



LET HER
LEARN

STOPPING SCHOOL PUSHOUT
for Girls involved in the Juvenile Justice System

ABOUT THE NATIONAL WOMEN'S LAW CENTER

The National Women's Law Center is a non-profit organization that has worked for more than 40 years to expand opportunities for women and their families, with a major emphasis on education and employment opportunities, women's health and reproductive rights, and family economic security.

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GIRLS INVOLVED IN THE JUVENILE JUSTICE SYSTEM

Girls are the fastest growing population in the juvenile justice (JJ) system, with girls of color, LGBT and gender nonconforming youth, and girls with disabilities being overrepresented relative to school enrollment or share of the overall population. For instance, Black girls make up 15 percent of girls enrolled in public schools but 30.8 percent of girls in juvenile justice center schools.¹ Girls who enter the juvenile justice system are likely to have suffered sexual abuse, violence, and other trauma; they also are often involved in the child welfare system. Sadly, they typically do not have the supports and stability they need to help them cope with their trauma, which can lead to behavior such as running away or substance abuse. These behaviors in turn may result in their involvement with the juvenile justice system, especially given that girls are particularly likely to be detained for status offenses—conduct that is only illegal when committed by youth, such as truancy, running away, or violating curfew.

Once they are incarcerated, girls face a number of additional barriers resulting from a system that was designed around boys and has rarely focused on the unique experiences and needs of girls. Girls involved in the juvenile justice system do not receive the kind of trauma-informed, gender-responsive support they need, which leads to poor mental and physical health outcomes and a risk of repeated criminal justice system involvement. Girls also face a number of educational barriers when confined, including juvenile justice centers' lack of accountability for student outcomes, a lack of access to teachers, less instructional time, and difficulty returning to school once released.

This report highlights the data on girls in the juvenile justice system and the trauma that often leads them there, examines the effect the juvenile justice system has on girls and their access to education, and offers recommendations to avoid placing girls in the juvenile justice system and instead help them receive the educational and other services they need.

Background on Girls in Confinement

Office of Juvenile Justice and Delinquency Prevention (OJJDP) Policy Statement:

“We believe that the needs of girls must be addressed in a developmentally appropriate manner. This means recognizing a young woman’s diverse pathways into and across systems and reducing her involvement so only those who pose a serious threat to public safety enter the juvenile justice system. Then, for those very few girls and young women, it means reducing reliance on secure placement and increasing gender and culturally responsive, trauma-informed, and developmentally appropriate approaches. We recognize that for girls and young women, this requires a national commitment to creating healthy social environments with family, peers, community, social institutions, and society.”²

Over the last 25 years, girls’ share of arrests and detainment has continued to grow. Girls now make up nearly 30 percent of juvenile arrests; in 2013, nearly 300,000 girls under 18 were processed through the juvenile justice court system where they were subject to probation, detainment, incarceration, or transfer to adult court.³ Girls who are involved in the juvenile justice system enter at younger ages than boys—42 percent of girls are 15 years old or younger⁴—and usually as a result of being victims of trauma.⁵ And among girls in juvenile justice, girls of color, girls with a diagnosed disability, and youth who identify as LGBT or gender nonconforming are overrepresented.

Research demonstrates little relationship between an increased use of detention and a reduction in crime for young people.⁶ In fact, community-based confinement programs have equal or better results for juveniles than incarceration for a fraction of the cost.⁷

Racial Disparities

Like women of color in adult prisons, girls of color are substantially more likely than white girls to be in the juvenile justice system and are overrepresented in the system relative to their enrollment in public schools. Black girls are nearly three times more likely than white girls to be in a juvenile justice center; they make up 15 percent of girls enrolled in public schools, but represent more than double that—30.8 percent—of girls in juvenile justice centers. Native American girls are over four times more likely than white girls to be in a juvenile justice center; they make up 1 percent of girls in public school but are 3.4 percent of detained and committed girls. Girls of two or more races are twice as likely as white girls to be incarcerated, and Native Hawaiian/Pacific Islander girls are ten times more likely than white girls to be in a juvenile justice center.⁸

Disability Status

During the 2013-14 school year, nearly 1 in 9 girls (11 percent) attending juvenile justice center schools had a diagnosed disability under the Individuals with Disabilities Act (IDEA). By comparison, 8 percent of all girls enrolled in school are served under IDEA. Black girls who are incarcerated are twice as likely to be served under IDEA as white girls and make up nearly half (49 percent) of all incarcerated girls served under IDEA.⁹

LGBT Youth

Youth who identify as LGBT or gender nonconforming are also overrepresented in the juvenile justice system. They represent about 5 to 7 percent of the general population but make up 13 to 15 percent of the youth who come in contact with the juvenile justice system. One survey found that of incarcerated youth, 40 percent of girls and 14 percent of boys are LGBT or gender nonconforming.¹⁰ This research also shows that 85 percent of LGBT or gender nonconforming incarcerated youth are of color.¹¹

Pathways to Confinement for Girls

More than half of girls (53 percent) with criminal justice experience* are survivors of sexual assault or other violence.¹²

*Someone in their immediate family has been arrested or jailed or they themselves have been arrested or jailed.

Girls often end up in the juvenile justice system as a result of behavior rooted in unaddressed trauma from exposure to violence in their families and communities, as well as sexual violence perpetrated against them. Many girls who are incarcerated are also part of the child welfare system and have been separated from their families, moving from home to home and school to school. Lacking the supports and services they need to cope with their trauma, many girls end up running away and turn to behaviors such as substance abuse. And while the federal Juvenile and Delinquency Prevention Act (JJDPA) prevents judges from incarcerating youth for status offenses (actions that are only illegal when committed by youth, such as truancy or running away), there is an exception for those who do not comply with a valid court order, such as a court order to go to school or obey a curfew.¹³ This loophole is responsible for a large share of girls being detained for status offenses, which does nothing to address the underlying reasons for their offenses and only adds to their trauma by separating them from their family, friends and schools.¹⁴

Child Welfare System Involvement

Many girls who end up in the juvenile justice system are also involved in the child welfare system. These girls are part of a group known as “crossover” youth who may become involved in the juvenile justice system due to behaviors rooted in unaddressed trauma from the situations that triggered their entry into the child welfare system, separation from their families, and lack of stability in placements and schools. Child welfare officials or placements may compound the problem by directly referring girls to police or courts for problem behaviors that result from the maltreatment they have suffered. In particular, girls represent almost half (47 percent) of youth involved in the child welfare system who were referred for a status offense.¹⁵



Exposure to Violence

Many girls, particularly girls of color who are themselves victims of violence, encounter the juvenile justice system through their involvement in domestic disputes. A large number of girls are arrested due to the unintended consequence of state laws that require the mandatory arrest of domestic violence offenders but are broad enough that police end up arresting girls involved in intra-family disputes. For example, there may be a fight between a daughter and her mother or caregiver, which results in the girls' confinement in the juvenile justice system for up to a month. While only a small proportion of these cases result in adjudication or long-term confinement because they involve minor or no injuries, girls still face the added trauma of being arrested and detained for their reactions to violence they have suffered or witnessed in their families.¹⁶

Poverty

Economic hardship and poverty are substantial risk factors for juvenile justice involvement.¹⁷ Research shows that 60 percent of the families who interacted with the juvenile justice system were either on public assistance or had annual incomes of less than twenty thousand dollars.¹⁸ Children of color are more likely to live in poverty—Black children are nearly three times more likely, Native American children are 2.5 more likely, and Latinx¹⁹ children are over twice as likely as white children to live in poverty²⁰—which may factor into the overrepresentation of youth of color in the juvenile justice system. A number of structural factors put low-income children at risk of being incarcerated, including: interaction with the child welfare system, over-policing of low-income communities, low-resourced schools and discriminatory discipline policies, lack of money for counsel, and the idea that low-income and children of color are in need for greater social correction.²¹ All of these factors come into play at the time of arrest and during the adjudication process. Adding insult to injury, 19 state juvenile justice systems charge families a daily fee for their child's incarceration, even if the child is later proved innocent. This practice serves as an additional penalty for low-income families who are already financially strained.²²

Sexual Abuse to Prison Pipeline

Sexual violence is one of the primary predictors of girls' entry into the juvenile justice system. Girls who are incarcerated are more likely than other girls to be victims of physical, psychological or sexual abuse.²³ A health study of girls in juvenile justice centers found that 22 percent of girls had a history of forced sexual contact (several reported that the contact happened in the 7 days before their detention), 23 percent had a history of sexually transmitted infections, and 41 percent had abnormal vaginal examinations possibly due to assault.²⁴

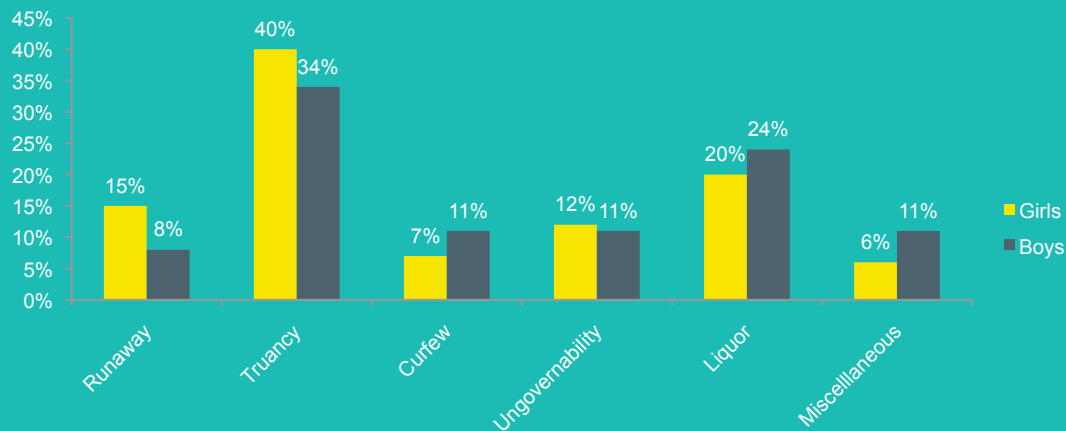
Sex trafficking, in particular, is one of the many ways that girls become involved in the juvenile justice system. Each year, 1,000 children are arrested for prostitution, and 52 percent of these arrests are of Black children.²⁵ In many states, girls can be arrested for prostitution even though they cannot legally consent to sex.²⁶ Twenty states have safe

harbor statutes that shield minors from prosecution for sex offenses. Twenty-one states and the District of Columbia do even more for minor trafficking victims by providing specialized services such as emergency shelter, medical services, counseling, and life skills training (see **Figure 4**).²⁷

The most common crimes for which girls are arrested—including running away, substance abuse and truancy—are common symptoms of sexual abuse and should be considered warning signs for trauma.²⁸ But because the juvenile justice system was originally designed for and around boys, it is ill-equipped to address the unique experiences of girls. As a result, many victims of sexual abuse move through the system unidentified and untreated. Once in the system, girls with a history of trauma from sexual violence can be retriggered by incarceration. Practices that require incarcerated youth to disrobe and submit to physical exams and searches, for example, can be particularly harmful to girls who have suffered sexual violence and to those who have suffered from post-traumatic stress disorder prior to being incarcerated.²⁹

Status Offenses

A major pathway for girls' entry into the juvenile justice system is being arrested and adjudicated for status offenses—such as truancy, underage drinking, curfew violation, running away, or defying a parent or caretaker (**Figure 1**)—even though status offenders do not require secure detention to ensure their compliance with court orders or to protect public safety.³⁰ Although the federal Juvenile Justice and Delinquency Prevention Act (JJDP A) prevents judges from incarcerating youth for status offenses, the exception for those who do not comply with a valid court order leads to many girls being detained. In 2013, nearly 40 percent of detained girls (compared to 25 percent of boys) were held for status offenses;³¹ Black girls are almost three times more likely than white females, over 2.5 times more likely than white boys, and almost 1.5 times more likely than Black boys to be adjudicated for a status offense.³² In particular, girls represent over half (53 percent) of all runaway cases.³³

Figure 1. Types of Offenses Committed by Status Offenders by Gender

Source: Charles Puzzanchera, Benjamin Adams and Sarah Hockenberry, National Center for Juvenile Justice, National Juvenile Court Data Archive, Juvenile Court Statistics 2009, available at <https://www.ojdp.gov/pubs/239114.pdf>.

In addition, overly punitive responses to status offenses such as absenteeism and tardiness only exacerbate, rather than solve, the underlying problems that cause the offenses. For example, truancy laws that harshly punish students and parents for tardiness or absences may appear to promote class time but instead push students further out of school. A girl who misses class because her family cannot always afford transportation will only struggle more to make it to school if her parents or guardians are punished pursuant to such laws. And research shows that overly punitive truancy policies have a disproportionate effect on students with medical and special education needs.³⁴ Yet many states have such counterproductive laws:

- In Washington, D.C., a high school student with more than 15 unexcused absences may be placed on probation or, if she is found to be a “Person in Need of Supervision,” detained in a juvenile facility.³⁵ Her parent might be prosecuted, fined, and imprisoned because of her truancy.³⁶
- In California, the parent of a “chronically truant” girl who misses 10 percent of school days ends up in debt due to court fines – or in prison for up to a year.³⁷
- Louisiana parents may face analogous, though usually less harsh, punishments if a child misses more than ten days of school without authorization,³⁸ and a habitually truant girl in Louisiana may lose her drivers’ license.³⁹



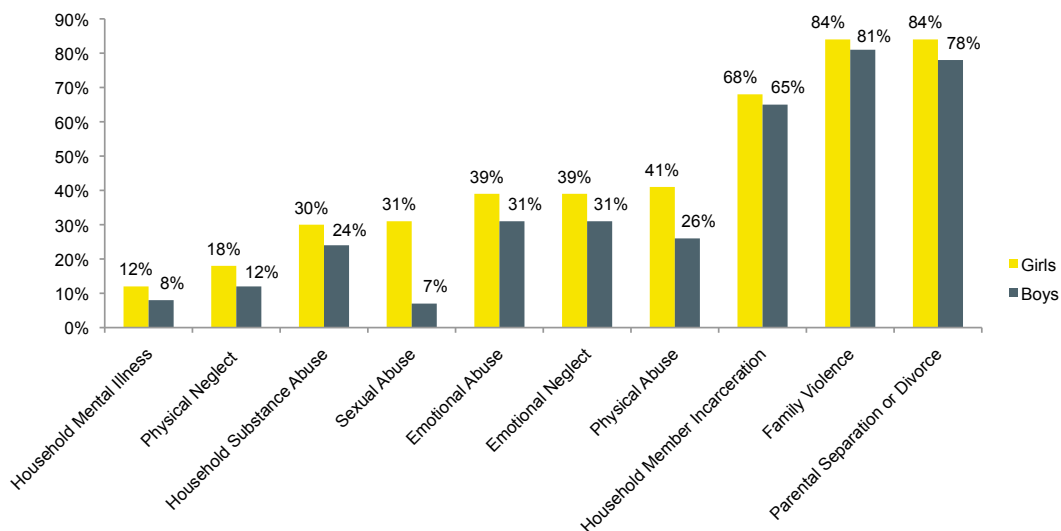
Barriers to Academic Success for Girls in Confinement

Girls' involvement in the juvenile justice system is often associated with further trauma, poor mental and physical health, and future involvement with the child welfare and criminal systems. In addition, incarcerated girls face a variety of educational barriers. As a consequence, girls fall farther behind in school, which decreases their chances of graduating or getting a GED.

Trauma, Health Issues, and Future System Involvement

Most girls who enter the juvenile justice system have experienced some kind of trauma, and many have experienced multiple forms of trauma. Girls in juvenile justice centers have a higher prevalence rate for all Adverse Childhood Experience (ACEs) indicators⁴⁰

Figure 2. Prevalence of Adverse Childhood Experience Indicators by Gender



Source: Michael T. Baglivio et al., "The Prevalence of Adverse Childhood Experiences (ACE) in the Lives of Juvenile Offenders," *OJJDP Journal of Juvenile Justice* 3 no. 2 (2014), 1-23, 8, available at <http://www.journalofjuvjustice.org/JOJJ0302/JOJJ0302.pdf>.



compared to boys (**Figure 2**).⁴¹ For many girls, confinement and separation from their family and community only adds to this trauma and puts them at greater risk of staying depressed or becoming depressed while confined.⁴²

Many girls in the juvenile justice system have serious physical and mental health issues:

- 79 percent of girls in the juvenile justice system have emotional or mental health issues such as depression, anger, or some other mental health clinical diagnosis.⁴³
- 70 percent have family conflict or a history of family problems.⁴⁴
- 64 percent report prior abuse.⁴⁵
- 49 percent self-mutilate.⁴⁶
- 46 percent have substance abuse or addiction issues.⁴⁷
- 34 percent have a history of suicide attempts.⁴⁸
- 15 percent have or are recovering from a major illness.⁴⁹

In addition, about 10 percent of incarcerated girls are pregnant and 30 percent have children.⁵⁰ Yet, most juvenile justice facilities are not equipped to support girls, let alone have appropriate reproductive health programs, prenatal or gynecological services available.⁵¹

Incarcerated girls are also at an increased risk for future violent relationships,⁵² dysfunctional parenting, and losing custody of their children.⁵³ Research has found that 9 percent of boys and 42 percent of girls with a history of delinquency were involved in at least one child protective services report before their 28th birthday.⁵⁴ These data illustrate how confinement can begin a dangerous cycle that leads to repeated interactions with the child welfare system and criminal courts.

SOLITARY CONFINEMENT:

Each year thousands of youth are subject to solitary confinement in juvenile justice facilities and adult prisons. Forty-seven percent of detention facilities isolated youth to control what they categorized as unruly behavior.⁵⁵ Solitary confinement involves “physical and social isolation in a cell for 22 to 24 hours a day.”⁵⁶ Some juvenile justice centers have begun to use euphemisms for solitary confinement like “time out” and “room confinement” to describe the practice of solitary confinement. But the only difference between those terms and solitary confinement is the length of time young people are left alone. Solitary confinement has proven negative effects on young developing children including: psychological and emotional harm, trauma, depression, anxiety, and exasperation of mental illness and increased risk of self-harm. More than half of youth who commit suicide while in juvenile justice centers do so in solitary confinement.⁵⁷

Educational Barriers in the Juvenile Justice System

Most states do not collect academic achievement or student outcome data for incarcerated youth, making it very difficult to hold juvenile justice centers accountable for the educational outcomes of the youth that they serve.

What is known about education for youth in the juvenile justice system is dismaying:

- The majority of incarcerated youth are older than their grade-level peers, under-credited, several grade levels behind, and more likely to have a disability than their peers.⁵⁸
- More than half of incarcerated youth have reading and math skills significantly below their grade level and about 6 in 10 have repeated a grade.⁵⁹
- Children incarcerated as a juvenile are 39 percent less likely to graduate from high school.⁶⁰

While there are no data on the educational experiences of incarcerated girls, available research provides insight into some of the barriers they face, many of which stem from a lack of gender responsive, trauma-informed practices. For example, researchers note that the practice of conducting academic assessments during intake is particularly problematic for girls who are victims of substance abuse and the many girls who experience trauma immediately prior to their arrival. These assessments may not be accurate or helpful if girls are still reeling from trauma when they are initially taken into the juvenile justice system. Similarly, some jurisdictions place girls in class before they are emotionally and mentally ready to be active learners and before educators can properly assess the appropriate level of education to provide.⁶¹

In addition, girls in juvenile detention often do not have access to the teachers they need to enable them to meet their educational goals. Many juvenile justice centers separate boys and girls, and in centers where there are only a few girls they often do not have

Every state has different laws and practices around the education of incarcerated youth. In six states juvenile justice agencies oversee education in all facilities, in three states local education agencies oversee education in all facilities, and in 41 states a combination of juvenile justice, education and private providers oversees education in all facilities.⁶² And while nearly half of all juvenile facilities are privately operated,⁶³ 20 percent of states do not collect the same data in privately run facilities as they do in public facilities.⁶⁴ These inconsistencies make it difficult to track student progress and ensure quality instruction.

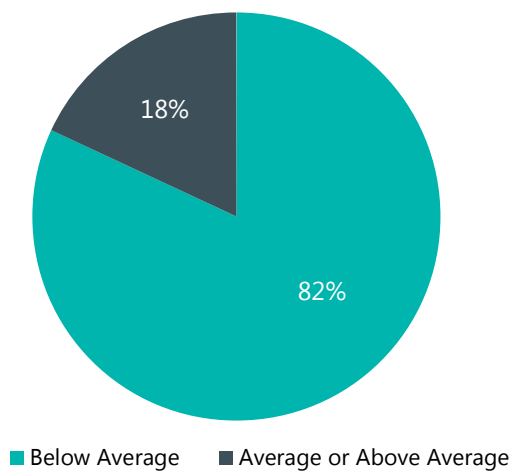


access to the classes they need because the specialized teachers needed to teach those classes are reserved for the majority of the incarcerated population - boys. Girls also arrive in juvenile justice centers at different education levels but do not have access to teachers who can provide them with the appropriate level of work. Instead, lessons often consist of worksheet packets⁶⁵ and there is no access to critical technology that can enhance and differentiate curricula.⁶⁶

More than 1 in 4 girls (26 percent) in NWLC's Let Her Learn Survey reported having criminal justice experience, meaning that someone in their immediate family has been arrested or jailed or they themselves have been arrested or jailed. More than 2 in 5 (42 percent) of these girls have missed 15 or more days of school in a school year.⁶⁷

These problems are exacerbated by the fact that incarcerated youth have less instructional time than they would in their home schools. The average student in the United States spends about 6.64 hours in the classroom per day for 180 days each school year,⁶⁸ which amounts to about 1,199 hours of instruction every school year. By comparison, most juvenile justice centers reported spending more than 199 days in school but just 5.04 hours in the classroom per day. This amounts to the vast majority (82 percent) of students in juvenile justice centers receiving 196 fewer hours—or 29 fewer days—of instruction per school year, compared to the average student (**Figure 3**).

Figure 3. Percentage of Juvenile Justice Centers with Less Instruction Time Per Week than the Average Public School



Source: National Women's Law Center calculations using data from U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection, 2013-14.

And only a mere 23 percent of juvenile justice centers have programs that help students recover the credits needed to meet graduation requirements. In the 2013-14 school year, of the thousands of girls in juvenile justice centers, only 90 girls (less than 1 percent) were participating in a GED program and only 34 of them had earned their GED while incarcerated.⁶⁹

Best Practice: Oregon law provides guidelines for the use of specific computers, hardware, software, storage media and networks by confined youth. This allows students to supplement their classes with videos, podcasts and other online resources, and to have access to individualized lessons. Security is maintained by firewalls and monitoring of computers.⁷⁰

Inability to Return to School

It is essential that girls be able to re-enroll in school after leaving a juvenile justice center; otherwise, given the lower likelihood of incarcerated youth graduating, their educational and career opportunities will be stymied. Yet, more than 66 percent of youth who return home from a residential placement (juvenile justice center or group home) do not return to school.⁷¹ One of the main reasons is that instead of working with formerly incarcerated students to correct behavioral issues so that they can remain a part of the classroom and community, some schools do not accept them or find ways to exclude them, such as by using zero tolerance discipline policies.⁷²

State policies and practices, or lack of them, also make it hard for formerly incarcerated girls to transition to community-based educational settings. Half of all states have no single agency responsible for ensuring that incarcerated youth transition successfully out of juvenile justice centers and into their home communities and schools. Only a handful of states (such as Arizona, California, Florida, Kansas, Mississippi and Maryland) have laws that require plans for or assistance with re-enrollment,⁷³ and only 11 states have a designated liaison for education transitions.⁷⁴ Instead, youth and their parents are left to navigate the system alone, without the help of an advocate who knows their rights. In one-third of states, formerly incarcerated youth are automatically enrolled in alternative education programs that often do not meet curricular and performance standards.⁷⁵

Recommendations for Helping Girls Involved in the Juvenile Justice System Succeed in School

Juvenile justice centers often impede the educational success of girls, further traumatizing girls who are victims of abuse and disconnecting them from caring adults and school. Given evidence that community-based confinement programs have equal or better results than incarceration for a fraction of the cost,⁷⁶ policymakers, educators, and communities should help girls who interact with the juvenile justice system learn and grow in community-based centers that address their specific needs and give them a better chance of becoming successful adults.

Policymakers

- Policymakers should engage a diverse set of girls in the process of finding alternatives to detention, as well as solutions to the educational barriers that girls face within and upon exiting the juvenile justice system. (One way of doing this is by creating youth advisory committees like the Young Women's Initiatives, first launched in New York City, <http://www.shewillbe.nyc/>.)
- Congress should strengthen the Juvenile Justice and Delinquency Prevention Act (JJDP A) and implement accountability mechanisms to:
 - Eliminate use of the valid court order exception, which allows judges to detain youth in status offense cases if they violate a valid court order (such as stop running away or missing school).⁷⁷
 - Require at least one State Advisory Group member⁷⁸—appointed by governors and required under JJDP A—to have expertise in gender-specific issues as well as knowledge about appropriate interventions.⁷⁹
 - Require states to conduct comprehensive screening and assessments to evaluate all children entering the juvenile justice system for trauma and develop appropriate treatment plans.
- Congress should amend the Prison Rape Elimination Act (PREA) to address the needs of girls by:⁸⁰
 - Instituting mandatory penalties for states that fail to adopt and comply with federal standards within a reasonable period.

- Reducing the maximum allowable timeframe for states to provide victims of assault with access to mental health and medical services to three days from the time they are detained instead of the 14 day standard that they have now.
- Requiring foster homes and other facilities to comply with PREA.
- Requiring crisis intervention within 12 hours of a resident filing a complaint.
- States who have not already done so should exercise their authority to prohibit the practice of detaining youth for status offenses and technical probation violations.
- States should pass laws that do not allow prosecution of children under the age of 18 for sex crimes and that provide specialized support services—such as immediate shelter, protection and rehabilitative services—for trafficking victims. (See **Figure 4** for states that currently have such laws). The safe harbor laws also should prohibit arrest and prosecution for offenses related to sex trafficking, such as drug use and curfew violations.
- States should require the use of diversion programs (family mediation and restorative justice) that engage families in solutions.⁸¹
- States should require better coordination between child welfare agencies and juvenile justice centers to limit crossover by ensuring that children are not lost in the system and are receiving proper care, and by providing an advocate for them in court proceedings.
- States should provide training to decision makers—including police, prosecutors, judges and probation officers—regarding implicit bias, the role stereotypes play in decision making, the prevalence of trauma among girls in the system, how race and gender intersect to disadvantage girls, and how to improve outcomes for girls who are in or at risk for involvement in the juvenile justice system.
- States and counties should increase the use of secure and non-secure residential community based programs as an alternative to jail-like facilities.⁸²
- North Carolina should not prosecute children under 18 as adults or put them in adult prisons.⁸³
- States, judges, and juvenile court officials should take steps to protect children by informing them of their rights to confidentiality and the procedures for sealing and expunging their records.⁸⁴
- States and counties that currently charge families for their children's incarceration should stop doing so to avoid depleting the often limited financial resources families have to help their children successfully transition back into the community and schools.
- States should differentiate among types of adolescent domestic violence developmentally and to take into account the family context in which it occurs, tailor the response accordingly, and pair it with age-appropriate services.⁸⁵
- States should hold juvenile justice centers accountable for providing a quality education and complying with state and federal education laws by:

- Collecting data on student outcomes, including discipline data by gender, race and disability status (e.g., how many times girls were removed from class, why, for how long, and how many hours of instruction were lost).
 - Collecting data on students' academic progress post release, including information on re-enrollment in public school, standardized test scores, and enrollment in post-secondary programs (to the extent possible without compromising student privacy).
 - Collecting the same academic achievement data from both private and public juvenile justice facilities.
 - Prohibiting the use of solitary confinement (seclusion, isolation, segregation and room confinement), unless necessary as a temporary response to violent or threatening behavior.
- States should enact strong and explicit laws that require juvenile justice centers, schools, and local agencies to help girls re-enroll in school upon release and ensure that they receive all other necessary supports. In order to transition smoothly, youth released from juvenile justice centers need to be able to easily and quickly obtain a driver's license, social security card, immunization records and other important documents to enroll in school and find employment.

Schools

- Schools should provide training to everyone in their communities on implicit bias, the role that stereotypes may play in their decision making, youth development, and the prevalence of trauma among girls to decrease exclusionary discipline and reduce referrals to police.
- Courts and juvenile justice centers should provide girls with trauma-related health and other support services while they are detained and connect them with services in their community upon release.
- Juvenile justice centers should screen for health risks such as assault and trauma in ways that allow girls to disclose their experiences and needs without feeling embarrassed or ashamed (for example, health screens could be conducted via computer), and should provide access to gender-responsive, trauma-informed, developmentally appropriate, and culturally relevant services to address the physical, mental and emotional needs of girls who are detained.
- Juvenile justice centers should provide youth with quality educational opportunities by, among other things:
 - Giving academic assessments to girls only when they are fully ready to engage in school to ensure that they receive proper placement and grade-level work.

- Providing access to technology for confined students and using it to deliver personalized learning to confined youth.
- Ensuring that students are engaged in developmentally appropriate, relevant and transferable curricula that allows them to fully engage in learning.
- Providing teachers working with confined youth training to implement cognitive-behavior skill building—which helps young people approach negative situations positively and make healthier decisions and also discover how their thinking relates to feelings and behavior⁸⁶—and encouraging them to deliver this content as a part of their routine classroom exercises.
- Making sure that girls have equal access to quality educational opportunities, including career and technical training for jobs in high-skill, high-wage fields, and helping them pursue employment opportunities.
- Juvenile justice centers should begin the reentry planning process as soon as girls arrive in confinement.
- Courts and juvenile justice centers should provide girls with trauma-related health and other support services while they are detained and connect them with services in their community upon release.
- Courts and juvenile justice centers should set release dates that allow for a smooth transition into community-based schools (so that girls are not released a week or two after school starts, for example).
- Schools should provide training to everyone in their communities on implicit bias, the role that stereotypes may play in their decision making, youth development, and the prevalence of trauma among girls to decrease exclusionary discipline and reduce referrals to police.
- Schools should learn the signs of sex trafficking to help identify children who need help and connect them with services and supports. (There are many groups that provide information on the signs of trafficking – for example, see <https://polarisproject.org/recognize-signs>.)

Parents/Guardians and Advocates

- Parents/guardians and advocates can learn the signs of sex trafficking to help identify children who need help and connect them with services and supports. (There are many groups that provide information on the signs of trafficking – for example, see <https://polarisproject.org/recognize-signs>.)
- Advocates can organize rides to juvenile justice centers so that parents and families can visit with incarcerated youth.
- Advocates can support youth in the re-enrollment process once they are released and make sure that students and parents know their rights.
- Parents/guardians can help girls transition back into their communities by ensuring that they have access to the services they need, such as community-based mental health and education services.



Figure 4.⁸⁷ States that Protect Children Under 18 from Criminalization⁸⁸ for Prostitution and Offer Specialized⁸⁹ Support Services

| State | Does state law protect minors from criminalization for prostitution? | Does state law provide access to <i>specialized</i> services for child victims? |
|------------------|--|---|
| Alabama | Yes | No |
| Alaska | No ⁹⁰ | No |
| Arizona | No | No |
| Arkansas | No* | Yes |
| California | Yes | Yes |
| Colorado | No | No |
| Connecticut | Yes | Yes |
| Delaware | No* | Yes |
| Florida | Yes | Yes |
| Georgia | No | No |
| Hawaii | No | No |
| Idaho | No | No |
| Illinois | Yes | No |
| Indiana | No | No |
| Iowa | No* | Yes |
| Kansas | No | Yes |
| Kentucky | Yes | Yes |
| Louisiana | No | Yes |
| Maine | No | Yes |
| Maryland | No | No |
| Massachusetts | No* | Yes |
| Michigan | No | Yes |
| Minnesota | Yes | Yes |
| Mississippi | Yes | No |
| Missouri | No | Yes |
| Montana | Yes | No |
| Nebraska | Yes | No |
| Nevada | No | Yes |
| New Hampshire | Yes | No |
| New Jersey | No* | No |
| New Mexico | No | No |
| New York | No | Yes |
| North Carolina | Yes | No |
| North Dakota | Yes | No |
| Ohio | No* | Yes |
| Oklahoma | No | Yes |
| Oregon | No | No |
| Pennsylvania | No | No |
| Rhode Island | No | No |
| South Carolina | Yes | No |
| South Dakota | Yes | No |
| Tennessee | Yes | No |
| Texas | No* | Yes |
| Utah | Yes | Yes |
| Vermont | Yes | Yes |
| Virginia | No | No |
| Washington | No | Yes ⁹¹ |
| West Virginia | No | No |
| Wisconsin | No* | No |
| Wyoming | Yes | No |
| Washington, D.C. | Yes | Yes |

*States labeled with an asterisk have discretionary diversion, which means diversion from the juvenile justice system is not automatic by law but left to the discretion of a judge or prosecutor.

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LET HER LEARN

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