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THE INTERSECTION OF GENDER, AGE AND CRIME

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INTRODUCTION

Today girls are entering the justice system at younger ages and for more violent offenses than in the past, when girls were more commonly arrested for nonviolent status offenses—curfew violations, running away or truancy. While juvenile crime has decreased overall, girls have come to comprise the fastest growing segment of the juvenile justice population in the United States. Of equal concern is that girls who break the law are often treated more harshly than boys who commit similar offenses. Due to a scarcity of community-based, gender-specific services for girls, as well as higher rates of homelessness and home instability among young women, girls are twice as likely as boys to be detained, and girls’ periods of detention last five times longer than those of boys. Girls are also less likely to be released for community supervision because they are less apt to show remorse in court and because they are more often perceived to have mental illness. However, girls moving through the courts share unique, serious, and, as of yet, largely unmet needs.

Nearly all girls in the criminal justice system are survivors of violence, and abused or neglected young women are twice as likely to be arrested for violent crimes than those who have not suffered abuse. Furthermore, young women have unique mental and physical health needs and face a higher risk of trauma and abuse while in custody than their male counterparts. Within the context of these disturbing trends and immediate needs, the Center for Alternative Sentencing and Employment Services (CASES) set out to create the first alternative-to-incarceration program for girls in New York City to prove that a well-designed, community-based sanction offers girls positive outcomes and offers the justice system a fair, effective, and promising sentencing option. The result, GirlRising, addresses the unmet needs

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* The first part of this title comes from a GirlRising participant’s poem.
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of court-involved girls by diverting them from incarceration and providing them with gender-responsive, youth development programming in the community. Entering its second year, GirlRising has diverted and served fifty-one court-involved girls. Although it has met challenges along the way, GirlRising is poised to effect systemic change in the community and criminal justice system that will improve the lives of the girls served.

This article describes the context, design, and development of GirlRising. Part I provides a description of CASES and alternative-to-incarceration programs in New York City. Part II examines the factors that have led to the increasing involvement of girls in the juvenile justice system and the unique pathways girls take into the system. Part III describes the GirlRising Program operations and successes, and the final section, Part IV, discusses future directions.

I. BACKGROUND: THE CENTER FOR ALTERNATIVE SENTENCING AND EMPLOYMENT SERVICES (CASES): NEW YORK’S OLDEST AND LARGEST ALTERNATIVE-TO-INCARCERATION PROGRAM

Alternative-to-incarceration (ATI) programs in New York City are important because they provide courts with meaningful sentencing options, outside of incarceration. ATI programs divert otherwise prison- or jail-bound offenders from the criminal justice system into non-residential programs that offer a wide-array of services such as literacy classes, individual counseling, job training, and drug treatment. A defendant’s criminal case typically remains open during their ATI sentence, and the ATI program remains accountable to the courts for the participants’ compliance. Non-compliance can, and often does, result in a return to the court system where a jail or prison sentence—sometimes longer than the original sentence the defendant was facing—is imposed.

The history of ATIs in New York City begins in 1967 with the Court Employment Project (CEP), a non-profit ATI that provides a wide-array of services to young felony offenders. For approximately fifteen years after the inception of CEP, other non-profit organizations began to operate ATIs, and by 1984 there were a number of ATI programs operating throughout the City with private funding. In 1984, the New York State Legislature changed the landscape of ATIs in New York and passed the New York State Classification/Alternative to Incarceration Law, thereby infusing the system with public funding and governmental oversight. The law was intended to generate long-

1. All factual information in this section that is not attributed to a particular source is supported by documentation on file with CASES.
3. Id.
4. Id. at 5-6.
term cost-savings for New York as prison populations swelled, and the expenditures associated with incarceration grew exponentially. The law acknowledged the criminal justice system’s need for a continuum of sanctions to accommodate all categories of offenses. Today, ATIs in New York City are operated by non-profit organizations in contract with the City Council and the Mayor’s Office, through the Office of the Criminal Justice Coordinator.

In 1989, five years after the Legislature passed the Classification/Alternative to Incarceration Law, the Court Employment Project (CEP) and Community Service Sentencing Project (originally initiated in the 1970s as an alternative to jail for adult repeat misdemeanor offenders) merged under one umbrella to create the Center for Alternative Sentencing and Employment Services (CASES).

CASES’s mission is to increase the understanding and use of community sanctions that are fair, affordable, and consistent with public safety. CASES seeks to fulfill this mission by creating programs that address the underlying causes of crime, such as poverty, homelessness, substance addictions, mental illness, poor education, lack of community support, and the inability to get and keep a job. Today, as the largest non-profit alternative-to-incarceration agency in New York State, CASES operates community programs for 4,400 adult and adolescent offenders annually. Nearly two-thirds of the adolescents served and more than 75% of adults successfully complete CASES programs.

CASES currently operates a total of seven programs: (1) Community Service Sentencing Project (CSSP), in which adult repeat misdemeanor offenders are mandated to complete seventy hours of unpaid labor at community-based organizations, instead of a jail sentence; (2) Treatment Readiness Program, where each year 2,500 adult first-time, low-level drug offenders participate in a two-day sentence incorporating HIV prevention and substance abuse education instead of a jail sentence; (3) The Nathaniel Project and The Exit Program, alternative-to-incarceration programs for, respectively, adult felony and misdemeanor offenders with serious and persistent mental illness; (4) Parole Restoration Project, in which technical parole violators with special needs are restored to parole and linked to community-based programs that serve their needs; (5) The School Connection Center, an admissions office for adolescents exiting custodial schools and re-entering the community; (6) The Community Prep High School, a transitional public high-school for adolescents exiting custodial schools and re-entering the community; and (7) The Court Employment Project (CEP), an alternative-to-incarceration program for young felony offenders from the Supreme and Family Courts (aged thirteen to eighteen).

5. Id. at 6.
6. CASES Evaluations (on file at CASES’s Policy and Planning Unit at CASES’s Central Offices, 346 Broadway, New York [hereinafter on file at CASES]).
CASES's programs have been recognized nationally. CEP won national awards for youth development programming from the Promising and Effective Practices Network (PEPNet) in 1999, the Juvenile Court Centennial Initiative (JCCI) in 2000, and the National Council on Crime and Delinquency in 2001. The work of the Nathaniel Project has been recognized by psychiatrists (a 2002 Special Achievement Award from the American Psychiatric Association), criminal justice professionals (the 2002 American Probation and Parole Association's President's Award), and county mental health directors (the 2002 Thomas M. Wernert Award for Innovation in Community Behavioral Healthcare).

CASES is constantly innovating, and has a dedicated Policy and Planning Unit to ensure that the agency is responsive to emerging issues in the criminal justice system. The organizational strategy for innovative program design is to take the principles and best practices from a variety of human service fields and make them available to under-served populations in the justice system. Moreover, CASES's innovation begins by recognizing trends within the juvenile and criminal justice systems and the needs of both offending populations and the judiciary. A recent example of such innovation is CASES's GirlRising, which seeks to address the unmet needs of court-involved girls by diverting them from incarceration and providing them with gender-responsive, youth development programming in the community.

Both external, or systemic, factors and internal observations led CASES to develop GirlRising. Our observations of the experiences of girls in the juvenile and criminal justice systems first inspired the agency to advocate for gender-specific and responsive services for girls in city government and the justice system. As a result, CASES was one of six agencies invited to serve on the New York City Council's Task Force on Court-Involved Girls. Our work in the Task Force, combined with internal observations and advocacy, culminated in the inception, in January 2002, of our pioneering girls-only alternative-to-incarceration program. Since its inception, GirlRising has developed in concert with participating young women to ensure the program is directly responsive to their needs and experiences and has given careful attention to girls' pathways into the system and their experiences within it. Today, GirlRising has diverted fifty-one girls from incarceration and placement in lock-down facilities.

II. THE ISSUE: A GROWING NUMBER OF GIRLS ARE ENTERING THE CRIMINAL JUSTICE SYSTEM AND THE SYSTEM DOES NOT HAVE AN ADEQUATE RESPONSE

Both external and internal factors led to the creation of GirlRising. Externally, the number of girls in the juvenile justice system was on the rise and girls were entering the system for more violent offenses. Yet, the system remained a few paces behind the changing population and was slow to revamp programming and policy designed
for what had been a predominantly male population. During this same time, CASES began to tailor its programs to carve out girls only activities and design programs that responded to girls' developmental issues and the particular pathways that brought them into the system. A confluence of these external and internal factors motivated CASES to design, implement and operate GirlRising.

A. External Factors: Increasing Involvement of Girls in the Justice System

While juvenile female offenders represent only a small fraction of the total juvenile offender population in the United States, their numbers have been growing over the past two decades.\textsuperscript{7} The following statistics illustrate this point:

\begin{itemize}
  \item In 1997, 26\% of young people arrested across the United States were female, whereas in 1960, they represented only 11\%.
  \item In 1997, females accounted for 17\% of detained juveniles, which was a 57\% increase since 1987 (compared with only a 35\% increase among boys).
  \item In 1996, among cases adjudicated by a juvenile court, 22\% of females were sent to residential placement and 54\% to probation.\textsuperscript{8}
\end{itemize}

Not only has female involvement in the juvenile justice system risen sharply over the last two decades, but the types of offenses girls commit have changed. In the past, most girls came into contact with juvenile courts for nonviolent status offenses, including curfew violation, running away from home, truancy and petty theft.\textsuperscript{9} Today, for example, girls in New York City are now most likely to be arrested for crimes such as robbery, aggravated assault, simple assault, dangerous weapons possession, and marijuana possession.\textsuperscript{10} In addition to girls entering the justice system for more violent offenses, they are also entering at a much younger age.\textsuperscript{11}

\begin{itemize}
  \item \textsuperscript{7} American Bar Association & National Bar Association, \textit{Justice by Gender: The Lack of Appropriate Prevention, Diversion and Treatment Alternatives for Girls in the Justice System} 1 (2001) [hereinafter \textit{Justice By Gender}].
  \item \textsuperscript{9} Anne Bowen Poulin, \textit{Female Delinquents: Defining Their Place in the Justice System}, 1996 Wis. L. Rev. 541, 544.
  \item \textsuperscript{10} State of N.Y. Division of Criminal Justice Services, Uniform Crime Reporting, Juvenile Arrest Report (1998).
\end{itemize}
To compound the problem, female arrest rates have continued to rise, even during periods where male arrest rates leveled off or declined. These upward trends show no sign of abating. Accordingly, as arrests have risen, so have commitments. In Fiscal Year (FY) 1995, 14% of admissions to detention in New York City were female. By FY 2000, that number had grown to more than 18%. In 1991, 9% of all youths placed with the Office for Children and Family Services (OCFS) for criminal offenses were girls. In 2000, 16% of all youths placed with OCFS for criminal offenses were girls.

A general consensus among academics has formed that the reason for the increase of girls in the system is due to: (1) a societal and systemic shift in how intra-familial conflict is perceived by law enforcement; (2) bias against girls in the processing of offenses—particularly lower level crimes; and (3) a general misunderstanding about girls’ pathways to delinquency. CASES considered all three factors when designing GirlRising and honed in on the developmental pathways girls take into the juvenile justice system to guide our planning efforts, which included an exploration into the particular needs of girls once they were in the system and an exploration into the experience of the girls who participated in our Court Employment Project.

1. Girls’ Pathways to Delinquency

Normal adolescence is itself a difficult developmental stage for girls. Physical changes of puberty coincide with enormous emotional and psychological changes as girls begin to differentiate from their families, redefine their relationships with nurturing adults, explore their sexuality, and assert their identity. When additional risk factors compound the inherent complexities of female adolescent development, a girl may find herself in crisis. Statistically, the factors that make girls most vulnerable to delinquency include:

- age of fourteen to sixteen years;
- low socio-economic status;
- ethnic minority status;
- history of poor academic performance;
- history of physical, sexual, and/or emotional abuse or exploitation;

13. Justice By Gender, supra note 7, at 1.
14. Data provided to CASES by New York City Department of Juvenile Justice.
15. Id.
16. Id.
17. Data provided to CASES by New York State Office of Children and Family Services.
18. Justice By Gender, supra note 7, at 3.
• history of drug and/or alcohol abuse;
• pregnancy/teen parenting;
• untreated physical or mental health needs; and
• a belief that life is oppressive and/or a lack of hope for the future.\(^{20}\)

A correlation has also been drawn between parental (typically maternal) incarceration and an increased likelihood that a young woman will get arrested.\(^{21}\) Girls in the juvenile justice system also often share a history of family fragmentation due to death, violence, incarceration and poverty.\(^{22}\) With these risk factors in mind, it is not surprising that most court-involved girls have interacted with other public systems—such as the child welfare system—or are simultaneously caught up with those systems during the pendency of their criminal trial.\(^{23}\)

Of these factors, leading academics have consistently identified victimization—physical, sexual, and emotional—as a primary determinant of the types and patterns of offenses typically committed by girls.\(^{24}\) The National Council on Crime and Delinquency’s 1998 multidimensional study of girls in the California juvenile justice system reported that 92% of the juvenile female offenders interviewed said they had been subjected to some form of emotional, physical and/or sexual abuse.\(^{25}\) In addition, 25% reported that they had been shot or stabbed.\(^{26}\)

Abuse, neglect and trauma are certainly not the sole province of girls. Yet central to any true appreciation of the pathways girls travel to delinquency is an understanding of the different ways girls and boys process emotional pain and respond to self-esteem and identity challenges.\(^{27}\) Indeed, a tremendous amount of trauma coupled with girls’ cognitive processes of internalization and repression to cope with that


\(^{22}\) Id. See also, Justice By Gender, supra note 7, at 6.

\(^{23}\) Id.

\(^{24}\) See e.g., Justice By Gender, supra note 7, at 3-4.

\(^{25}\) Id.

\(^{26}\) Id.

\(^{27}\) OJJDP, STATES REPORT, supra note 8.
trauma, often result in an increase in mental health needs. These needs "manifest themselves as depression, anxiety, low self-esteem, self destructive behavior, and lack of trust. The extent of mental health problems among girls in the juvenile and criminal justice systems is staggering. A 1997 study of boys and girls held in juvenile justice facilities found that 84% of girls needed mental health assistance, compared to 27% of boys." Against this backdrop, it became clear to the planning team at CASES that any program we designed needed to have the resources and expertise to address the multi-dimensional issues court-involved girls were coping with. Additionally, because girls are not a homogeneous group and because racial disparity permeates the juvenile justice system for both genders, it was crucial to also design a culturally competent program.

Yet, despite a growing recognition that girls travel different developmental pathways to delinquency than boys, there are only a few gender-specific programs nationwide and fewer still that offer culturally competent services for girls. Moreover, most of these programs are small, and, other than GirlRising, there are no ATI programs exclusively for girls in New York City.

28. Best Practices, supra note 11 ("During the teen years, when girls are transitioning to adulthood, unresolved issues from earlier stages of their development may come to a head. Incomplete bonding in infancy, sexual abuse in childhood, failed relationships with adults, and other problems can result in an inability to form positive relationships, lack of self-respect, ignorance of physical health and sexuality issues, and low self-image.").

29. Ginsburg, supra note 20, at 134 (citing GAINS Center, Adolescent Girls with Co-Occurring Disorders in the Juvenile Justice System 5 (1997)).

30. A recent report by the organization Building Blocks for Youth demonstrated that: African-American youth are six times more likely to be incarcerated than white youth; Latino youth are three times more likely than white youth to be incarcerated; and while minority youth represent 34% of the population in the United States, they represent 67% of all youth committed to public prisons in the United States. Moreover, African-American girls are the fastest growing segment of all court-involved youth, and are "more likely to enter juvenile justice from the child welfare system and be arrested (particularly for school and family disputes), detained (particularly for status offenses and probation violations), and committed to institutions and offered less effective post-institutional services than Caucasian girls." Marty Beyer, Delinquent Girls: A Developmental Perspective, in Legal & Social Welfare Issues of Girls & Adolescents, supra note 20, at 111 (Children's Law Institute ed., 2001).

31. Konia Freitas & Meda Chesney-Lind, Difference Doesn't Mean Difficult: Practitioners Talk About Working with Girls, 2 Women, Girls & Criminal Justice 65 (2001) ("Once girls are processed out of the juvenile justice system they are placed into programs that are modeled for delinquent boys. . . . A recent review of 'potentially promising programs' identified by the Office of Juvenile Justice and Delinquency Prevention cited 24 programs specifically for boys and only 2 programs specifically for girls."); see Sherman, supra note 20, at 59.

2. No Appropriate Response to Girls in the Justice System

Girls are in jeopardy within a juvenile justice system designed for and accustomed to boys. Their unique ways of coping with victimization and family/social pressures may preclude them from alternative sentencing options and increase their likelihood of failure in community supervision. In the experience of CASES's staff, family court judges who are considering whether to approve community supervision expect the offender to express remorse. While boys often do express remorse, girls in family court frequently appear to be defiant. CASES's court representatives and counselors have noted that girls typically wear "armor," and use a mask of defiance to hide their pain and confusion and to protect them from further victimization. In community settings where boys vastly outnumber girls, they continue to wear this armor, preventing the formation of positive relationships with peers and with program staff. Family court judges are also particularly concerned with whether a girl's family is prepared to provide her with the support she needs to succeed in an alternative-to-incarceration program, which, given that most girls have suffered sexual or physical abuse at home and/or home instability, mitigates against releasing them to an ATI.

Many court-involved girls have additional responsibilities as adolescent mothers. Girls participating in community supervision frequently fail to meet their court-mandated obligations because of childcare responsibilities—for their own children or for siblings and extended family members. In some cases, girls have said that their mothers told them they had to baby-sit rather than report to the program. Working directly with girls who are pregnant or mothers is an important, but often overlooked, aspect of programming both inside facilities and in alternative-to-incarceration programs.

33. CASES, Notes (on file with CASES).
34. Id.
35. Id.
36. Beyer, supra note 30, at 113 ("The families of female delinquents are more dysfunctional than those of male delinquents") (citing Scott Henggeler et al., The Family Relations of Female Juvenile Delinquents, 12 J. ABNORMAL PSYCHOLOGY 111 (1984)).
37. Id. at 127.
38. CASES, Notes (on file with CASES).
39. Hon. Cindy S. Lederman & Eileen Nexer Brown, Entangled in the Shadows: Girls in the Juvenile Justice System, 48 BUFF. L. REV. 909, 918 (2000) ("[I]t is important to remember that delinquent girls will become mothers—another reason that intervention is imperative. ... These babies [ ] follow the increased risk path as a result of maladaptive behavior of their child mothers. The cycle then continues at greater speed, with fewer years between the generations.").
B. *Observations Within CASES's Court Employment Project (CEP) That Led to the Creation of GirlRising*\(^40\)

In addition to the external, or systemic, factors discussed in the preceding section, observations within CASES also contributed to the development of GirlRising. CASES's own experience confirmed the cost of ignoring the unique needs of girls. Some of the reasons girls had given when dropping out of CEP, prior to GirlRising, included conflicting responsibilities at home (including child care), belief that the program did not help them, pregnancy, and hostile environment because of the large number of boys in the program.

Prior to GirlRising, the overwhelming majority of CEP participants were male. Female participants rarely constituted more than 10% of the program's active participants. They were assigned randomly to a case manager, which meant that not all case managers had female participants on their caseloads. Those case managers who did have female participants had one or two at most, out of an average caseload of eighteen. Not surprisingly, case managers felt that they were unable to meet the particular needs of female participants in a systematic way. In classes offered at CEP, female participants were also often a minority of one, a situation that silenced most of the girls and held them back from thriving in the classes.

CASES has also found that for girls, relationships with boyfriends and girlfriends or friends and family members typically take precedence over court obligations, school responsibilities, and other activities that promote their healthy development. CASES's clinical experience reveals that girls' histories of abuse or exploitation are a significant factor in the types and patterns of offenses they typically commit. We have found that girls' crimes often reflect family, relationship, and societal pressures, and that adolescent girls frequently engage in criminal activity through their relationships with men (e.g., holding drugs or stealing for a boyfriend). As one young CASES participant said, "my boyfriend asked me to prove my love for him... so I did."\(^41\)

After identifying the challenges faced by our female participants, CEP staff began to organize female-only activities to begin addressing the girls' experience in the program, the justice system, and their life. Two particularly successful endeavors, the Sister Skills workshop and a summer retreat, paved the way for GirlRising. The Sister Skills workshop gathered all the CEP female participants once a week to explore a variety of themes related to young women in urban society. The group, led by a CEP art therapist, focused on esteem-building in relation to societal expectations and peer influences, and participants

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\(^40\) All assertions made in this subsection are based on our own experience or that of CASES's staff members, many of these observations are documented on file at CASES.

\(^41\) CASES Planning Notes for GirlRising (on file at CASES).
played a significant role in determining the content and form of the group. For the summer retreat, CEP female participants, accompanied by several female staff members (the ratio was one staff member for every two girls), went to a campsite in upstate New York for a three-day outing. Each day the girls participated in one arts-based therapeutic activity (e.g. collage-making on “what it means to be a girl in today’s world”) and one non-therapeutic activity (e.g. swimming). Even though many of the girls did not know each other, they quickly developed a sense of community where they felt comfortable sharing (and respected those who did not want to share) their life experiences and ambitions.

These programmatic successes energized staff to advocate for a gender-responsive program that would help create strength in numbers for girls in CEP. This staff support, in conjunction with the agency’s work with city government, resulted in a successful grant application to develop GirlRising.

III. The Result: GirlRising

GirlRising staff advocate on behalf of eligible girls in the New York Family and Supreme Courts to win their release to the community. Girls ages thirteen to fifteen are mandated by the Family Court to spend one year and girls ages sixteen to twenty-one are mandated by the Supreme Court to spend six months with CASES. Either way their sentences culminate in a graduation ceremony, and girls are provided with aftercare services designed to mobilize community support for them and ensure their ongoing stability and success in the community. Sentencing judges are kept apprised of progress through regular written reports and in-court appearances by CASES staff.

A. GirlRising Participants

The participants in GirlRising are 80% African American, 15% Latina and 5% Asian American; 83% define themselves as heterosexual and 17% define themselves as lesbian. Forty-four percent of girls came into the program on a violent charge. About half of our participants are neither in school nor in a GED program when they enter GirlRising. Less than one-third of our participants have a history of marijuana use. Fifteen percent of them have children, 31% are raising children, and 23% have been pregnant in the last twelve months. About half of them have a close family member who has been incarcerated and almost all of them (85%) have a close family member who is deceased. Our participants cope with a multitude of responsibilities—to the court, their families, their friends, their boyfriends and

girlfriends and to GirlRising program staff—and they show a varied ability to deal with the crises these responsibilities sometimes generate but they all offer strikingly individual personalities and voices to GirlRising. Their successes and struggles will be highlighted in the discussions that follow of the particular methodology and programming employed in GirlRising.

B. The Methodology and Programming of GirlRising

The program design drew upon the experience and recommendations of female juvenile offenders themselves, eight of whom participated in a two-day community building and planning retreat. Since that time, girls have continued to contribute to the planning of GirlRising, from requesting safe space, to designing that space, and naming the program. In an effort to promote overall resilience, GirlRising encourages positive relationships with peers and adults, enhanced self-esteem and self-efficacy, physical strength and health, mental well-being, and academic success. GirlRising’s youth development approach works by helping girls build a sense of competency and social connectedness, a belief in their control over their fate in life and a stable identity; adolescents who develop these characteristics “appear to be more likely than others to engage in pro-social behaviors, exhibit positive school performances, and be members of non-deviant peer groups.”43 Moreover, all services and principles are applied with careful attention to the cultural experiences and perspectives of girls.

In addition to drawing upon the experiences and recommendations of female juvenile offenders, GirlRising integrated the following strategies based on a report44 from the U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the best practices in working with girls amassed from the social science literature, which includes:

- Creating Healthy Relationships and Support Networks
- Improving Healthy Living
- Creative Self-Expression
- Education and Employment Support
- Transitions and Aftercare

GirlRising’s programming reflects a strengths-based approach and commitment to helping participants build on their assets and abilities in these five areas. Girls spend two to three hours every weekday engaged in specific projects that are developed in partnership between staff and the participants. All programming is delivered in a

safe, girls-only space that frees the girls to talk, test their new skills and learn to trust the adult staff and each other. The space has been decorated with a participant-created mural, “What Women Can Do,” that covers one of the room walls.

GirlRising uses a rites of passage framework, which provides the girls with goals and a sense of achievement upon completion of each of their goals. This article will now turn to a discussion of this rites of passage framework, followed by illustrations of how the five enumerated strategies above have been incorporated into GirlRising.

1. Rites of Passage Framework

Moving through the justice system is emotionally depleting for young women who are often stereotyped and misunderstood by the system. GirlRising uses a rites of passage framework to transform these experiences by ensuring that girls gain a renewed sense of accomplishment and hope. Each girl progresses through the program by setting and meeting individual goals for herself in the areas of health, education, social, and career development. Rather than mark their accomplishments individually, however, the girls hold regular rites of passage ceremonies to celebrate changes in their lives. The program’s all-female staff assists girls in accomplishing their goals and they celebrate those accomplishments together in regular ceremonies that are open to the agency, as well as to the parents, guardians and friends of the girls. At our last rites of passage ceremony, girls received awards for leadership, sisterhood, school performance and attendance, and attendance at CASES.

This rites of passage framework creates tangible incentives and a communal dimension for the girls’ experience in the program. At weekly “Open Mics,” girls witness each other’s passage, support each other through difficult moments, and celebrate together. Girls create the agendas, which include discussions of personal progress and challenges, celebrations of achievements and development of new activities. One Open Mic revealed the power of peer support and group cohesion when a younger girl, Ellie45, who often exhibited immature attitudes and disruptive behavior was confronted by the group. After the girl disrupted the Open Mic session, staff asked her to leave. After Ellie left, the group discussed how her behavior was impacting them. They decided that they needed to confront her and chose a spokesperson to present their concerns and offer mentoring and support.

The rites of passage framework, as illustrated with Open Mics, allows girls to support each other, and staff members help girls as they overcome hurdles to build new skills and meet their goals as individuals and strengthen their connections with other girls. Girls also reap the benefits of meeting GirlRising’s goals and their own, as they are awarded certificates, movie tickets, small meals and other incentives.

45. The names of participants have been changed to protect confidentiality.
As participants near completion of the program, we train girls to take on new leadership responsibilities within GirlRising, which reflects our belief that a girl’s individual growth is most likely to continue when she feels supported by and responsible to the group.

2. Creating Healthy Relationships and Support Networks

Although the rites of passage framework provides the girls with the opportunity to create healthy relationships with one another, GirlRising takes this one step further by developing other programs and activities to build relationships. It also develops support networks, amongst the girls themselves, the girls and staff members, the girls and family members and the girls and adult mentors. In CASES’s experience, many of the girls who enter the juvenile justice system lack the formal support network necessary to establish healthy bonds; indeed, there is fierce competitiveness and distrust among girl offenders. In our experience, extensive use of the social group work modality, facilitated by staff with clinical expertise, provides girls with a sense of agency around their ability to support one another. By coming together, girls, who are in many cases survivors of violence, examine their particular needs as adolescent females, thus decreasing their risk of future exploitation and recidivism. Pia, a former CASES participant, said this of girls-only groups: “[Girls] would be able to be supportive, to be there for each other . . . to heal each other’s wounds.”

Group meetings, augmented by weekend retreats, are designed to foster the girls’ sense of individual self-worth and self-expression, create a sense of community and peer support, and build trust among the girls and between the girls and staff members. The weekend retreats focus on building healthy relationships with peers, family members, boys, and authority figures. For example, last summer, girls from the program left New York City to participate in a high-ropes course in upstate New York. This experience, for many a first, created bonds of trust and acceptance amongst the girls. The safe environment created during these activities facilitates discussions about high-risk behaviors like substance abuse, teen pregnancy, victimization, and gang membership. Working in groups also provides a forum for learning and practicing new skills, including problem solving and anger management.

GirlRising is designed to foster positive relationships between each girl and her many contacts, including program staff, family members, and significant others. Each girl has a primary relationship with her GirlRising case manager. The two meet regularly and during these sessions, the case manager works with the girl to help her define her short- and long-term goals and serves as a guide and mentor throughout the period of program involvement. The participants are

46. CASES, Presentation at Open Mic, Winter 2003 (on file at CASES).
also encouraged to invite members of their family (broadly defined) to come to the program or to meet in the home to develop strategies and systems that will bolster the girls' success at home and overall. Through the staff's consistent contact with participant's families, family dynamics are explored to ensure that the participant can fulfill her responsibilities to the program and find positive support from her outside relationships.

Among the most significant findings in the work on resiliency is that girls who thrive, despite a constellation of life challenges, tend to have a close relationship with at least one caring, trusting adult. They tend to have teachers, parents or other positive role models who express high expectations for them, helping them to look forward to the future. Not only do program staff build trusting relationships with participants, but they also actively match girls with adult mentors. CASES has had great success with its Looking Ahead Mentoring Project (LAMP), a career-oriented program that pairs New York University graduate students with CASES participants. By combining intensive guidance from young adults with opportunities to explore career choices, LAMP reinforces the connection between education and career success.

3. Improving Healthy Living

In addition to healthy relationships, healthy living is also important. GirlRising works with participants to promote a healthy body image and to educate them about sexual health, nutrition, physical fitness and well-being. Girls are encouraged to participate in girls-only sports and recreation activities, and program staff members organize frequent trips to professional female sports events such as WNBA games. An ongoing dance class provides girls with a positive, physical outlet and an activity where they can develop their strength, endurance and teamwork.

In GirlRising, we have already witnessed one example of how healthy living can contribute to a girl's successful departure from the juvenile justice system. One of our participants was a star basketball player when she attended high school, and it had been close to two years since she dropped out of school. Her goals and her activities in GirlRising were oriented around continuing her basketball involvement. She engaged in GirlRising activities around her basketball practice schedule and worked closely with staff to enroll in a college for which she could continue playing. Basketball was an alternative to negative peer influences and activities in which she was previously engaged.

In addition to promoting physical activity, GirlRising also provides substance abuse education, and all girls are monitored for drug

47. Brooks-Gunn & Reiter, supra note 19, at 59.
48. Id.
use through urine testing. Substance use, specifically marijuana use, can become a major obstacle for a girl in her completion of activities, responsibilities and goals with GirlRising. A recent graduate spoke at her graduation ceremony, in front of staff, peers and families, about her cessation of marijuana use by the end of her twelve months in GirlRising as the feat of which she was most proud.

GirlRising also supplies participants with appropriate referrals where they can receive the physical and emotional support they need in their own communities. GirlRising has consistently referred girls to community health care providers for ob/gyn and other medical care. Where needed, staff also link girls with off-site therapeutic individual and group counseling related to mental health and/or substance abuse issues.

4. Creative Self-Expression

Using both CASES's clinical staff and consultants with expertise in the arts, the program offers a variety of arts activities including art therapy, photography, mural-making, jewelry-making and creative writing. Art therapy has proven to be a powerful tool for working with young people who find it difficult to communicate verbally. Girls have both group and individual art therapy services, provided by a clinically trained art therapist, which help girls express their fear, grief, and anger through artwork. In a photography workshop, girls use cameras to explore their own identity in contrast to how media images typically portray girls. In a mural-painting workshop, girls work as a group with an art therapist to identify relevant themes in their lives and to graphically realize these themes. They recently completed a dynamic and colorful mural in their own, girls-only space, entitled "What Women Can Do." The mural explores women's successes, contributions and struggles and has become an important and public symbol in the program of what teamwork can accomplish. As one girl said at the completion of the mural: "At first I wasn't enthusiastic about the mural. I didn't want to participate. But now I see how important it is to work together as a team. I'm really proud of what we did."49 Girls have been exceptionally enthusiastic about a jewelry-making class, where they turned their creative activity into an economic venture by selling their products to CASES staff. Additional classes include creative writing, computer graphic design, and open art studio.

One of the girls has made creative self-expression a theme of her time with the program. Kelly entered GirlRising on prostitution charges. At fourteen years old, she and one of her closest friends had been involved in prostitution. Her friend was sent upstate, but Kelly came to CASES. She entered the program testing positive for marijuana use and continued to maintain the same peer group with whom

she associated with when arrested. When Kelly arrived, the Creativity Class was just getting started on jewelry making. Kelly quickly devoted all the time she could to jewelry-making, making beautiful pieces for herself, friends and GirlRising staff. Kelly also became a respected member of the group, as she stopped her drug use and attended GirlRising and another program with dedication. She befriended another participant in the program who was missing curfew and offered her positive guidance. Kelly even made extra phone calls to this participant to check up on her and remind her to come to CASES and to get home by curfew. Kelly’s jewelry-making was a great source of pride for her and served as the basis of her strong relationships with her peers and staff.

5. Education and Employment Support

Although creative expression is a valuable strategy, educational support and helping participants experience success in the classroom is a top priority for GirlRising. This is mainly because the girls have performed poorly in school; they often have low literacy and they become frustrated with learning. Staff members help girls and their parents navigate the school system and re-enroll in school promptly. CASES’s research over the past few years has found that participants can face delays in enrollment and are sometimes excluded from schools in the community upon their return from the city’s correction, detention, and alternative-to-detention facilities.50 Each day out of school represents a lost opportunity for learning and further disengagement from an educational environment. Staff, with expertise in navigating through the education system, place girls in high school, junior high, GED programs or literacy and basic education programs. This advocacy is essential for girls who are mandated by the Family Court to attend school as a condition of their release to the community. CASES’s existing job readiness, training, and placement services are also utilized by girls in GirlRising.

For example, Nikki came to CASES when she was fifteen years old on a grand larceny charge in the New York Family Court. With the help of CASES her outlook on education changed. When Nikki arrived, she was resistant to accepting staff support and services and she often reported to CASES late. This past fall we discovered that Nikki had very poor attendance at her school, which was surprising to our after school teachers who had found Nikki to be a consistently positive contributor in CASES classes. The director of the program and Nikki’s therapist met with Nikki. Nikki emotionally told staff that she has not wanted to go to school because she was embarrassed to say that she did not know the material; she felt very behind in her classes and out of touch with her teachers. Since this intervention, much has changed for Nikki. She researched and found a GED prep program

50. CASES, Research (on file at CASES).
to attend and has been studying there three times a week and is participating in a job readiness and internship program. She began reporting on time, frequently called staff and participated in girls’ group events, including dinners and the mural. Nikki worked toward attaining her GED and sought engaging employment. Moreover, she developed positive and supportive relationships with other girls in the program and with staff that continued after her graduation from GirlRising. She returned as an alumna to go on an upstate retreat with staff and current participants in late last summer.

6. Transitions and Aftercare

GirlRising develops an aftercare component for participants nearing the end of their time with the program. Support for the transition out of GirlRising is intended to maintain the progress the participant has made in the program and to take an aspect of this work to a permanent level. Aftercare smooths the graduation transition from CASES supervision and initiatives by connecting each girl to a new network and initiative in her community. Reinforcing the program’s focus on skills development and education, we link girls with literacy and youth development programs in their communities. CASES has developed strong working relationships with community agencies, local businesses and schools as part of our strategy to help young people become self-sufficient and exit the justice system. Girls access a full range of community-based referral resources we have developed for medical and mental health care, educational and vocational programs, after-school programs and recreational services. Program staff members have assisted and will continue to assist girls in accessing child care services. We have linked girls with psychiatric and substance abuse services. Staff members have also linked girls with physicians and ob/gyn facilities to ensure ongoing medical and mental health care as needed.

One graduate participated in aftercare with a community-based organization near her home in Brooklyn for the last three months of her time with GirlRising. She continued to participate with GirlRising weekly and successfully graduated from the program. She still participates in activities at the Brooklyn organization and has even begun working part-time there. As an alumna she also continues to seek the support and services at GirlRising. It is still too early to look conclusively at the effectiveness of GirlRising’s aftercare and community-referrals as the program has just recently celebrated its one year anniversary.

IV. The Future

This article offers an introduction to the first year of CASES’s GirlRising program and an in-depth look at some of the personal stories that make-up the population called court-involved girls. Follow-
ing CASES’s tradition of innovation, GirlRising continues to reflect on how best to serve the needs of both girls and the juvenile and criminal justice systems in which they are increasingly involved. We have formally identified four areas for GirlRising program development in the near future: (1) increase leadership opportunities for girls in the community; (2) increase CASES’s capacity to address girls with emotional disturbance; (3) increase strategies with girls’ families; and (4) increase GirlRising’s sustainability and impact.

A. Increase Leadership Opportunities for Girls in the Community

GirlRising strives to give its girls increased community opportunities by enhancing the girls’ communication, critical thinking, planning and organizational skills, and valuable work experience. In the coming year, as girls approach their last three months with GirlRising, they will have the opportunity to take part in an intensive training and become paid peer leaders and planners for the program. Establishing leadership training and an internship capitalizes on all of the goal-setting and community-building work that the girls engage in at GirlRising in their last three months with the program. The peer leadership component will be a culmination of the girls’ rites of passage, in which participants gain sustainable leadership skills to take back into their communities and apply to their own lives. After intensive training and with ongoing training, peer leaders will bring their leadership skills and youth expertise to bear on GirlRising by planning and implementing their own unique component for the program, which may include: creating peer orientations to GirlRising; beginning a business for girls’ artwork; creating a theater workshop for all youth at CASES to explore gender and hip-hop; or organizing a basketball league. Leaders will also facilitate weekly Open Mics. Girls will graduate from the training and internship with enhanced communication, critical thinking, planning, and organizational skills and valuable work experience.

B. Increase CASES’s Capacity to Address Girls with Emotional Disturbance

Ensuring that CASES has the resources necessary to address the multi-dimensional mental health needs of GirlRising participants is crucial. Indeed, in conceptualizing a program designed specifically for young women at CASES, it was evident that their needs were unique and multi-layered, and that they needed specialized programming and more staff attention. The needs of the program continue to change and develop, and we have reached another turning point. The staff of GirlRising has dealt with emotional and mental health issues related to: sexuality and sexual activity; separation from children and other parenting crises; family crises; family dysfunction; relationship abuse and domestic violence; anxiety disorders; borderline personality disorder; suicide; self-mutilation; and depression. Our staff has also not accepted certain girls into the program because of
their serious and persistent mental health issues. Adolescent females involved with the justice system in general exhibit high rates of mental health problems. The National Mental Health Association notes that they have higher rates of depression, are more likely to attempt suicide, often have low self-esteem, negative body image, and engage in self-mutilation.\textsuperscript{51} A study of state juvenile justice systems also shows females to have higher rates of mental health problems than their male counterparts.\textsuperscript{52} Girls who come into contact with the justice system often report extraordinarily high levels of abuse and trauma.\textsuperscript{53} As a result of this exposure to trauma, Post-traumatic Stress Disorder (PTSD) is prevalent among girls, with nearly 50\% meeting the diagnostic criteria for the disorder.\textsuperscript{54} CASES and GirlRising are considering new ways to address these issues and to ensure GirlRising is equipped to handle the mental health issues that frequently arise when working with this population, including new staff positions, new partnerships, and even a new program to work with serious and emotionally disturbed youth.

C. \textit{Increase Strategies with Girls’ Families}

Helping the girls’ families will create more stable support systems that will better help these girls now and in the future. When planning GirlRising, CASES knew that participating girls would have complicated family histories and situations, including severe family fragmentation affected by death, incarceration, poverty, and violence. GirlRising staff’s experience confirmed these expectations. The staff address these issues through consistent and open contact with guardians and by offering therapeutic support to girls coping with home instability and fragmentation. While these serve as short-term interventions, in the future GirlRising will look for innovative strategies to help girls and their families cope with these issues in the longer-term. Strategies to explore will include: forming partnerships with public and private agencies to support the varied needs of girls’ families; creating new therapeutic options for families; focusing on girls with severe home instability; and managing residential crises.

D. \textit{Increase GirlRising’s Sustainability and Impact}

GirlRising will continue to identify appropriate goals for girls involved with the criminal and juvenile justice systems and to find the best ways to evaluate and document our success. While the justice

\textsuperscript{52} Linda A. Teplin et al., Psychiatric Disorders in Youth in Juvenile Detention, 59 Arch Gen Psychiatry 1133, 1137 (2002).
\textsuperscript{54} Id. at 31.