

Juvenile Justice Advisory Council and Iowa Task Force for Young Women

Iowa Department of Human Rights, Division of Criminal and Juvenile Justice Planning
515-242-5823

Services for Females under Juvenile Court Jurisdiction with High Risk and/or Need Factors

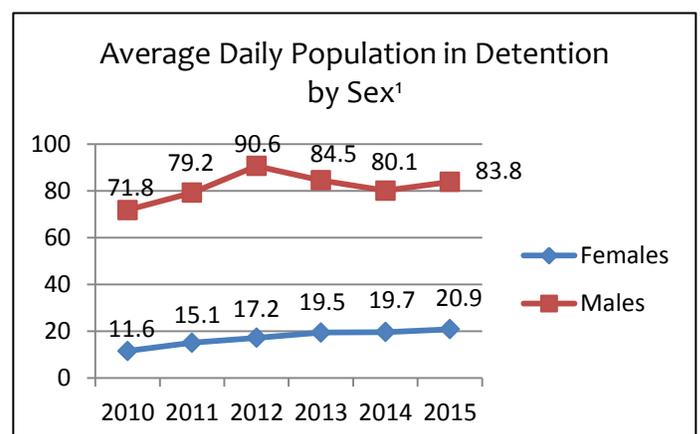
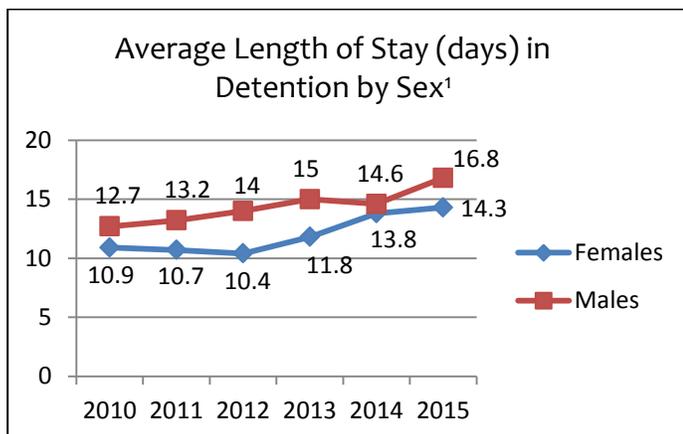
Position Paper - March 2016

Juvenile Justice Advisory Council (JJAC) position: An enhanced level of quality care is needed for young women under juvenile court jurisdiction who are high risk and high need due to their delinquent acts, behavior, prior unsuccessful placements and risk to public safety. This level of care must be proportionally equivalent in resources to the same level of care afforded to young men with similar risks and needs to avoid an inequity of service availability. Failure to address this deficiency could result in increased risk to safety, a decrease in opportunities for those who are the most in need of treatment options, and an increase in the number of young women placed in out-of-state facilities, waived to adult court, left in shelter or detention for extended periods and moved in and out of multiple group care facilities.

CURRENT SITUATION AND RATIONALE

The JJAC believes that a stronger emphasis should be placed on preventing entrance into the juvenile justice system as well as diminishing advancement deeper into that system. This can be accomplished, in part, by limiting the contact low risk offenders have with the system. In 2010, there were a total of 7,798 charges against juvenile females and in 2014 there were 6,450 charges.¹ Over the same time period, simple misdemeanors and other low level offenses shrank as a proportion of charges (77% -> 68%) while serious and aggravated misdemeanors and felonies grew (23% -> 31%).¹ The combination of these two trends – fewer charges plus a shift in the distribution of charges – while not definitive, appears to indicate that efforts to keep the lowest level offenders out of the system may be having an impact.

While encouraging, it must be recognized that a portion of those girls who do come into contact with the juvenile justice system will move deeper into it and require heightened services and supervision. Regrettably, there are a number of young women for whom even a heightened response is ultimately ineffective. They require an enhanced level of care able to meet their needs and provide for the safety of the public. As of January 2014, the State Training School (STS), which served in this role, no longer exists as an option for young women, but this high risk/need population remains. Out of state placements, waivers to adult court or returning them to levels of care that have already proven unsuccessful are inadequate and potentially unsafe responses. Additionally, allowing them to linger in shelter or detention settings, as juvenile court officers attempt to locate and access appropriate care compounds the struggles these young women face. As shown below, both the average length of stay and the average daily population of females in detention have increased since 2010.



¹ Source: Iowa Justice Data Warehouse

Iowa has an opportunity to create a state of the art, progressive level of care for this high risk, high need population. Iowa has made a financial commitment to this population in the past and it should continue that commitment now. Iowa also has the responsibility to correct the gender-based inequity.

ACTION

The JJAC and Iowa Task Force for Young Women (ITFYW) recognize the following best practices as necessary in an enhanced level of care to rehabilitate females who are high risk and high need due to their delinquent acts, behavior, prior unsuccessful placements and risk to public safety:

- Female-responsive services, which includes trauma-informed care and -
 - Provides emotional and physical safety
 - Is culturally appropriate
 - Is relationship-based
 - Provides positive female role models and mentors
 - Addresses the abuse in girls' lives
 - Addresses sexuality, pregnancy and parenting
 - Is strength-based
 - Provides opportunities that promote educational success and employability
 - Addresses the unique health needs of females, including nutritional concerns and regular physical activity
 - Provides opportunities for spiritual expression
 - Involves members of girls' families and/or support networks;
- Single gender environment;
- Safety measures for the young women, staff, and public that are transparent, well-documented and reviewed using an external oversight body;
- Research/evidence-based treatment services;
- Treatment plans address risk factors identified by the Iowa Delinquency Assessment, use female-responsive approaches and involve key partners (e.g. family, Juvenile Court, Department of Human Services, etc.);
- Full array of services, including but not limited to, special education, mental health and substance use;
- Level of care has a no eject / no reject policy and has the commensurate resources to adequately implement such a policy, which is intended to reduce multiple placements for this population;
- Direct care staff with post-secondary education or equivalent experience, training or licensure that receive comprehensive orientation training, ongoing professional development and regular documented individual and group supervision;
- Accredited by a legitimate and appropriate set of standards that includes the goal to eliminate seclusion and restraint and limit use to situations where there is imminent danger of serious harm. Examples that have high quality standards for child and youth services include the Commission on Accreditation of Rehabilitation Facilities (CARF) and the Council of Accreditation (COA);
- Transitional services include extended jurisdiction beyond 18 years of age. This would allow for completion of education, development of transition plans, enrollment in the Preparation for Adult Living (PAL) program and other aftercare services. If a residential placement, policy and practice must be established to ensure the safety and well-being of youth under age 18 who are in the same setting as those over 18 years of age.

The JJAC and ITFYW are prepared to offer counsel and recommend consulting with national experts as well as researching how other states are providing services to this population of young women. Quality, relevant technical assistance is available through the federal Office of Juvenile Justice and Delinquency Prevention.