2008b). Additionally, one study found that, for girls, anxiety disorder was identified as a risk factor for recidivism (Plattner et al., 2009).

Another study suggested that, following their arrests, juveniles are processed through the justice system differently based on gender (Leiber, Brubaker, and Fox, 2009); however, findings are mixed on whether girls are treated more or less favorably than boys in the juvenile justice system. For instance, Leiber, Brubaker, and Fox (2009) analyzed 21 years (1980–2000) of juvenile case files from a Midwestern state and used a quasi-experimental design to examine the individual and joint effects of gender and race on judicial decision making. After controlling for a variety of legal and extralegal variables, the authors found that gender, as well as race, was a statistically significant predictor of secure detention; that is, girls were less likely than boys to be detained. Additionally, girls were more likely to be released, relative to receiving a court referral. Girls were also more likely to be released than diverted (Leiber, Brubaker, and Fox, 2009).

However, a 2008 study by Carr and colleagues found contrary results. Using administrative data over 4 years from a large county in Alabama, their findings supported “the limited tolerance for girls’ misbehavior and a greater acceptance of boys’ delinquency” (Carr et al., 2008:37). After analyzing data on 587 youths in a minimum-security residential program, the authors found that once in the system, girls remained under court supervision much longer than boys. Additionally, despite being convicted for less serious offenses, girls were more likely to be recommitted to residential treatment. Lastly, when testing for an interaction effect between gender and age, the results showed that young girls who reoffended were at greater risk of reincarceration and that this had no relationship with the type of offense committed (Carr et al., 2008).

According to the annual Juvenile Court Statistics report from the National Center for Juvenile Justice (Hockenberry and Puzzanchera, 2018), girls in 2014 were less likely than boys to have their petitioned cases result in adjudication of delinquency (49 percent versus 55 percent, respectively). Girls’ delinquency cases were also less likely than boys’ to be waived to adult criminal court (<1 percent versus 1 percent, respectively); less likely to result in out-of-home placement (21 percent versus 28 percent, respectively); and once adjudicated, more likely to receive probation as their most severe
Although the Juvenile Court Statistics data show that some case outcomes generally favor girls over boys, data from the Census of Juveniles in Residential Placement: 1997–2015 show girls are disproportionately detained pending adjudication, disposition, or placement elsewhere for minor offenses (defined as technical violations and status offenses). In 2015, about 37 percent of girls in detention had been detained for technical violations and status offenses, while only about 24 percent of boys in detention had been detained for the same minor offenses (Sickmund et al., 2017).

Girls are also more likely than boys to be held in residential placement for technical violations, such as violations of parole, probation, and valid court order. Among girls in residential placement in 2015, 12 percent were charged with a status offense and 34 percent were charged with a person offense. Among boys in residential placement, 4 percent were charged with a status offense and 38 percent were charged with a person offense.

In addition, with regard to race, black girls comprise the majority of girls in residential placement (62.7 percent) and black boys comprise the largest proportion of boys in residential placement (42 percent; Hockenberry and Puzzanchera, 2018). Finally, regarding age, girls in residential placement tend to be younger than their male counterparts. In 2015, girls younger than 16 comprised 37 percent of the total population of girls in residential placement, while boys younger than 16 comprised 30 percent of the total population of boys in residential placement (Hockenberry and Puzzanchera, 2018).

Additionally, there is often an observed intersection of race, gender, and sexual orientation as it relates to legal outcomes for youth in the juvenile justice system. Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, in addition to gender-nonconforming youths, are three times more likely to receive an out-of-home placement than heterosexual, gender-conforming youth. For example, after surveying seven detention centers across the country, Irvine and Canfield (2016) found that about 40 percent of girls were LGBTQ or gender nonconforming. Additionally, given the overrepresentation of minority girls in the juvenile justice system, there is a greater prevalence of LGBTQ girls of color than there are LGBTQ white girls (Irvine and Canfield, 2016). For more information, visit the MPG literature review on LGBTQ Youth in the Juvenile Justice System.

Experiences of Trauma and Juvenile Justice System Involvement

Girls have higher self-reported rates than boys of physical, emotional, and sexual abuse (Bloom et al., 2002; Zahn et al., 2009). Using data from the National Child Traumatic Stress Network, Dierkhising and colleagues (2013) found that among a sample of 658 youths, girls were about twice as likely as boys to report sexual abuse (31.8 percent versus 15.5 percent, respectively) and about four times more likely to have experienced sexual assault (38.7 percent versus 8.8 percent, respectively). Similarly, Kierig and Becker (2012), using a sample of over 1,300 detained youths, found that boys were more likely than girls to have experienced violence in the community, but that girls were more likely than boys to report having been the victims of family violence (37.8 percent versus 14.9 percent, respectively) and sexual abuse (35.1 percent versus 6.7 percent, respectively).

Among those who are exposed to trauma, girls and women are more likely than boys and men to develop posttraumatic stress disorder (PTSD; Brosky and Lally, 2004; Noonier et al., 2012). Also, traumatized girls are more likely than boys to experience comorbid disorders, particularly involving depression (Huefner and Mason, 2009; Vincent et al., 2008; Zahn et al., 2009). Trauma exposure is differentially associated with a host of other negative psychological and physical outcomes for girls, including substance use, self-harm, and participation in risky sexual behaviors (Belknap and Holsinger,
Longitudinal research on the developmental psychopathology of delinquency shows that maltreatment, victimization, and trauma are predictors of justice involvement, especially for girls (Cernkovich, Lancotot, and Giordano, 2008; Kerig and Becker, 2014). In her ethnographic study of system-involved girls, Schaffner wrote that “the vast extent of emotional injury in the form of sexual and violent assault that young women in this population report experiencing cannot be understated” (2003:2).

### Developmental Theories Specific to Girls

Advocates of alternative processing for girls have noted that girls differ developmentally from boys. Following elementary school, self-esteem drops significantly more for girls than for boys (Chesney-Lind and Sheldon, 1998). As girls enter adolescence, they experience a variety of stressful physical, emotional, and psychological changes. They also become more preoccupied with identity, appearance, family, and peer relationships (Greene, Peters, and Associates, 1998). Girls often begin to ignore their sense of self, instead placing more importance on personal relationships (Debold, Wilson, and Malave, 1993) and counting on others for validation (Taylor, Gilligan, and Sullivan, 1995). Starting at age 14, girls tend to score higher than boys on measures of depression, anxiety, and vulnerability (meaning girls felt more depressed, anxious, and vulnerable); however, from age 12 and onward, girls score higher than boys on measures of competence, order, dutifulness, achievement striving, self-discipline, and deliberation (De Bolle et al., 2015).

Three general theoretical positions characterize much of the literature related to girls in the juvenile justice system: feminist pathways theory, relational-cultural theory, and ecological systems.

**Feminist pathways theory** assumes that early events in a girl’s life (e.g., trauma) are a catalyst for certain risk factors that may eventually manifest into offending behavior (Daly, 1992; Foley, 2008). This theory underscores the differences between the experiences of girls and boys as a crucial component to understanding delinquency, and it emphasizes abuse and neglect as a significant risk factor for girls’ delinquent behavior (Holsinger, 2000; Belknap and Holsinger, 2006). This is particularly relevant to girls who have higher rates of abuse than boys (Bloom et al., 2002; Zahn et al., 2009). Feminist pathways theory also includes female reactions to abuse and neglect, such as running away (Belknap and Holsinger, 2006). Aligned with this theory, a 1990 study found that girls with a history of abuse and neglect were more likely to be arrested for a violent delinquency offense than their non-abused and non-neglected counterparts. However, boys with a history of abuse and neglect were just as likely as girls to be arrested for a violent delinquency offense (Rivera and Widom, 1990).

**Relational-cultural theory** assumes humans’ inherent motivation for fostering relationships and emphasizes healthy relationships as a cornerstone to psychological well-being (Miller, 1991; Jordan and Hartling, 2002; Dollete et al., 2004). This is thought to be especially pertinent for girls, given that having the support of a caring adult is a protective factor and decreases the likelihood of their delinquent involvement (Dishion and Kavanagh, 2003; Hawkins et al., 2009). For example, Girls Circle, a structured support group program for girls, is based on relational-cultural theory and aims to promote healthy relationships and positive connections by engaging girls in a structured support group that integrates resiliency practices, skills training, and competency building among participants (Gies et al., 2015).

**Ecological systems** approaches provide a broader context to the issues of girls and offers a more holistic approach. The relationship between the individual and others is emphasized, in addition to the interaction between the person and environment and any other systems, such as community, education,
health, and economy (Bronfenbrenner, 1994). For example, programs that target girls in the justice system, such as girls’ courts, apply this type of approach through a multidisciplinary team model to more comprehensively address girls’ needs (see Multidisciplinary Approach below). According to a Theokas and Lerner (2006), four ecological assets are crucial to healthy development: 1) supportive individuals in the lives of youth; 2) physical and institutional resources (e.g., health clinics, libraries); 3) collective activity (e.g., mutual engagement among community members, parents, youth, school personnel, institutions of society); and 4) the accessibility of other resources such as transportation, businesses, and cultural outlets.

**Specialized Processing and Targeted Services**

*Trauma-Informed Court Approaches*

Longitudinal data underscores a strong association between childhood traumatic stress, such as child abuse and neglect or exposure to violence, and later adolescent delinquency (Widom and Maxfield, 2001; Belknap and Holsinger, 2006; Ford et al., 2010). Additionally, offense severity and likelihood to recidivate are associated with early traumatic stress among delinquent youth (Kerig and Becker, 2014).

Because of the prevalence of trauma and PTSD among court-involved girls, trauma-informed approaches can be used in court responses. A trauma-informed approach recognizes that antisocial or delinquent behavior may be caused by the trauma they have experienced and seeks to provide them with treatment and services that can help them to overcome the difficulties surrounding trauma and PTSD (Ko et al., 2008; Ford et al., 2012; Day, Zahn, and Tichavsky, 2015). Although trauma-informed approaches have not been rigorously evaluated within the setting of court-based programs, other programs have examined the impact of such programming on delinquent girls. For example, Ford and colleagues (2012), in their study of Trauma Affect Regulation: Guide for Education and Therapy (TARGET), a trauma-focused psychotherapy for adolescents and adults with PTSD, found that there were statistically significant greater reductions in measures of PTSD symptoms, posttraumatic cognitions, anxiety, and anger for the TARGET treatment group, compared with the enhanced treatment-as-usual comparison group (see the CrimeSolutions.gov program profile of the TARGET program).

In 2016, OJJDP funded research focused on trauma and justice-involved youths to better understand the role of trauma in youths’ delinquent behavior and to develop evidence-based, trauma-informed practices (OJJDP, 2016). In addition, organizations such as the National Child Traumatic Stress Network (2009) and the National Council of Juvenile and Family Court Judges (2011) offer resources in the form of recommendations to judges on how to be trauma-informed in their work within the courts.

**Multidisciplinary Service Approach**

The scope of delinquent girls’ needs is wide-ranging and includes education, trauma treatment, familial relationships, mental health, substance use, medical needs, and in some cases, parenting. A 2001 report from the American Bar Association and the National Bar Association (2001) recognized that girls in the justice system often have interactions with other systems, such as special education, mental health, and dependency. Therefore, policies and practices focused on girls in the juvenile justice system often take on a comprehensive response that addresses education, physical and mental health, safety, relationships, and financial security to address their needs (OJJDP, 2015; Sherman and Balck, 2015).

The multidisciplinary approach gives professionals an opportunity to assess needs while increasing youths’ access to resources in the community (Liles et al., 2016). For example, qualitative data collected from the Sacramento Commercialized Sexual Exploitation of Children Court revealed that 85 percent of the respondents cited the multidisciplinary approach when asked what was working within the
specialized court system (Liles et al., 2016).

Multidisciplinary approaches in the context of girls in the court system have yet to be rigorously evaluated. However, promising results were found for a juvenile court-based program that coordinated services with multiple service providers for justice-involved youths (boys and girls) and families with complex needs. The Connections program provided services that included family therapy, clinical therapy, substance use treatment, special education, medication, caregiver support, public assistance, housing, and mental health care. An evaluation by Pullman and colleagues (2006) found that Connections participants were less likely to recidivate, commit a felony offense, and to have served time in detention. Those who did serve time in detention served fewer days (see also the CrimeSolutions.gov program profile on the Connections program).

**Gender-Response Programming**

Anderson and colleagues described gender responsivity as “a comprehensive systems response to female delinquency that emphasizes the importance of girls’ experiences as well as addresses girls’ unique psychological, development and social needs, and pathways into crime” (2016:3). What makes gender-responsive or gender-specific programs (that target only girls) different from gender-nonspecific programs (that target boys and girls equally) is the focus on the differences between girls and boys, as discussed above, and the provision of services that address the distinct needs of girls in the justice system (Zahn et al., 2009).

Gender-responsive programs for girls may be implemented across the continuum of the juvenile justice system, from early prevention to reentry programs. In the juvenile court system, gender-responsive programming may be available at diversion (pre-adjudication) or probation (post-adjudication). For example, the goal of Reaffirming Young Sisters Excellence, a probation program in California for post-adjudicated delinquent girls, was to prevent the return of adjudicated girls back into the justice system. A secondary goal was to promote the healthy development of girls’ social, academic, and vocational competencies, to help them remain crime free (Le, Arifuku, and Nunez, 2003).

In addition, although gender-responsive programs may target various interrelated issues that justice-involved girls struggle with, many tend to target one specific problem faced by girls, such as dating violence, substance use, or gang involvement (Kerig and Schindler, 2013). Gender-responsive programs may also offer a variety of services, including individual case plans, risk or needs assessments, life skills courses, teen pregnancy services, anger management, individual or family therapy, substance use treatment, educational programming, support groups, and mentorships (Zahn et al., 2009).

Matthews and Hubbard (2008) identified the following five elements that could be used to develop effective programs for girls:

1. The use of assessments (Austin, Johnson, and Weitzer, 2005), for the importance of objective assessment tools;
2. The incorporation of a therapeutic or helping alliance, which speaks to the desire for girls to have someone to speak to (Chesney-Lind, Morash, and Stevens, 2008; Schaffner, 2003) within a collaborative relationship;
3. The use of a gender-responsive cognitive–behavioral approach;
4. The promotion of healthy connections, which would speak to the relational–cultural theory of gender development and programming (Foley, 2008); and
5. The recognition of within-girl differences, which could help distinguish subgroups of girls for whom particular programs are effective (Zahn et al., 2009).
Similarly, Walker and colleagues (2015) developed a gender-responsive continuum of care for girls in the juvenile justice system, based on surveys and site visits with practitioners who had experience implementing gender-responsive programs. The model focuses on ensuring that gender-responsive programs 1) are culturally responsive; 2) build from relational theory; 3) address safety; 4) use a skills-based, strengths-based approach; and 5) serve girls holistically. Results from the surveys, which asked how gender-specific policies were translated into practice, showed that respondents emphasized the importance of using individual assessments (especially in treatment planning), engaging families in girls’ treatments, ensuring girls’ safety (especially in long-term detention or residential facilities), including relational approaches in staff training, and using skills- and strengths-based approaches with girls (Walker, Muno, and Sullivan-Colglazier, 2015).

Finally, Javdani (n.d.) conducted a meta-analysis of program evaluations to see if program effectiveness varied by characteristics of the programs and the sample, with specific attention to gender. The meta-analysis included studies for youth with disruptive behavior problems that included delinquency outcomes reported by gender. She analyzed 161 unique effect sizes across 27 studies, and found the following program characteristics were most effective in reducing delinquency among boys and girls: 1) involved a multimodal format (combining individual and group formats); 2) included counseling or case coordination (as opposed to primary skill building and psychoeducation); 3) were longer in duration; and 4) targeted children 11 and younger.

Javdani (n.d.) also found that certain program characteristics are less effective for girls than for boys, such as group formats and skills building and psychoeducation programs. She suggested that skills building and psychoeducation programs may be lacking gender-responsive elements that benefit girls. Additionally, girls were less likely to participate in programs that were longer in duration than boys, despite that a longer program duration was associated with greater program effectiveness. However, there is limited research which incorporates gender as a variable to study program effectiveness in this way (Javdani, n.d).

Specialty Courts/Girls’ Courts

Girls’ courts emerged as an alternative judicial response to address the unique characteristics of girls who enter the juvenile justice system. Girls’ courts aim to provide a therapeutic solution to the specific needs of this population. The overall goal is often to address girls’ unique needs and reduce their rates of re-offending and recidivism.

Though similarly aligned in theory and in their approach, girls’ courts differ from gender-responsive programming. Girls’ courts offer an alternative judicial process, while gender-responsive programming may include girls who are at risk of justice system contact. Additionally, although a girls’ court may result in mandated gender-responsive programming, it is not usually referred to as a program in and of itself, but rather as an alternative judicial process for girls.

While there is not a single model for girls’ courts, they can be seen as following a specialty court model in the juvenile justice system, which is generally marked by having either a unique docket or specialized processing steps for certain types of cases within the juvenile justice system. The specialty court model, pioneered in adult criminal courts, differs from a traditional court model in its recognition of offenders’ underlying issues (e.g., substance use disorder, mental health disorder, unresolved trauma) as a catalyst for their criminal behavior. In tailoring services and resources to resolving the individual’s underlying issues, specialty courts hope to initiate a permanent release into the community and out of the justice system (Lloyd, 2015; Boldt, 2014; Petrila, 2003).
Another point of differentiation between specialty courts and traditional courts is the role of the judge. In a specialty or problem-solving court model, the judge serves as the leading member of a multidisciplinary team responsible for applying a comprehensive, problem-solving framework in addressing specific needs (Juvenile Drug Court: Strategies in Practice, 2003). This differs from a traditional court setting in which the judge serves as an objective and removed decision maker.

One specialty court model is that of juvenile drug courts, which use a separate docket within juvenile court for cases that involve youth with a substance use disorder and aim to provide treatment to eligible, drug-involved juveniles with the goal of reducing recidivism and substance use (see the MPG literature review on Juvenile Drug Courts and the Juvenile Drug Treatment Court Guidelines). Girls’ courts appear to function similarly to juvenile drug courts in providing specialized services and case management to a subset of the juvenile population in recognition of specific needs with the same underlying goals of reducing recidivism and delinquent behavior (Heipt, 2015; Davidson et al., 2011).

Given that there is no established standard protocol for establishing a girls’ court, the operational definition of these programs varies. Generally, however, these programs offer alternative processing for girls (ages 10–17) in juvenile court, in recognition of their unique traits and needs (Lerer, 2013; Zahn et al., 2009). Operating under this shared commitment to their view of gender-responsive processing, girls’ courts may operate within the court, through probation, or through community-based referral organizations (Sherman and Balck, 2015). Similar to other types of problem-solving or specialty courts, some girls’ courts target a specific subset of the female population, such as girls who are trafficking victims (e.g., the Los Angeles County Juvenile Succeeding Through Achievement and Resilience [STAR] Court; Los Angeles Superior Court, 2014), girls who have committed low-level offenses (e.g., the Honolulu Girls Court; Lerer, 2013), or girls with substance use disorders (e.g., the Polk County, Iowa, Young Women’s Delinquency Court [Too Good to Lose]; Iowa State Bar Association, 2017).

Although some girls’ court programs may be designed as diversion from more formal processing, girls’ court programming is more typically available at the disposition stage of processing and typically includes the following components: regular interaction with a judge or mandatory court sessions to monitor the girls’ progress through the program, which includes sanctions for violations if needed; mandated treatment and services for identified needs; and a multidisciplinary team approach, with various agencies involved in the program, to connect girls to services, treatment, and programs that best suit their gender-specific needs (Lerer, 2013; Sherman and Balck, 2015).

Outcome Evidence
Several reviews on targeted responses for girls in the juvenile justice system suggest that the evidence is thus far limited with regard to the effectiveness of these types of programs. For instance, in their review of program evaluation evidence, Zahn and colleagues (2009) found few based on rigorous methodologies. Of the 62 programs they identified as serving only girls and specifically targeting delinquent or system-involved girls, they were able to identify only 18 that had at least one evaluation. Nine of these were for system-involved girls. Two evaluations used a randomized controlled design; two used a quasi-experimental design with control groups; the remainder used before-and-after measures on selected variables. Zahn and colleagues (2009) concluded that these evaluations offered mixed evidence about the effectiveness of such programming, with the two randomized controlled evaluations showing no evidence for long-term impact on recidivism. They also looked at programs used with both boys and girls and found that there is evidence that comprehensive programs that address multiple risk factors (e.g., Multisystemic Therapy, Multidimensional Treatment Foster Care) can be effective in reducing recidivism. They pointed out that this does not mean that gender-
responsive programming does not work, but that the development and evaluation of such programs are in their infancy.

Zahn and colleagues (2009) also noted that the evaluations they found failed to distinguish between different groups of girls for whom programs do or do not work. Given research on trajectories of crime, such information could be invaluable. Colman and colleagues (2009), for instance, prospectively tracked 499 girls and young women (ages 16–28), who were discharged from juvenile justice facilities. They identified four distinct early adult-offending paths: rare/nonoffending, low chronic, low rising, and high chronic. These four groups can follow very different paths, varying from low recidivism rates to very high, chronic recidivism. Being able to identify girls who might follow one trajectory or another has implications for program design and evaluation. If a program can shift a system-involved girl from a chronically recidivating to a low-recidivating track, that might not be captured by certain evaluation designs.

While the evidence for the effectiveness of programs for girls in the juvenile court system is still relatively scant, this could be attributed to two interrelated problems. First, programs for girls are scarce. Many have noted the lack of gender-responsive, culturally competent services available to those in the juvenile justice system (see, e.g., Bloom et al., 2002; Gaarder, Rodriguez, and Zatz, 2004). Chesney-Lind, Morash, and Stevens (2008) attribute the growth in use of detention to the lack of available alternatives. Second, the overall number of girls in the system is small, compared with the number of boys, which makes evaluation activities more challenging (Tracy, Kempf-Leonard, and Abramoski-James, 2009). Third, research indicates inadequate training on how to work with girls in the juvenile justice system. Bloom and colleagues’ (2002) statewide assessment in California found a clear need on the part of judges, prosecutors, and public defenders for more information and training on working with girl offenders and on meeting their needs. They said, “This education and training should include gender difference in delinquency, substance abuse education, the developmental stages of female adolescence, and available programs and appropriate placements and limitations” (Bloom et al., 2002:547). Gaarder, Rodriguez, and Zatz (2004) found a similar lack of information and training. Their research suggested that many who work in the juvenile justice system function based on racial and gender stereotypes, which prevent girls in the system from getting access to needed services. They found that girls are seen as “criers, liars, and manipulators” (Gaarder, Ridriguez, and Zatz, 2004:556), and they documented the ways that such stereotypes deny the realities these girls are facing.

While additional research is still needed about programs targeted to court-involved girls, many girls’ programs outside of the court system show promising results.

For instance, Movimiento Ascendencia (Upward Movement) was established in Pueblo, Colo., to provide Mexican-American girls with positive alternatives to substance use and gang involvement. It is a culturally focused, gender-specific program that was designed around the components of 1) mediation/conflict resolution, 2) self-esteem/social support, and 3) cultural awareness. An evaluation by Williams and colleagues (1999) found a statistically significant positive program effect in reduced self-reports of damaging property; stealing more than $50; and buying, selling, or holding stolen goods. However, the program had no impact on self-esteem, grades in school, concealing weapons, and stealing less than $50.

The Gender-Responsive Intervention for Female Juvenile Offenders was a program in a Midwestern state for adjudicated girls in the juvenile justice system. The goal was to provide gender-responsive treatment services to high-risk girls in a group-home setting with the aim of reducing the likelihood of re-offending. The program emphasized comprehensiveness, safety, empowerment, and family and
relationship support—all in the context of community-based services. At the group homes, personalized treatment plans were created using assessment tools. In addition, cognitive–behavioral therapy, the Thinking for a Change behavior curriculum, and Girls Moving On gender-responsive programming were also implemented. Anderson and colleagues (2016) found that girls who received the gender-responsive intervention were less likely to have a new petitioned offense to court within the 24-month follow-up period, compared with a comparison group of girls who received probation as usual. This difference was statistically significant.

**SNAP (Stop Now And Plan) Girls** formerly known as SNAP Girls Connection, is a specialized, family-focused intervention for girls (ages 6–11) who are reported as experiencing conduct, oppositional, or externalizing problems. Participants and their parents meet in separate groups once a week for 13 weeks. Individually and in their group meetings, girls learn how to regulate their emotions, practice self-control, and improve problem-solving skills, with an emphasis on challenging cognitive distortion to help children make better choices in the moment. The goal is to reduce the girls’ disruptive behavior, risk of police contact, and discipline issues while also improving parent-management skills. Pepler and colleagues (2010) found that the girls in the SNAP Girls treatment group displayed lower levels of behavior problems (including externalizing problems, rule breaking, aggression, conduct disorder, and social problems) than the girls in the wait-list comparison group.

While numerous evaluations have looked at community- and court-based gender-responsive programming available to girls in the juvenile justice system, so far only one evaluation has specifically examined the effects of a girls’ court program, specifically the Honolulu Girls Court. The program is a specialized court for girls who have been adjudicated delinquent and are on either probation or protective supervision for a status offense. A cohort of about 8 to 10 girls goes through the program together. The program includes frequent monitoring of youth; monthly open-court forums with the judge, public defender, probation officer, and prosecutor; and gender-responsive programming designed to meet the needs and develop the strengths of participants and their families. Parents also attend their own quasi-therapeutic group to discuss family issues and how to form healthy relationships with their daughters (if parents do not wish to participate, their daughters are ineligible to participate). The overall goal of the program is to reduce girls’ recidivism, reduce detention and commitments of girls, and address risk factors in girls’ lives that could lead to later criminal behavior (Lerer, 2013; Davidson, Pasko, and Chesney–Lind, 2011).

Davidson, Pasko, and Chesney–Lind (2011) compared girls’ court participants with a matched comparison group referred to family court and adjudicated in the same years as program participants. The study found mixed results. Although program participants had fewer status offenses and runaway incidences, the differences were not statistically significant. Compared with the matched comparison group, girls’ court participants experienced more admissions to shelters, days in shelters, detention home admissions, and days in detention homes (this difference was statistically significant). But there was also a statistically significant between-group difference in that girls’ court participants also had fewer days on the run, admissions to the Hawaii Youth Correctional Facility, and days in the facility. The results showed that while girls’ court participants were not committed to long-term confinement as often as the comparison group, they were committed more often to short-term confinement (i.e., shelters and detention home). This may have been due to the intensive supervision element of the program, which may have resulted in greater discovery of violations and, thus, more sanctions.

**Conclusion**  
Proponents of specialized responses for justice-involved girls—such as girls’ courts, gender-responsive programming, and safe harbor laws—see them as ways to address issues that impact girls more so than
boys (especially those issues that may underlie their criminal behavior) by considering their unique characteristics and development. The research presented above suggests there may be differences between girls and boys regarding pathways to delinquency, offenses committed, and typical judicial processing. For example, girls are more likely to report experiencing trauma, as well as associated stress and comorbid disorders, which are strong predictors of justice involvement, especially for girls. In addition, girls are more likely to be convicted for status offenses; running away is an especially prominent offense among girls. This finding is in line with theories, such as feminist pathways theory, which suggests that early events in a girl’s life (e.g., experiencing trauma) are risk factors that may eventually lead to problematic or delinquent behavior, such as running away. Research also suggests girls are disproportionately detained for minor offenses, such as technical violations and status offenses, compared with boys.

The research reviewed here suggests that responses to these unique characteristics have included both broader, specialized court processing approaches for girls and targeted programs or services for girls. Gender-responsive programming focuses on treatment and services that address the distinct needs of justice-involved girls. Similarly, girls’ courts follow a specialty court model and usually involve having either a unique docket or specialized processing steps for cases. Safe harbor laws have also emerged as a way for the juvenile justice system to divert victims of sexual exploitation and trafficking (oftentimes girls) away from formal system processing in the court system.

The evaluation research relative to this topic is sparse. Research of gender-responsive programming suggests certain elements of effective strategies (Matthews and Hubbard, 2008), such as the incorporation of relational-cultural elements (Foley, 2008) and the incorporation of therapeutic and healing alliances (Chesney-Lind, Morash, and Stevens, 2008). In addition there have been evaluations of programs that are designed to prevent and respond to juvenile delinquency of girls, such as Movimiento Ascendencia, the Gender-Responsive Intervention for Female Juvenile Offenders, and SNAP Girls, which all showed a statistically significant reduction in delinquent behavior and other behavioral problems among program participants, compared with nonparticipants. However, research on specific gender-responsive programs in court-based settings is still needed. There has been only one evaluation to date on girls’ courts, and that evaluation, of the Honolulu Girls Court, showed mixed results.

References


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