

## **BACKGROUND PAPER – Crime and Incarceration among Girls and Young Women in Illinois and Chicago**

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### SCOPE OF THE PROBLEM

*The preponderance of the data cited in the perpetration section of this background paper is derived from two reports produced by the Illinois Criminal Justice Authority. Both reports can be found at the ICJIA website: [www.icjia.state.il.us](http://www.icjia.state.il.us). The Taskforce would like to thank Lindsay Bostwick of ICJIA who authored those reports for reviewing this paper and offering her helpful suggestions. Any analysis offered in the background paper is solely the opinion of its author and not ICJIA.*

#### *Perpetration*

According to a study conducted by the Illinois Criminal Justice Information Authority (ICJIA) “In calendar year 2007, female youth under 17 years old in Illinois accounted for 22 percent of all youth arrests reported to the CCH system. Thirty-three percent of all female arrests were for offenses against a person. In comparison, 26 percent of male arrests were for offenses against a person” (Bostwick, 2009<sup>1</sup>).

Another study conducted by ICJIA found that “Girls in Illinois experienced a greater increase in rate of arrests than boys from 2002 to 2007. During this period, girls’ arrests were more likely than boys’ to be for status and person offenses, and noncompliance with public officials, such as contempt of court. Girls’ arrests were more likely to be for misdemeanor offenses than boys’” (Bostwick & Ashley 2009)<sup>2</sup>.

Furthermore, ICJIA studies have found that “Females accounted for 2,445 (17 percent) of 14,154 admissions of 10 to 16 years olds to secure detention statewide in calendar year 2007. Forty-eight (48) percent of female detention admissions were for offenses against a person, compared to 30 percent of male’s admissions” (Bostwick, 2009).

“In fiscal year 2007, females accounted for 11 percent of all commitments of youth ages 13 to 16 years old to IDOC or 145 of 1,362 commitments. Furthermore, females accounted for 10 percent of 13 to 16 years olds committed for new adjudications by the court” (Bostwick, 2009).

According to ICJIA, “Fifty-two percent of females’ commitments to IDOC youth facilities of 13 to 16 year olds were for offenses against a person and 35 percent were for property offenses. In comparison, 39 percent of males’ commitments were for offenses against a person and 43 percent were for property offenses” (Bostwick, 2009).

A one-day snapshot on July 6 2009 found that there were 98 girls and young women committed in Illinois Department of Juvenile Justice facilities. This is 8% of the total number of youth confined in DJJ facilities<sup>3</sup>.

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<sup>1</sup> Bostwick, L. (2009). *Juvenile Justice System and Risk Factor Data: 2007 Annual report*. Chicago, IL: Illinois Criminal Justice Information Authority.

<sup>2</sup> Bostwick, Lindsay & Ashley, Jessica. 2009. *Examining at-risk and delinquent girls in Illinois*. Chicago, IL: Illinois Criminal Justice Information Authority.

<sup>3</sup> This information was received from DJJ on 7/6/09 at a gathering organized by the juvenile re-entry collaborative.

Facility	Property Offenses	Drug Related Offenses	Crimes against People	Weapon Charges
Pere Marquette	14	0	7	0
Warrenville	32	4	41	0
TOTAL	46 <b>46%</b>	4 <b>4%</b>	48 <b>48%</b>	0

**\*\* Note:** *Youth have multiple committing offenses. In gathering this data, the most serious committing offense, or in case of a tie, a crime against a person was used.*

Girls from minority populations are over-represented in the Illinois juvenile justice system.

During 2005, the state of Illinois paid an average of \$70,827 per year to incarcerate each juvenile (IDOC 2005).

The Health Medicine Policy Research Group reported in April 2008 that: “Census figures provided by the CCJTDC [Cook County Juvenile Temporary Detention Center] illustrate that on any given day, approximately 55 girls (or 11 percent of the total population) reside at the CCJTDC. They are housed in 3 distinct units, each having 22 beds... [Data demonstrate] that girls are being detained at CCJTDC (or local county-run) detention facilities in increasing numbers from 2005 to 2006 with an estimated increase again in 2007.”<sup>4</sup>

About 75% of young women in the Cook County Temporary Juvenile Detention Center had a psychiatric disorder (Abram, et al., 2004).

**Key Point to Stress:**

According to ICJIA studies, “Girls were underrepresented at all stages of the Illinois juvenile justice system. However, girls’ system involvement was statistically more likely than boys’ to be for running away, retail theft, disorderly conduct, being a minor requiring authoritative intervention, contempt of court, and battery. Girls’ juvenile justice system involvement was statistically more likely to be for misdemeanor and petty offenses than boys’, except for misdemeanor status and noncompliance offense categories” (Bostwick & Ashley 2009).

OVERVIEW

*Girl’s involvement in violent activity*

For nearly every offense, girls engage in much less crime and juvenile delinquency than boys. National studies have found that when girls do offend, the rate at which they are being processed through the criminal legal system has increased dramatically over a very short time. Nationally, minor transgressions are being formally policed at an unprecedented rate (Schaffner, 2007).

<sup>4</sup> Illinois Criminal Justice Information Authority. (2003-2007). [Juvenile Monitoring Information System (JMIS)]. (2003-2006). Cook County Juvenile Temporary Detention Center. Unpublished raw data as cited in Cummings and McAlpine, 2008.

Over the past decade, a number of sensational reports have appeared in the media suggesting that girls are becoming more violent. Some have likened this to a moral panic akin to the 1990s depiction of young men of color as “super-predators.”

The key question is: *Are girls becoming more violent?*

Some recent statistics and media accounts seem to suggest that girls’ involvement in violence and crime is increasing. In addition, anecdotal evidence from educators and other professionals who work with youth also confirms this alleged trend.

Between 1980 and 2005, according to FBI statistics, arrests of girls increased nationwide, while arrests of boys decreased. Do these increases in arrests indicate real changes in girls’ behaviors, or are the increases a product of recent changes in public sentiment and enforcement policies that have elevated the visibility and reporting of girls’ delinquency and violence?

In a paper titled “Girls and Violence: Is the Gender Gap Closing,” Meda Chesney-Lind (2004) argues that three trends are responsible for an increase in arrests for girls’ violent behavior<sup>5</sup>.

**Relabeling** of girls’ status offense behavior into criminal behavior, which sometimes involves the arrest of girls involved in scuffles with family members for assault.

**Rediscovery** of girls’ violence by media and policy makers alike. Self-report data has consistently shown that girls engaged in more violence than arrest statistics indicated, in past decades. We simply did not arrest girls for this behavior, but that has now changed, due to policy shifts in enforcement.

**Upcriming** refers to policies (like “zero tolerance policies”) that have the effect of increasing the severity of criminal penalties associated with particular offenses. Related to “rediscovery,” this phenomenon also explains the racialized patterns of enforcement that are observed in the official juvenile justice data. Specifically, when you examine the consequences of labeling girls violent (increased detentions and referrals to court), it appears that certain communities, notably communities of color are being differentially impacted by this new concern about violence among girls.

Other researchers concur that it is not that girls have become more violent over time but that the policing of their behavior has grown exponentially. The Girl Study Group, a panel of experts charged with researching girls’ delinquency, suggests that in reviewing the evidence there is much more support for the argument that arrest trends are a by-product of changes in policing and arrest policy. These policy changes include:

- Zero tolerance policies in schools
- Domestic violence arrest policies
- Insufficient number of community placement alternatives for youth
- Less tolerant societal attitudes towards girls and young women.

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<sup>5</sup> Chesney-Lind, M. (2004, August). *Girls and Violence: Is the Gender Gap Closing?* Harrisburg, PA: VAWnet, a project of the National Resource Center on Domestic Violence/Pennsylvania Coalition Against Domestic Violence. Retrieved January 29 2010 from: [www.vawnet.org](http://www.vawnet.org).

**Key Point to Stress:**

Arrest trends in assaults are the driving force behind recent concerns about rising levels of female violence but those trends are not borne out in victim's reports. These findings support the policy change hypothesis – that avenues to prevent or punish violence have grown enormously and in ways that have affected female more so than male youth<sup>6</sup>.

### *Key Concerns for Girls in Custody*

**Challenges facing girls before detention and/or incarceration**

Sociologist Beth Richie has made the case that a key to understanding and responding to women as offenders is understanding their status as crime victims<sup>7</sup>. Laurie Schaffner (2007) extends this argument by suggesting that “young women adjudicated delinquent in juvenile court report suffering inordinate amounts of emotional, physical, and sexual trauma in early childhood and adolescence.”<sup>8</sup> She contends that “a disproportionate number of girls come into the juvenile justice system with family histories of physical and sexual violence and emotional neglect” (p.1229).

Substance abuse is often used as a means of escape for young women who have had to deal with victimization and trauma.

Ravoira & Lydia (2008) suggest that “male and female youth experience adolescence, trauma, relationships, peer pressure, cultural expectations and negative life experience in profoundly different ways” (p.10)<sup>9</sup>. They point out that girls are more likely to attempt suicide than young men as well as to present with higher rates of mental health problems and depression than boys. This is borne out in research of girls and young women in Illinois as well.

**Challenges facing girls while institutionalized**

Young women face many hardships and injustices in the juvenile justice system.

According to Ravoira & Lydia (2008):

“The traditional policies and practices of confinement – including use of isolation rooms, shackles, staff insensitivity, loss of privacy, strip searches, rules that prohibit contact with siblings and children, prohibitions on use of make-up/beauty products, and use of bright-colored jumpsuits to indicate a specific problem area (escape risk, anger issues, etc...) or male clothing –

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<sup>6</sup> *Trends in Girls' Violence and the Gender Gap: Analysis of Diverse Longitudinal Sources*. Powerpoint presentation by Darrell Steffensmeier of the Girl Study Group. <http://girlsstudygroup.rti.org>.

<sup>7</sup> Research on Women and Girls in the Justice System: Plenary Papers of the 1999 Conference on Criminal Justice Research and Evaluation – Enhancing Policy and Practice through Research, Volume 3. (September 2000). Office of Justice Programs. NCJ 180973.

<sup>8</sup> Schaffner, Laurie. 2007. *Violence Against Girls Provokes Girls' Violence: From Private Injury to Public Harm*. *Violence against Women*, volume 13 no. 12. Pp.1229-1248.

<sup>9</sup> Ravoira, Lawanda & Lydia, Vanessa P. (Fall 2008). *Translating Research Findings Into Effective Gender Responsive Services and Intervention for Girls in the Juvenile Justice System*. In *Impact: A Multidisciplinary Journal Addressing The Issues of Urban Youth*. Volume 2, No. 2.

can exacerbate girls' existing negative self-image, depression, an post-traumatic stress disorder, and may result in increased suicidal ideation and self-mutilation/self-harm" (p.10).

Little data have been collected on the psychological well-being of detained youth. Abram et al (2004) collected data between 1995 and 1998 regarding post-traumatic stress disorder (PTSD) among youth detained at the Cook County Temporary Juvenile Detention Center (CCJTDC). The research revealed that 84% of females in the center reported having experienced a trauma. The prevalence of trauma among girls in the center did not vary significantly across race. Girls 14 and older were more likely to report trauma histories (86.5%) than girls aged 10 – 13 (59.1%). The most common trauma that girls reported (63.5%) was seeing or hearing someone be killed or very badly hurt. 47.3% of females in the CCJTDC reported having been threatened by a weapon. About 14.7% of the detained female youth met the diagnostic criteria for PTSD, with rates highest among Latinas (16.9%), followed by Blacks (14.7%) and then Whites (10.5%). Many of the youth detained had experienced multiple traumas. The authors assert that few traumatized at-risk and detained youth are screened for PTSD, and few receive services, which could lead to chronic problems with PTSD and to other mental health and social problems. Abram and colleagues also note that the conditions of incarceration can make PTSD worse and that detention staff often respond to youth having psychiatric crises by using restraints and isolation, which can worsen anxiety, numb emotions, and increase aggression.

#### Prevalence of Trauma by Sex and Race/Ethnicity – Female Detainees<sup>10</sup>

	Total	African American	White	Hispanic
<i>Ever experienced any trauma listed</i>	84%	85.8%	76.8%	81.6%
<i>Ever been in a situation where you thought you/someone close to you was going to be hurt very badly or die?</i>	49.1%	47.0%	53.7%	55.2%
<i>Ever been attacked physically or beaten badly?</i>	30.9%	26.7%	32.6%	46.9%
<i>Ever been threatened with a weapon?</i>	47.3%	47.9%	36.8%	50.6%
<i>Ever forced to do something sexual that you did not want to do?</i>	29.6%	31.0%	27.4%	24.9%
<i>Ever been in a bad accident like a car crash?</i>	21.9%	19.0%	33.3%	27.9%
<i>Ever in a fire, flood, tornado, earthquake, or other natural disaster where you thought you were going to die or be seriously injured?</i>	10.6%	10.7%	8.4%	11.4%
<i>Other than one television/movies, ever seen/heard someone get hurt very badly or be killed?</i>	63.5%	65.2%	60.0%	58.1%
<i>Ever very upset by seeing a dead body/pictures of a dead body of someone you knew well?</i>	27.9%	30.2%	23.2%	21.0%

<sup>10</sup>Karen M. Abram, PhD; Linda A. Teplin, PhD; Devon R. Charles; Sandra L. Longworth, MS; Gary M. McClelland, PhD; Mina K. Dulcan, MD. Posttraumatic Stress Disorder and Trauma in Youth in Juvenile Detention. *Arch Gen Psychiatry*. 2004; 61: 403-410.

Incarcerated individuals have been shown to have disproportionately high rates of STDs, high risk sexual practices, and substance abuse. For some of this population, jail programs may be their only exposure to health care. There are 17 juvenile detention centers in Illinois. IDPH and the Chicago Department of Health had integrated STD screening and testing programs into many Illinois jails. In 2007, jails and prisons identified and reported 2 percent of reportable STDs in Illinois. For example, screening and testing programs at Cook County Jail and the Cook County Juvenile Detention Center identified 314 (1.4%) of the 22,181 Chlamydia, 94 (1%) of the 9,388 gonorrhea, and 4 (1.2%) of the 331 primary and secondary syphilis cases reported among Chicago residents in 2007. Because of the high rates of infection identified by STD screening programs for inmates, especially at juvenile detention facilities, the Department encourages and supports jail-based STD screening programs by providing laboratory testing and medications for the treatment of STDs at no charge. In 2007, STD screening and testing programs were supported by the Department of Public Health at 12 juvenile county and state detention facilities.

**Illinois Juvenile Jail STD Screening and Testing Program – Chlamydia and Gonorrhea Positivity Rates at Jails Submitting at least 25 Specimens by Sex and Provider, 2007<sup>11</sup>**

Facility	No. Tests	% Pos. Chlamydia		% Pos. Gonorrhea	
		Males	Females	Males	Females
Champaign County Juvenile Detention Facility/ Urbana	63	7.0	20.0	0.0	0.0
Cook County Juvenile Detention Center/ Chicago	4,363	9.4	17.1	2.2	8.5
Dupage County Youth Detention Center/ Wheaton	136	6.9	8.8	0.0	2.9
Illinois Youth Correctional Center (Males Only)/ Chicago	542	5.7	N/A	0.9	N/A
Illinois Youth Correctional Center/ Harrisburg	92	10.9	N/A	1.1	N/A
Mary Davis Home/ Galesburg	32	10.0	8.3	0.0	16.7
Peoria County Juvenile Detention Center/ Peoria	83	10.9	31.6	1.6	5.3
River Valley Juvenile Detention Center/ Joliet	318	7.5	11.1	0.4	3.2
Sangamon County Juvenile Detention Center/ Springfield	148	10.7	16.7	1.8	8.3
Vermillion County Juvenile Detention Center/ Danville	46	5.7	9.1	5.7	0.0

**Sexual Victimization of Adjudicated Girls in Illinois Juvenile Facilities**

According to a new study released by the Justice Department on January 7<sup>th</sup> 2010, **11.4 percent** of adjudicated female youth at Warrenville reported experiencing one or more incidents of sexual

<sup>11</sup> Illinois Department of Public Health. Sexually Transmitted Diseases in Illinois – 2007 Epidemiologic Summary and Yearly Trends Tables for 1998-2007 (May 2009).

victimization<sup>12</sup> by another youth or facility staff in the past 12 months or since admission, if less than 12 months (National Survey of Youth in Custody, 2008-2009).

6.8% of adjudicated female youth at Warrenville reported one or more incidents of sexual victimization by facility staff; while 11.4 percent reported one or more incidents with another youth.

**Table 1.** *Percent of Illinois adjudicated female youth reporting sexual victimization, by facility, National Survey of Youth in Custody, 2008-09*

Facility name	Number of respondents <sup>13</sup>	Response rate	Percent of youth reporting sexual victimization		
			Percent	95% confidence interval	
				Lower bound	Upper bound
Illinois Youth Ctr. Warrenville <sup>14</sup>	28	51.6	11.4	4.8	24.7

**Table 2.** *Percent of Illinois youth reporting sexual victimization by another youth, by type of incident and facility, National Survey of Youth in Custody, 2008-2009*

Facility name	Percent of Illinois youth reporting victimization by another youth					
	All youth-on-youth			Nonconsensual sexual acts		
	Weighted percent	95% confidence interval		Weighted percent	95% confidence interval	
		Lower bound	Upper bound		Lower bound	Upper bound
Illinois Youth Ctr. Warrenville <sup>15</sup>	11.4	4.8	24.7	6.8	2.3	18.2

**Table 3.** *Percent of Illinois youth reporting staff sexual misconduct, by type of incident and facility, National Survey of Youth in Custody, 2008-2009*

Facility name	Percent of Illinois female youth reporting staff sexual misconduct					
	All staff sexual misconduct			Sexual acts excluding touching		
	Weighted percent	95% confidence interval		Weighted percent	95% confidence interval	
		Lower bound	Upper bound		Lower bound	Upper bound
Illinois Youth Ctr. Warrenville <sup>16</sup>	6.8	2.3	18.3	2.2	0.6	8.4

<sup>12</sup> Sexual victimization is defined as any unwanted sexual activity between youth and all sexual activity between youth and staff.

<sup>13</sup> Sexual victimization survey – portion of the National Survey of Youth in Custody (2008-2009)

<sup>14</sup> Facility houses females only

<sup>15</sup> Facility houses females only

<sup>16</sup> Facility houses females only

**Table 4.** Percent of Illinois youth reporting staff sexual misconduct, by use of force and facility, National Survey of Youth in Custody, 2008-2009

Facility name	Percent of Illinois youth reporting staff sexual misconduct excluding touching <sup>17</sup>					
	Force reported			No report of force		
	Weighted percent	95% confidence interval		Weighted percent	95% confidence interval	
		Lower bound	Upper bound		Lower bound	Upper bound
Illinois Youth Ctr. Warrenville <sup>18</sup>	2.2	0.6	8.4	0.0	0.0	8.0

### Issues and Questions

1. Lots of unnecessary incarceration— status offenders are disproportionately girls in Illinois and they are also often incarcerated for technical violations. Therefore girls are often incarcerated for less serious offenses than boys. The response to girls’ offending is more punitive than treatment-oriented.
2. What is happening to girls in Illinois while they are actually detained and/or incarcerated in various facilities? What do we know empirically about their treatment while in custody? Researchers have suggested that standard procedures such as body searches, restraints, and isolation can lead to re-triggering for trauma survivors and therefore have a disproportionate impact on girls who are more likely to have a legacy of abuse and trauma.
3. Programs that address the needs of girls in custody in Illinois are almost non-existent. Ravoira & Lydia (2008) maintain that there is a need for gender-responsive programs and services designed to target the individual needs of girls. The CCJTDC (Audy Home) now has a director of gender-responsive programming. We need more information about this. Girlslink exists – what’s happening with that?
4. Nobody knows what best practices are for interventions with this group of young women. This is a national problem brought to light by the Girls Study Group that has been tasked by the Federal government with researching issues related to girl’s delinquency. What does it mean to provide gender-responsive<sup>19</sup> programming in practice in juvenile justice systems?
5. Young women also possess a lot of assets and resilience. How are these deployed in the lives of young people in trouble with the law? YWEP’s research seems to provide a window into this.

<sup>17</sup> Weighted percent of youth reporting one or more incidents of sexual victimization involving facility staff in the past 12 months or since admission to the facility, if less than 12 months.

<sup>18</sup> Facility houses females only

<sup>19</sup> The National Institute of Corrections provides the following definition: Gender-responsiveness means creating an environment through site selection, staff selection, program development, content, and material that reflects an understanding of the realities of women’s lives and addresses the issues of the participants. Gender-responsive approaches are multidimensional and are based on theoretical perspectives that acknowledge women’s pathways into the criminal justice system. These approaches address social (e.g. poverty, race, class, gender inequality) and cultural factors, as well as therapeutic interventions. These interventions address issues such as abuse, violence, family relationships, substance abuse, and co-occurring disorders. They provide a strength-based approach to treatment and skills-building. The emphasis is on self efficacy (U.S. Department of Justice, National Institute of Corrections, 2005).