**Coordinating Council on Juvenile Justice and Delinquency Prevention**

**Quarterly Meeting**

**September 14, 2012**

**U.S. Department of Justice, Office of Justice Programs**

 **810 Seventh Street NW, Washington, DC 20531**

**Abstract**

At the September 14, 2012, quarterly meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention (Council), Council members heard presentations and participated in discussions about at-risk and delinquent girls. The first panel described the risk factors and needs of girls at the margin. Panelists were Lawanda Ravoira, Director, National Girls Institute (moderator); Barbara Guthrie, Associate Dean for Academic Affairs and Associate Professor, Yale School of Nursing; Malika Saada Saar, Executive Director, Human Rights Project for Girls; and Terri Yellowhammer, Native Streams Institute Education Development Center.

Then Council members heard a second panel presentation on girls’ pathways to success. Panelists were Lawanda Ravoira (moderator); Danielle De Land, National Crittenton Foundation; Withelma “T” Ortiz Walker Pettigrew, Member, Board of Directors, Human Rights Project for Girls; Jeannette Pai-Espinosa, President, National Crittenton Foundation; and Francine Sherman, Clinical Professor and Director, Juvenile Rights Advocacy Project, Boston College Law School.

Following the panel presentations, Pam Rodriguez, Practitioner Member and President of TASC, Inc., facilitated a discussion of panelists’ comments and Federal agency coordination around girls’ issues.

Finally, Council members heard updates from two member agencies. Deputy Director Ben Tucker of the Office of National Drug Control Policy described that agency’s National Youth Anti-Drug Media Campaign, “Above the Influence,” and showed a video made by one Tribal girl. Staff of the Office of Juvenile Justice and Delinquency Prevention described the 2012 National Intertribal Youth Summit.

No action items emanated from the meeting.

**Meeting Summary**

**Welcome and Opening Remarks**

***Mary Lou Leary, Acting Assistant Attorney General, Office of Justice Programs (OJP), U.S. Department of Justice (DOJ); Melodee Hanes, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP)***

Mary Lou Leary convened the quarterly meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention (Council) and welcomed attendees. She announced that Attorney General Eric H. Holder, Jr., was unable to attend and conveyed his regrets for missing the meeting. She reviewed the meeting agenda, which focuses on girls involved in the juvenile justice system and those at risk of becoming involved. She observed that the Council focused on this issue at its March 2000 meeting led by then Attorney General Janet Reno. At that time, the Council highlighted the lack of gender-specific programming in human and correctional services. She said that much has been accomplished in the past 12 years, but challenges remain.

Melodee Hanes reported on some of OJJDP’s accomplishments since the 2000 meeting. That meeting led to the creation of the National Girls Study Group, a multidisciplinary, multiyear research effort focused on understanding and responding to girls’ involvement in delinquency. The Girls Study Group developed a number of resources, which are available on OJJDP’s Web site. In addition, OJJDP partnered with the National Council on Crime and Delinquency to establish the National Girls Institute (NGI). She said that OJJDP looks forward to discussing with its Federal partners how to better serve girls.

**Girls at the Margin: Risk Factors and Needs**

***Lawanda Ravoira, Director, National Girls Institute (Moderator); Barbara Guthrie, Associate Dean for Academic Affairs and Associate Professor, Yale School of Nursing; Malika Saada Saar, Executive Director, Human Rights Project for Girls; Terri Yellowhammer, Native Streams Institute Education Development Center***

Lawanda Ravoira reported that NGI is a research-based training and resource clearinghouse designed to advance understanding of girls’ issues and improve program and system response to girls in the juvenile justice system. In 2011, NGI held 64 listening sessions involving more than 600 stakeholders in diverse communities across the Nation. Participants included at-risk or justice system-involved girls, their parents/caregivers, and professionals across the continuum of services. Key findings and recommendations from these listening sessions are summarized in *Voices from the Field.* Recommendations include establishing an information clearinghouse, including the voices of girls, breaking down the “silos” between agencies and organizations, and a number of others. The report is available at [nationalgirlsinstitute.org](http://www.nationalgirlsinstitute.org). Dr. Ravoira observed that this Council meeting provides an opportunity to discuss how Federal agencies can come together to strategically address the multiple and complex needs of girls in the justice system.

Barbara Guthrie stated that minority girls are disproportionately detained in the justice system. Among girls, African Americans are three times, Latinas are two-and-a-half times, and American Indians are four times more likely to be incarcerated than white girls as a result of behaviors that may or may not be criminal in nature. Minority girls who enter the juvenile justice system are likely to be poor, reside in underserved communities, attend low-achieving schools, lack health insurance, and have unmet health needs including asthma, obesity, early sexual experiences, mental health issues, and food insecurity. Dr. Guthrie called for a human rights, healthcare-based approach for girls in correctional facilities that includes the right to the highest attainable standards of health, the right to access health care and treatment, and the right to measures tailored to address the particular issues faced by these girls. She emphasized the need for longitudinal data identifying preexisting health conditions, the need for a standard of care provided by professionals who work with these girls, and the need for community-based intervention and reentry services.

Malika Saada Saar observed that sexual and/or physical abuse is a predictor of girls’ involvement in the juvenile justice system. Whereas, for boys, the school-to-prison pipeline is the path to juvenile detention, for girls, the path is often the sexual violence-to-prison pipeline. When girls run from abusive homes, they are detained for nonviolent offenses such as loitering, truancy, being runaways, and substance abuse. In addition, these runaway girls are vulnerable to traffickers who promise to take care of them; these girls become commodities and are sold for sex. When arrests are made, it is usually the girl who is arrested and detained for prostitution rather than the customer or the trafficker. She observed that these girls, who are victims and in need of services, are criminalized for suffering violence and trauma. She called for trauma-informed, community-based, gender-specific alternatives to detention for exploited girls.

Terri Yellowhammer said that American Indians have disproportionate rates of entry into the juvenile justice system, with Native girls entering at four times the rate of white girls. She made several recommendations for working with Native girls in the justice system including recognizing the unique challenges faced by American Indians (e.g., historical trauma, high rates of domestic violence and child abuse, high rates of depression, and the disconnect between youth-serving agencies); recognizing cultural practices that are being restored (e.g., language revitalization, storytelling, and rites of passage ceremonies); conducting needs assessments and providing individualized wraparound services (e.g., chemical dependency and mental health services); and exploring evidence-based practices.

**Discussion**

Dr. Ravoira asked for suggestions on how to ensure quality care for girls. Dr. Guthrie responded that it is important to have continuity of care (such as a mechanism to share health history data between systems) for justice-involved girls. In addition, she observed that there is a need to standardize requirements for individuals who provide medical services for these girls.

Dr. Ravoira asked for suggestions about the role Federal agencies can play to address the sexual violence-to-prison-pipeline. Ms. Saada Saar said that the Federal government should emphasize community-based, trauma-informed, comprehensive alternatives to incarceration.

Dr. Ravoira asked for suggestions on how the Federal government can help improve data collection on American Indian girls. Ms. Yellowhammer responded that, because many Native communities are small, national studies such as Child Trends overlook American Indians because sample sizes are “statistically insignificant.” She referred meeting participants to *Shattered Hearts,* a report recently released by the Minnesota Indian Women’s Resource Center on the commercial sexual exploitation of American Indian women and girls. She commented that these young women are not prostitutes but victims of childhood sexual abuse and generational trauma.

**Girls’ Pathways to Success**

***Lawanda Ravoira (Moderator); Danielle De Land, National Crittenton Foundation; Withelma “T” Ortiz Walker Pettigrew, Member, Board of Directors, Human Rights Project for Girls; Jeannette Pai-Espinosa, President, National Crittenton Foundation; Francine Sherman, Clinical Professor and Director, Juvenile Rights Advocacy Project, Boston College Law School***

Francine Sherman spoke about the structural gender bias built into the juvenile justice system and its harmful impact on girls—particularly minority girls. For example, among detained girls, more than one-third are detained for status offenses or technical violations of probation. She said that the Federal government can play a critical role in directing local jurisdictions to change policies and practices to ensure that girls in the juvenile justice system are treated fairly. For example it can encourage local jurisdictions to critically examine their practices for gender impact, collect and analyze local data, and identify areas where girls are at a disadvantage; in addition, it can provide technical assistance on program development, on reducing these disadvantages, and on understanding the full range of issues that girls face. Data should be collected by gender and race/ethnicity, and data collection should focus on key decision points such as arrests for prostitution-related crimes, arrests for domestic battery, and detention for minor offenses and technical violations or status offenses. She cited efforts to address gender bias in Washoe County, NV. Nevada’s mandatory arrest policies for domestic violence did not distinguish between juveniles and adults; teenage girls were disproportionately impacted by these policies, and large numbers were detained for domestic battery. Nevada changed its law to differentiate between minors and adults and to encourage involvement of family services rather than detention. As a result, the number of girls in detention has dropped significantly.

Danielle De Land shared her personal story. Raised by a physically abusive father, at age 14 she was running away, truant, using alcohol and drugs, depressed, and suicidal. She was placed in the Crittenton Home in Jackson, MI, where she received medical services, therapy, and support and she flourished. She credits Crittenton Services for helping her get her life back on track. Today, at age 36 she has a successful career as a physical fitness instructor, a news reporter, and a disk jockey. She emphasized that girls who are victims of violence need support and services to help them heal rather than incarceration.

“T” Pettigrew shared her story. She was subjected to commercial sexual exploitation from the ages of 10 to 17. During these years she was criminalized for being a victim of child sex trafficking. She was incarcerated twice, charged with loitering, solicitation, and prostitution. While incarcerated, she received no assessment or therapeutic services. Today, at age 23, she is an advocate for girls who have been sexually victimized. She posed several recommendations for systems that interface with victims of trafficking: provide community-based alternatives to detention; provide sensitivity training to law enforcement officers; provide trauma-informed, gender-specific services; expand access to family justice centers, which provide assessment and comprehensive services to victims of childhood sexual exploitation; and provide vocational, educational, and other needed followup services after release.

Jeanette Pai-Espinosa reported that the National Crittenton Foundation works with marginalized, traumatized, at-risk girls in 31 States and the District of Columbia. She cited data on girls and trauma from the Centers for Disease Control and Prevention’s Adverse Childhood Experiences (ACE) Study. Of the 9,000 women who participated in this national study, 15 percent reported a score of 4 or higher (meaning they had experienced 4 or more of 10 possible categories of exposure to childhood trauma). The Crittenton Foundation’s 2012 ACE survey pilot found that 53 percent of the young women served by Crittenton agencies and 72 percent of respondents in juvenile justice reported a score or 4 or higher. Crittenton hopes to use this data to improve and tailor its services. Ms. Pai-Espinosa made several recommendations regarding working with traumatized girls: provide developmentally appropriate, culturally responsive, strengths-based, trauma-informed services; hire staff who are committed to supporting the needs of girls; intervene as early as possible; provide support services such as trauma counseling and substance abuse services; and help these girls believe that they can have a better life.

**Discussion**

Ms. Ravoira asked the panel to identify policies and practices that Federal agencies could help change to reduce gender bias in the juvenile justice system. Ms. Sherman responded that Federal agencies should require local jurisdictions to collect data by gender and race/ethnicity in areas where we know gender bias is embedded in the system.

**Panelists’ Comments and Discussion of Federal Agency Coordination**

***Pam Rodriguez, Practitioner Member and President, TASC, Inc. (Facilitator)***

Pam Rodriguez opened the floor for discussion about how Federal agencies can work together to address the needs of girls in the juvenile justice system and those at risk of becoming involved.

Judge Trina Thompson (practitioner member) commented that Alameda County, CA, sought to create a medical and educational passport for children, but they faced privacy issues related to the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA). She asked the panelists how they would suggest dealing with this issue. Dr. Guthrie responded that she advocates for secure servers accessible by the systems that interact with girls. Ms. Sherman suggested that juvenile justice facilities contract with a community-based healthcare provider network, which can create a more seamless healthcare system.

Ms. Leary asked Ms. Pettigrew how she got out of her involvement in commercial sexual exploitation. Ms. Pettigrew responded that her exploiter was placed behind bars, and she was lucky enough to connect with a community-based, alternative-to-detention program where she earned her high school diploma.

Ms. Rodriguez asked the panelists if a criminal record has impacted their opportunities. Ms. De Land said that she was placed in Crittenton rather than juvenile detention, so she did not have a record. Ms. Pettigrew said that her juvenile records had been sealed, which was helpful. However, at age 14 she was arrested as an adult, and she has no power to expunge that charge. She suggested changing policies to avoid punishing victims of commercial sexual exploitation. Dr. Ravoira added that this is an important issue. Many young women who are trying to turn their lives around have a criminal record for something they did at age 14; this prevents them from getting certain jobs, working with children, receiving scholarships, etc. She observed that the Federal government can provide guidance for States regarding waivers for young people who want to turn their lives around. Melodee Hanes asked which records follow these young people. Ms. Ravoira responded that policies vary among jurisdictions, but potentially juvenile justice records, municipal court records, and waivers to adult court can follow young people throughout their lives. Ms. Sherman added that a criminal record can also affect a family’s ability to get housing. Ms. Leary asked if there are publications or suggested guidelines regarding expunging juvenile records. Ms. Pettigrew responded that California is working on a bill to expunge the term *prostitution* from records of girls who were trafficked.

Ms. Rodriguez asked about opportunities to improve the intersection between juvenile justice and child welfare. Ms. Yellowhammer said that American Indian communities have high out-of-home placement rates; she observed that the boarding school experience has led to poor parenting outcomes across generations. Today, Minnesota has an active Native American grandparents’ organization, and many children are being raised by grandparents. Ms. Saada Saar added that, just as the child welfare system offers a trauma-informed response to maltreated children, the juvenile justice system should provide a trauma-informed response to children entering the system—especially girls. When a girl is being trafficked, law enforcement’s protocol should be to take her to child welfare rather than criminalizing her behavior. DOJ can encourage local law enforcement agencies to establish such protocols, just as it did for children exposed to meth labs.

Dwayne Betts (practitioner member) asked how the Crittenton Foundation prepares young teenage girls for the workforce. Ms. Pai-Espinosa said that Crittenton emphasizes the value of education and the need to finish school. Most of the Crittenton agencies have a school on site or they work in partnership with schools in the community. Ms. Ravoira added that participants in the NGI listening sessions indicated that school is important but that often schools are not part of the dialog around girls in juvenile justice. She observed that the Federal government has an opportunity to coordinate these efforts to bring schools into this dialog. Ms. Rodriguez added that it is important to understand that, in school, girls and boys face different sets of risk and protective factors.

Bryan Samuels (Commissioner, Administration on Children, Youth and Families, U.S. Department of Health and Human Services [HHS]) made several observations. He noted that public schools lack an understanding of girls who act out and lack strategies and skills to work with at-risk girls. He added that school systems need to be educated about this issue so they can better meet the needs of these girls. It is essential for educators and those who interact with youth to understand the neurological impact of abuse on the developing brain and to provide support for children in the child welfare system who have experienced trauma. He observed that the child welfare and education systems often overlook the impact of maltreatment on the developing brain; they tend to respond more to externalizing rather than internalizing issues. He observed that both systems need to improve the way they respond to the needs of maltreated girls.

Gil Kerlikowske (Director, Office of National Drug Control Policy [ONDCP]) reminded participants that not all law enforcement agencies arrest young trafficked women. Many agencies work to help these girls and to arrest exploiters. Ms. Saada Saar agreed that there are excellent examples of law enforcement recognizing that sexually exploited girls are victims, but too often human trafficking is not seen as a problem for American-born girls. She observed that there is a need to train not only law enforcement officers but also judges and the public to ensure that these girls are not criminalized.

Dr. Guthrie observed that much of this conversation has been about reaction, and it is also important to talk about prevention. Inner cities, rural areas, and tribal communities lack the resources available in other communities, and youth from under-resourced communities are more likely to be exploited or find themselves in the juvenile justice system. Until more resources are devoted to prevention and family focus, this problem is not going to go away.

Evelyn Kappeler (HHS) asked the panelists about the unique needs of teen parenting and for suggestions about how to break this cycle. Ms. Pai-Espinosa said that often pregnant girls come to Crittenton agencies through the child welfare system. It is critical for agencies working with pregnant girls to understand the root causes of why these girls arrived at where they are in their lives (e.g., generations of bad parenting). She observed that young mothers are invisible, even though there are more young mothers than there are children in the juvenile justice system or adolescents in the foster care system. There is a need for intervention and prevention programs to help teen parents break the intergenerational cycle of violence, abuse, and neglect. Ms. Yellowhammer added that, given the lack of appropriate out-of-home placement opportunities in American Indian communities, there is a need for grandparents’ involvement and that these grandparents need to be supported to allow them to care for their grandchildren.

Pamela Rodriguez observed that resources and examples of successful programs and practices exist. She suggested that the Federal government can elevate this discussion to a national level and draw attention to the issues raised at this Council meeting so they become part of the conversation across Federal agencies, in local communities, and in institutions of higher learning.

**Agency Announcements and Updates**

**ONDCP**

Ben Tucker (Deputy Director of State, Local and Tribal Affairs, ONDCP) reported that ONDCP’s National Youth Anti-Drug Media Campaign, “Above the Influence,” engages youth and provides them with tools to stay away from drugs and alcohol. As part of the campaign, ONDCP partnered with MTV to create the “Unwasted Weekend” Challenge. Teens were invited to submit videos sharing how they would choose to spend a weekend without drinking or doing drugs. Several winners were selected to have their weekend captured on film and aired on MTV. Mr. Tucker showed a video vignette about one of the winners of this national contest, Stephanie Padilla of Isleta, NM. Stephanie organized a cultural preservation day to highlight her Native American culture. She brought tribal elders and school children from her community together so children could learn about their heritage and how to do traditional dances and crafts. Her message to youth in her community was to appreciate what makes their community unique, be willing to learn from their elders, and embrace and celebrate their culture. Mr. Tucker reported that feedback from teenagers about this video has been overwhelmingly positive. For more information about the media campaign, go to [abovetheinfluence.com](http://www.abovetheinfluence.com).

**OJJDP**

Jennifer Tyson, Kara McDonagh, and Sarah Pearson reported on the 2012 National Intertribal Youth Summit. On July 28 to August 2, OJJDP and numerous Federal partners convened approximately 165 young people from 53 tribal communities across the Nation for a 6-day summit at the 4-H Conference Center in Chevy Chase, MD. The summit provided a leadership forum where tribal youth could discuss critical issues facing them in Indian Country and allowed Federal officials from a variety of agencies to hear directly from the youth. The event included workshops, presentations, small group discussions, cultural exchange, physical activities, and numerous opportunities for tribal youth to interact with their peers. The “Meet the Federal Partners” session allowed staff from Federal agencies to meet one-on-one with the youth and for youth to introduce themselves and talk about their tribes.

**Summary and Meeting Adjournment**

***Mary Lou Leary and Melodee Hanes***

Ms. Hanes announced that the next quarterly meeting of the Council will be held Wednesday December 12 at 10 a.m. The Attorney General’s National Task Force on Children Exposed to Violence will present its findings and recommendations at the meeting. Agency heads will be invited, and representatives from Defending Childhood Initiative sites will be at the meeting.

Ms. Leary thanked panelists and meeting participants for a thought-provoking meeting. She announced that Federal staff, Council practitioner members, and presenters would meet at 1 p.m. She adjourned the meeting at 12:30 p.m.