



THE TROUBLE WITH DELINQUENT GIRLS

JUVENILE JUSTICE SERVICE PROVIDERS TREAT GIRLS INEQUITABLY

Girls and boys in the juvenile justice system are typically treated quite differently. There are a variety of general gender distinctions both in *pathways to lawbreaking* and *responses to these juvenile lawbreakers*. Moreover, these gender differences in pathways and systemic responses are almost exclusively to the disadvantage of girls. Research on juvenile delinquency shows that both historically and currently, girls are overall processed far more seriously than boys for delinquency, particularly status crimes (Chesney-Lind & Shelden, 1992). The processing and institutionalization of African American girls is particularly unfair (see Young, 1994).

There is an abundance of research highlighting sexism regarding the increased likelihood of girls being institutionalized for status offenses. In addition, the conditions of female delinquents' institutions are considerably worse than boys' (Chesney-Lind & Shelden, 1992), and delinquent girls experience additional risks of sexual victimization by male staff and other inmates (Chesney-Lind & Rodriguez, 1983). Similar to women's prisons, female delinquent institutions often serve to reinforce traditional gender roles and perpetuate stereotypes (Gelsethorpe, 1989). Typically, girls are rewarded for feminine behavior and punished for being assertive or behaving like "tomboys" (Belknap, et al. 1997; Gelsethorpe, 1989).

Chesney-Lind (1973, 1974) documented how girls are more likely than boys to be picked up and labeled for status offenses. Whether the "offense" was consensual sexual activity or not, there has been a historical preoccupation with women's and girls' "promiscuity"—a term we never see applied to males—in meting out justice (and this is true for both female offenders and female rape victims). Chesney-Lind's (1973, 1974) early work documented how female status offenders, regardless of their charged offenses, were frequently given gynecological exams to determine whether they were virgins. (Given that such exams were often against their will, they qualify for our definition of rape (see Belknap 1996).) If these delinquent girls were deemed sexually active from these exams, further charges were brought against them. Unfortunately, a preoccupation with female "promiscuity" still exists (see, for example, Chesney-Lind & Shelden, 1992; Sanday, 1996).

PARENTS TREAT DAUGHTERS INEQUITABLY

Researchers have documented that both parents and workers in the juvenile and criminal "justice" systems respond differently to girls and boys, usually to girls' disadvantage. For example, parents generally have stricter rules for their daughters than their sons in setting curfews, the consequences of violating curfews, drinking alcohol, using drugs, being sexually active, and other activities. Moreover, parents respond more seriously to daughters than sons who have violated "house" rules, and are more likely to turn their daughters than their sons into the police for the same activities (Chesney-Lind & Shelden, 1992).

WHY DO GIRLS BECOME LAWBREAKERS?

One of the most important findings in criminological research in recent years is the distinct gender differences in "pathways" to law breaking (Arnold, 1990; Chesney-Lind & Rodriguez, 1983; Daly, 1992; Gilfus, 1992; Lake, 1993; Silbert & Pines, 1981). Although girls and boys have some of the same pressures in their lives, and sometimes the same access to learning criminal behavior, the reality is that the reasons girls and boys turn to crime are often quite different. In particular, the scholars noted above have documented how girls' abusive histories, frequently including incest, are often related to their getting into crime.

Empirical research demonstrates that many of the girls involved in the juvenile justice system are survivors of sexual and physical abuse. Chesney-Lind (1989) has written that daughters are referred to court by parents more often than sons. One reason girls have conflict with their parents is related to physical and sexual abuse within the family which is a more common occurrence for girls than boys, starts at an earlier age, and lasts longer. Studies of girls on the streets or in the courts show high rates of abuse (Silbert and Pines, 1981; Mouzakitas, 1981; Phelps et al., 1982; McCormack, Janus, & Burgess, 1986; Reich & Gutierrez, 1979; Chesney-Lind & Rodriguez, 1983; Widom, 1988).

Dembo, Williams and Schmeidler (1993) collected data on 399 male and female youth entering a juvenile detention center. Females were more often sexually victimized and had higher rates of referral to juvenile court for being sexually abused/exploited. Sixty-

one percent of females were sexually victimized at least once in their lives. The results are consistent with the view that the girls' problem behavior commonly relates to an abusive and traumatizing home life, whereas the boys' law violated behavior reflects their involvement in a delinquent lifestyle. A seriously troubled home life appears to be a more significant factor in female delinquency.

This is certainly not to say that all sexually abused girls become delinquents, nor is it to say that all delinquent girls are sexual abuse survivors. It is important to note, however, that incarcerated females report disproportionately high rates of sexual abuse compared to their counterparts in the community. For example, a review of research on the prevalence of child sexual abuse among community (non-institutionalized) samples found that prevalence rates ranged from 5 to 45 percent (Wyatt, Newcomb & Riederle, 1993). On the other hand, Chesney-Lind and Shelden's (1992) review of similar studies on delinquent (non-community) girls reported a range of physical and sexual abuse rates from 40 to 73 percent, and Dembo and his colleagues found that 65 percent of female (and 24% of male) juvenile detainees reported sexual abuse victimization (Dembo et al., 1992).

Other factors, outside of or in addition to family physical and sexual abuse have been found to be related to girls' delinquency. Sommers and Baskin (1994) report that neighborhoods with a high concentration of poverty, dropping out of school, getting in with the "wrong" crowd, and stranger-perpetrated physical and sexual abuse all may contribute to female delinquency. Chesney-Lind and Shelden (1992, p. 98) suggest that in order "to explain delinquency among girls it is necessary to begin considering the importance of gender stratification in a patriarchal society, especially because it is so important in shaping the daily lives of boys and girls." Regarding mental health and its relationship to female delinquency, girls are at increased risk for internalizing problems, which are frequently manifested by withdrawal, depression, emotional problems, and self-destructive behaviors (Dembo et al., 1993; Wells, 1994; Widom, 1989).

It is also important to recognize that "good" and well-intentioned parents can have delinquent daughters (and sons). Although "good" parenting decreases the likelihood of offspring offending, it is no guarantee. Upheavals in a child's life, such as changing schools, moving, the death of a family member or friend, and parents' divorce can all increase the risk of delinquent behaviors and "acting out" (see, for example, Farrington, 1994). Understandably, both delinquent behavior *and* dealing with the juvenile processing system can be very

frustrating for parents who have been dedicated to raising law-abiding children. It is important, however, for a parent to try to maintain or reestablish a close relationship with the delinquent child despite the frustration the delinquency has caused. Clearly, some parents of offending girls have exercised extreme patience and love in attempting to see their daughters through drug and other delinquency problems, and even this is not always successful in stopping their daughters' offending.

In our own research on delinquent girls, the overwhelming need that the girls reported was *respect* (Belknap, Dunn & Holsinger, 1997). They wanted respect from their parents, friends, teachers, police officers, social workers, and institutional staff. Most of these girls needed someone who "believed" in them. Mary Pipher (1994) convincingly argues how some girls' delinquency is an attempt to rebel and separate from their parents. Pipher stresses the importance of family bonds and recommends politicizing rather than pathologizing families in order to enable girls to more effectively stand up to the sexist and negative effects of the culture and to help girls learn positive ways to be independent.

THE TYPICAL STORY OF SEXUALLY ABUSED DELINQUENT GIRLS

It is also necessary to tackle head-on the devastating effects of family abuse for some girls, and how for some it is the beginning of their "road" to crime. The story usually goes something like this: the girl is sexually abused by her father or stepfather, the girl runs away from home to escape the abuse, the girl turns to prostitution to survive, the girl turns to drugs as "self-medication," and the girl turns to selling drugs to support a drug habit or to make money to live. Anywhere in here the girl might have become a woman, and anywhere in here the girl might have been processed by the juvenile or criminal justice system. Additionally, if the girl (or woman) is African American, Hispanic, or Native American, her chances of being formally processed and labeled "delinquent" increase.

Of course there are variations in this theme. In many cases the abuse is nonsexual physical abuse in addition to or instead of the sexual abuse. And, like the sexual abuse, much of this abuse is extreme and severe. There are girls, runaways and non-runaways, who get involved with abusive men—often twice their age or older—who get them hooked on drugs, committing robberies, and prostituting. There are girls who learn to use drugs in their own homes from their parents, who can't remember a time period when they didn't see their parents using drugs. (In our own work we witnessed this

more often among Anglo than African American girls, contrary to popular stereotypes.) When institutionalized, these girls have understandable fears about how they are going to stay off drugs when they are released back into these same homes—the homes where they were abused and/or where their other family members use drugs on a daily basis. It is even more puzzling to try to understand why the abusive and drug using parents are at home while their daughters are institutionalized as “delinquents.”

The same system that can't seem to find a way to do anything about their sexually abusive fathers and stepfathers, sometimes determines that the best holding place for girls whose only offense is running away from victimization, is some type of juvenile delinquency institution (Chesney-Lind & Shelden, 1992). While many mothers act quickly to protect their children upon learning of their abuse, others are aware of their daughters' victimization and fail to protect them from their abusers. There are girls whose mothers have been given the options “either move away from or kick out the sexually abusing father/stepfather/mother's boyfriend, or your daughter is going to be taken away,” whose mothers have opted for living with their daughters' sexual abusers.

We have talked to some of these girls and their stories are heartbreaking (Belknap, Dunn, & Holsinger, 1997). One girl in this situation talked in a detached manner about how her mother had chosen to live with her new boyfriend (over living with her daughter), knowing the boyfriend had sexually abused her. The night before the daughter was supposed to go to her new foster home (since her mother wouldn't boot out her abuser), the daughter went out with friends and, in a rage, committed a violent crime.

The recent concern in the media (which is an ongoing, cyclical concern) about the “new” (read violent) female offender may once again be exaggerating the violence among these girls. (Our research suggests that their violence levels haven't risen any more than boys, overall.) This is not to say, however, that some of them aren't extremely violent. Many of the institutionalized girls we interviewed were very angry, usually understandably, about their life situations. They were angry about the constant abuse and degradation they experienced in their homes, schools, and communities. They were angry about how they had been treated by police, judges, and correctional staff. And they were angry that the violence they *witnessed* was an everyday part of their lives. We were continually amazed at the accounts of watching a father murdered by an uncle, a brother shot, and so on. The fact that more of the girls are

not violent is more puzzling than that some of them *are* violent.

INCREASED RISK OF FUTURE BATTERING

While these girls' abusive histories may not justify or excuse their offending activities, particularly the violent crimes, they certainly make them more understandable. Even more importantly, they point to the need to identify these high-risk girls *before* they have gotten on the pathway to law breaking, or at least attempt effective intervention when they are first formally processed. In addition to the nonsexual and sexual physical abuse these girls receive in childhood increasing their likelihood of offending, this childhood abuse also places them at increased risk of being battered by their intimate male partners (i.e., husbands and boyfriends).

Moreover, research has documented how many of the women imprisoned in the United States today are there for crimes directly related to their battering (e.g., Daly, 1992). There are batterers who coerce women to commit crimes (e.g., carry or sell drugs), threatening to beat them if they don't comply. Prisons across this country hold women who have killed their batterers in self-defense or hired someone to do so in attempts to get away or save their children from abuse (Browne, 1987). *In short, then, girls' and women's victimizations and offending are often cyclical in nature, and very much related to each other.*

Currently, there is little available for delinquent girls, or even non-delinquent girls who have run away from abusive homes (Wells, 1994). The root of their problems rarely seems to be very important to anyone. Further, we have juvenile and criminal “justice” systems that are frequently overburdened and unable to deal with these problems—and so the girls lose.

But it is not just the girls who lose. Warehousing these girls in delinquent institutions that fail to give them the counseling, educational, athletic, vocational and health services they need, usually results in them being in and out of court, prison, and mental health systems for a good portion of their lives—and warehousing costs a lot of money. More importantly, this warehousing “breeds” crime. These girls often have children at some point, and their children are usually placed in foster homes or are relinquished for adoption, or are moved about from one “home” to another, often separated from their siblings as well as their mothers, in turn placing *these children* at risk for offending. (Not to mention the lack of appropriate prenatal care involved in most of these delinquent girls' pregnancies.)

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So if it is not out of concern for these girls' lives, change needs to occur simply because it makes more fiscal sense and more compassionate responses will have a more significant impact on actually deterring crime. These girls deserve more in terms of services, responses, and intervention earlier in their lives, when things first start going wrong for them. This is not only the most humane response to this problem, but it makes the most fiscal sense and it is the response most likely to deter crime.

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