

# GIRLS OF COLOR IN JUVENILE DETENTION IN WASHINGTON STATE



## DECEMBER 2020 SPECIAL REPORT



WASHINGTON  
COURTS

# **GIRLS OF COLOR IN DETENTION IN WASHINGTON STATE**

## ***SPECIAL REPORT***

### ***SEPTEMBER 2020***

The preparation of this report was funded by the Washington State Minority and Justice Commission (MJC). Commission staff wrote the executive summary, background, and literature review sections. The Washington State Center for Court Research (WSCCR) staff conducted the data analysis and wrote the data analysis and results section. The discussion and conclusion section was written jointly by MJC and WSCCR staff.

Aliyah Abu-Hazeem, M.A., Contractor, MJC  
Amanda B. Gilman, Ph.D., Senior Research Associate, WSCCR  
Rachael Sanford, Research Assistant, WSCCR  
Franklin G. Thomas, J.D., Court Program Analyst, MJC

Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
360.753.3365

*We are grateful to the Minority and Justice Commission for funding this important first look at the intersectionality between race and gender of youth in detention in Washington State.*

#### **Recommended Citation:**

Abu-Hazeem, A., Gilman, A.B., Thomas, F.G., & Sanford, R. (2020) *Girls of Color in Detention in Washington State*. Olympia, WA: Washington State Center for Court Research, Administrative Office of the Courts.

# EXECUTIVE SUMMARY

*Prepared by Minority and Justice Commission (MJC) Staff*

Using Washington State data to examine the topic of girls of color in juvenile detention, we found that 27.3% of all detention admissions in 2019 were accounted for by girls. Non-White girls accounted for 13.4% of all admissions, or roughly half of all female admissions. We observed overrepresentation of American Indian/Alaskan Native (Native), Hispanic (Latinx), and Black girls. Specifically, Native girls made up 2.4% of the female youth population, but 7.0% of female detention admissions in 2019; Latinx girls made up 18.5% of the female youth population, but 24.6% of female detention admissions; and Black girls made up 4.9% of the female youth population, but 14.6% of female detention admissions.

Rates of detention and levels of racial disproportionality varied substantially across jurisdictions. The five largest counties in Washington – King, Pierce, Snohomish, Spokane, and Clark – all have detention admission rates lower than the statewide rate of 7.9 per 1,000 female youth. Because of small sample sizes, detention data will need to be evaluated across multiple years to draw reliable conclusions about the higher rates observed in rural jurisdictions in 2019. Within the five largest counties, rates differed greatly between racial categories and geographies, from 1.7 for White girls in King County to 73.2 for Black girls in Spokane. Racial disproportionality in the detention of Black girls was consistent statewide, albeit to varying degrees; every qualifying jurisdiction (with 10 or more admissions of Black girls) in the state reported a detention rate for Black girls higher than the statewide rate for all girls (7.9).

To contextualize these percentages, we explored the primary reason for admission by both race and gender to offer an intersectional analysis of detention rates in Washington State. We found that the largest percentage of female admissions across racial groups were for misdemeanors. In fact, 39.3% of all female admissions in 2019 were due to an alleged or adjudicated misdemeanor offense, compared to 28.9% of all female admissions for a felony charge, 11.5% for a criminal violation, and 16.0% for a violation related to a non-offender matter. By comparison, the foremost reason for male youth admission to detention was an alleged or adjudicated felony charge. These findings from Washington State are consistent with the national data on youth detention (discussed more in the full report below), in that girls are more likely to be involved in the juvenile justice system as a result of less serious offenses than boys (Ehrmann, Hyland, & Puzanchera, 2019).

In sum, these findings underscore the significance of statewide legislation and criminal justice policies aimed at race-conscious juvenile justice reform and development of youth empowerment programs, especially those that are geared toward young women and girls who are often left out of the conversation on the impact of carcerality on

youth development (Crenshaw 2012). Based on our findings, we assert that the female youth population, and especially girls of color, in Washington State need resources and supportive alternatives to detention, especially as we are in the midst of national conversations regarding significant criminal and juvenile justice reform. We hope the findings and recommendations presented in this report continue to fuel our collective efforts to eradicate inequities in the juvenile justice system along the lines of gender and race. Sherman (2005), for example, created seven guiding principles for gender-responsive detention reform, of which, data collection and analysis are critical. In this report, we take up this important call to action by conducting an intersectional analysis of our data: the disproportionality in detention rates of girls of color compared to boys and White girls, respectively. In doing so, we aim to contest one-dimensional discourse within the Washington State judiciary and create new avenues for understanding the lived experience of girls of color detained in Washington State.



# BACKGROUND AND LITERATURE REVIEW

*Prepared by MJC Staff*

## BACKGROUND

### **NATIONAL LANDSCAPE**

According to a recent report by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), boys have continuously accounted for the majority of youth involved in the juvenile justice system (“Girls in the Juvenile Justice System”, April 2019). As such, policy and juvenile justice reform efforts have largely focused on males (with some exceptions at the county level where courts have more discretion in addressing female of color disproportionality in detention rates).<sup>1</sup> Since the 1990’s, however, the number of female youths entering the juvenile justice system has grown tremendously (Ibid). Only recently has attention shifted to the onslaught of girls in the juvenile justice system and the reasons behind this notable increase in female representation. This report aims to contribute to Washington State’s ongoing efforts to create a more equitable juvenile justice system.

Of note, in 2004, the OJJDP established the Girls Study Group to examine what influences delinquent behavior among girls and how the juvenile justice system should respond. Research showed that females accounted for a large share of youth arrests involving larceny-theft (40%), liquor law violations (40%), simple assault (37%), and disorderly conduct (35%). However, for more violent offenses like murder (6%) and robbery (11%), females accounted for a small proportion of the youth arrested. While boys exceeded girls in arrest rates across most offense categories, 76% of youth arrests for prostitution-related offenses involved girls. These gender disparities across the various offense categories were further compounded by age and racial disproportions. For example, two-thirds (67%) of the female caseload in 2015 involved girls age 15 or older at the time of admission. Likewise, over half of the typical delinquency cases involved Black or Hispanic/Latinx young girls (Ibid).

The same national study found that, while the boys who committed similar offenses were often held in long-term correctional facilities and for longer periods of time, undergoing a process of adultification under the law (Ibid; Ferguson 2001), girls did not often receive formal sanctions. For example, in 2015, three of every four delinquency cases involving girls did not receive formal sanctions. Moreover, of the 244,000 delinquency cases involving girls in 2015, more than half (53%) were handled informally

---

<sup>1</sup> The Study for the Advancement of Justice Effectiveness (SAJE) Center has a Girls Only Active Learning (GOAL) curriculum that is intended for female youth aged 13-17 that are involved in or likely to get involved in the justice system. The program aims to prevent delinquent behavior, recidivism, and substance use in girls by combining girl-specific development and needs with evidence-based effective approaches. The program is designed to work within juvenile court operations. GOAL is based on a cognitive-behavior model of emotion and thought regulation, problem-solving, coping skills, and moral reasoning used by other CBT-based interventions for offenders.

without the filing of a petition. While most delinquency cases involving girls were directed away from deeper involvement in the juvenile justice system, there were many girls who faced short-term incarceration or detention, which serves as the basis of this report (Ibid). Juvenile courts may hold youth charged with an offense in a secure detention center if it is in the best interest of the community and/or the youth. A youth may be detained at different points as a case proceeds through the juvenile justice system. Given this, in this report, we define detention as “a facility for juvenile justice-involved youth that provides secure confinement, is locally-operated, and is short-term” (Gilman forthcoming).

## **OUR STUDY**

We explore the detention of girls, especially girls of color, in comparison to their male counterparts. We are interested in girls of color because they are frequently underexplored in the larger context of mass incarceration, which has predominately centered on the experience of men, especially men of color (Wilson et al 2017). The absence of girls of color perpetuates the notion that prisons only serve and reinforce the patriarchy (Crenshaw 2012). However, girls’ experience with incarceration, although fundamentally different from that of boys, is worthy of exploring, especially in Washington State where our findings are not anomalous from the rest of the country in respect to rates of, and reasons for, detention among girls of color.

According to the OJJDP, nationally, one-fourth (24%) of all delinquency cases handled in 2015 involved the youth being securely detained. Of those, 20% of detainees were females. We know that Black girls accounted for a large share of female delinquency cases (53%) while White, Hispanic/Latinx, and Asian/Pacific Islander female youth accounted for a smaller share of the delinquency caseload. In addition, delinquency cases involving Black girls in 2015 were nearly three times as likely to be referred to juvenile court than cases involving their White and Hispanic/Latinx peers. Once referred, more than half of the delinquency cases involving Black girls were petitioned for formal processing, compared to about 44% of cases involving either White or Hispanic/Latinx girls (Ibid). These national disproportionality rates serve as the comparative basis for our study, as well as highlight the necessity of an intersectional approach to the Washington State data. Such an intersectional lens will broaden our collective understanding of the stakes and implications of this work. As we will showcase in the literature review below, we know a lot about the long-term and systemic effects of incarceration over a girl’s life course, particularly the social, psychological, health, educational, political, and economic outcomes they experience post-release. However, we do not statistically know how stark the gender and racial disparities are at the state level or how this disproportionately leads to the erasure of detained girls from our efforts to reform incarceration inequities in Washington State.

Given the noticeable absence of girls and girls of color from our state-level conversations around mass incarceration and prison reform/abolition, we are interested in exploring the uneven detention of female youth in Washington State. It is assumed

that the experiences of incarcerated boys are harsher than the experiences of incarcerated girls. This framing reinforces gendered and racialized hierarchies of difference and exclusion within our own understanding of who juvenile justice reform efforts need to center on and prioritize. This report serves as an interruption to this line of thinking. We offer a quantitative launching pad for future policy analysts to reference in their forthcoming efforts to eradicate racial and gender inequalities within the juvenile justice system in Washington State.

## **QUESTIONS THIS REPORT ADDRESSES**

This report will explore the following timely research questions:

- 1. What proportion of juvenile detention admissions in 2019 were accounted for by girls of color?*
- 2. Was there evidence of disproportionality in juvenile detention populations in 2019 compared to representation in the population for girls of color?*
- 3. Did patterns of disproportionality and disparity for girls of color differ by county in 2019?*
- 4. What were the most common offenses tied to detention for girls of color?*

## **LITERATURE REVIEW**

### **WHY DETENTION?**

There is no dearth of literature on both the mass incarceration and collateral consequences of imprisonment for boys, especially boys of color (Rios 2011; Stuart 2016; Davis 2017; Rule 2017; Drinan 2018). Despite the national attention given to the mass and over-incarceration of boys of color, the carcerality of girls of color, especially those facing a disproportionate rate of detention in Washington State, remains overlooked, underreported, and under-analyzed. On a national level, we know that the proportion of women incarcerated has steadily risen since the 1980's (Bloom 2003; Levy-Pounds 2007), but we know very little about how race and gender differences inform the exceptional detention rate for girls at the state level. Using Washington State data, we aim to examine the extent to which the disproportionality between girls, and in comparison to boys, map on to some of the national data provided throughout this report.

According to the OJJDP Statistical Briefing Book (2018), between 1980 and 2017, the nationwide number of incarcerated women increased by more than 750%, rising from a total of 26,378 in 1980 to 225,060 in 2017.<sup>2</sup> Likewise, according to the Sentencing Project, girls of color are more likely to be incarcerated than White girls.<sup>3</sup> The placement rate for all girls is 48 per 100,000 girls.<sup>4</sup> For White girls, the rate is 32 per 100,000.<sup>5</sup> Native girls are more than four times more likely (134 per 100,000) nationwide than

---

<sup>2</sup> Taken from, OJJDP Statistical Briefing Book. Online. Available: [http://www.ojjdp.gov/ojstatbb/crime/JAR\\_Display.asp?ID=qa05230&selOffenses=1](http://www.ojjdp.gov/ojstatbb/crime/JAR_Display.asp?ID=qa05230&selOffenses=1). July 22, 2020.

<sup>3</sup> <https://www.sentencingproject.org/publications/incarcerated-women-and-girls/#:~:text=Washing ton%2C%20D.C.%3A%20Bureau%20of%20Justice,1980%20to%20225%2C060%20in%202017>.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

White girls to be incarcerated.<sup>6</sup> African-American girls have a rate of 110 per 100,000 and are three-and-a-half times more likely to be incarcerated than White girls. Latinx girls are 38% more likely with a placement rate of 44 per 100,000.<sup>7</sup> The states with the highest incarceration rates for girls (per 100,000) as of 2015 include: Wyoming (197), West Virginia (175), South Dakota (138), and Nebraska (137).<sup>8</sup> By comparison, the states with the lowest incarceration rates for girls were New Jersey (7), Connecticut (10), Vermont (11), and Maine (15).<sup>9</sup> In regard to offense type, girls make up a higher proportion of those incarcerated for the least serious offense types.<sup>10</sup> In fact, 38% of youth incarcerated for status offenses, such as truancy and curfew violations, are girls.<sup>11</sup>

In Washington State, however, we have little source material on what leads girls of color to experience disproportionality in detention rates. Nonetheless, the urgency for us to discover the rate that girls are overrepresented in detention centers in Washington State is clear. Every day 48,000 youth are held in facilities away from home as a result of juvenile or criminal justice involvement nationwide.<sup>12</sup> Most of these youth are held in restrictive, correctional-style facilities and thousands are held while awaiting trial.<sup>13</sup> Of those 48,000, Black and Native youth are overrepresented in juvenile facilities, while White youth are underrepresented.<sup>14</sup> These racial disparities are particularly pronounced among both Black boys and Black girls, and while Indigenous/Native girls make up a small part of the confined population, they are extremely overrepresented relative to their share of the total youth population.<sup>15</sup>

With a lens toward detention among girls, specifically girls of color, the remainder of this literature review aims to locate some of the extant gaps that have contributed to the privileging of boys' experience with incarceration over girls, as well as why we should use an intersectional approach and focus on detention (Crenshaw 2012). By examining detention among girls of color, we aim to explore disproportionality between and across male and female youth along various racial and ethnic identities in Washington State.

## **WHY GIRLS OF COLOR?**

In the criminal justice literature, there lies a false perception that the carceral system is built for and entirely composed of boys, namely boys of color (Lederman & Brown 2000; Rule 2017). Despite this, a few studies have interrogated this assertion, particularly for girls of color. Much of the discursive focus has been on girls by way of their gender identity and expression, without attention given to the racial dynamics that

---

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Sickmund, M., Sladky, T.J., Kang, W., and Puzanchera, C. (2017) "Easy Access to the Census of Juveniles in Residential Placement." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Taken from, <https://www.prisonpolicy.org/reports/youth2019.html>

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.



inform the unusually high detention rates for girls of color. There was a notable study by Irwin & Chesney-Lind (2008) that aimed to examine the 20th-century tendency to view girls that offend in the same manner as boys that offend, or to view these girls as taking up ‘dangerous types of masculinity’. The article attempted to move beyond male-centered and masculinized explanations of female violence that reinforced the dichotomy of the “bad girl” vs. the “good girl” (Sharpe 2012; Morris 2016). To this point, the article recommended the necessity of future research addressing the context surrounding female offending, which includes, but is not limited to, the effects and nature of gender, race, and class inequalities and how they (independently and collectively) perpetuate sensational representations of girls who offend. This work influenced our desire to bring an intersectional lens to the Washington State data (more on this below).

Another classical study by Anderson (1976) presents three characterizations of the female offender that have enabled the perpetuation and maintenance of the justice system as chivalrous – the instigative female offender, the sexualized female offender, and the protected female offender. Chivalry here is intended to signify the conviction that while the justice system is meant to largely be retributive for men, it is meant to be rehabilitative and chivalrous to women, or somehow less castigatory, which the author concludes is a myth. Yet, there are few studies that have taken up the task of exploring racial and gender disparities of girls of color in detention in any depth, which has, unfortunately, facilitated their further marginalization in both the literature as well as our communal knowledge (Chesney-Lind & Eliason 2006). This is non-negligible as it has served to increase the punishment of poor and working-class girls of color who we know continue to fill U.S. detention centers and long-term facilities (Tracy et. al. 2009; Wolf & Kempf-Leonard 2009).

## ***WHY GIRLS OF COLOR IN DETENTION?***

The specific experiences of girls of color in detention need to be parsed, because the stereotypes that frame offending girls as “bad” and non-offending girls as “good” are also inherently racialized (Moore & Padavic 2010). In Moore & Padavic (2010), they find that Black girls receive harsher treatment in detention than White girls, but contrary to predictions, Latinx girls’ experiences in detention were no harsher than White girls. A series of interaction models revealed that the effects of race and ethnicity depended on legal variables and that, up to a certain threshold, White girls appeared to be granted leniency. As girls’ offending severity and prior records increased, the juvenile justice system became increasingly intolerant of girls of color, and sentencing decisions also become harsher. Another study by Flores (2016), however, found that 50 Latinx girls who were detained at El Valle, a juvenile detention center in Los Angeles, California, were experiencing ‘intense wraparound incarceration’, enclosing them in a cycle of inescapability and heightened surveillance that followed them for life (even outside of the formal detention center). Wraparound incarceration also inhibits Latinx girls’ ability to garner a productive life course, leading them to experience a constant feeling of being detained.

## **WHY STUDY GIRLS OF COLOR IN DETENTION INTERSECTIONALLY?**

These findings point to the importance of an intersectional approach to understanding how girls of color may encounter uneven experiences with detention. Boys of color experience an adultification (Ferguson 2001), or aging up, that harshens their sentencing, often leading them to be funneled into more long-term state facilities. Girls of color, conversely, often face a hyper-sexualization that leads them to short-term detention centers with graver implications on long-term educational, socio-emotional, and health outcomes in addition to oppressive monetary sanctions, such as fines and fees (Zahn, Agnew, Fishbein, Miller, Winn, Dakoff, Kruttschnitt, Giordano, Gottfredson, Payne, Feld, & Chesney-Lind 2010; Harris 2016).<sup>16</sup> Specifically, a study by Zahn et al. (2010) found that as of 2004, girls accounted for 30% of all juvenile arrests. Results show that factors such as economic disadvantage, exposure to violence, experience with physical and sexual child abuse and mistreatment, and a lack of positive parental supervision affected the development of delinquency for both boys and girls. However, early puberty, coupled with stressors such as conflict with parents and involvement with delinquent (and much older) male peers, is a risk factor that is unique to girls (Simkins & Katz 2002; Lenssen, Doreleijers, Van Dijk, & Hartman 2002; Dakoff, Larrea, & Li 2005; Kerig & Becker 2011). Likewise, Sherman (2005) notes that detention can negatively impact girls in the following ways: exacerbating physical and mental health issues, limiting access to mental health services, and falling behind in academic achievement. These factors have yet to be adequately examined collectively to nuance the role that they play in the experience of girls of color in and out of detention. While our data limits us from examining the collateral consequences of girls in detention or their experiences post-release, an intersectional approach allows for a holistic examination of two intervening mechanisms that inform girls' disproportionate rate of detention: their race and gender identities.

An intersectional analysis—evaluating race and gender (and when available, socioeconomic status and other salient factors)—is essential for understanding the disproportionality of detention rates among girls of color. Furthermore, this is important for our consideration because we know that girls' gender and racial identities do not operate in a vacuum. These identities work in tandem to shape girls' socio-legal status post-release from detention (Davis 2007). Even more, Black feminists and other feminists of color (Moraga & Anzaldúa 1981; Evans-Winters 2005) have found that frameworks focused exclusively on the experiences of men and boys of color (or White women) make invisible and overshadow the particular experiences of girls of color.

These experiences, especially for girls of color from low-income backgrounds and who live in poor and under-resourced communities, are often fraught with intersecting forms of structural and interpersonal violence (Richie 1996; Crenshaw 1997, 2012; Jones 2010). An important study by McGuire (2002) found that Black girls and White boys were arrested for both nonserious and serious offenses in almost the exact same

---

<sup>16</sup>According to Wendy Sawyer, author of the "Youth Confinement: The Whole Pie" report, 16,858 youth are in detention centers, while 10,777 are in long-term secure facilities. Of which, girls are unevenly placed in detention for short periods of up to 90 days, while boys are extradited to longer-term facilities or adult prisons.

proportions. However, girls were more likely than boys to be funneled to detention centers. In light of this finding, the author concluded that identifying or being perceived as Black significantly contributed to the likelihood of receiving detention and was the largest single contributor to the detention decision for both serious and nonserious offenders.

In addition, we know that the intention of the juvenile justice system is to empower stakeholders and legislators with discretion to address youth in both a tailored and holistic, and therefore more effective, manner. However, for girls of color in particular, this discretionary authority, when given to police, probation officers, and judges, has operated without sufficiently acknowledging and addressing the patriarchal leanings that the justice system was founded upon. Such a one-dimensional and male-centered perspective of the justice system underscores the dearth of adequate gender/race intersectional analysis in the research, as well as the stark absence of tools directed toward the specific characteristics and circumstances faced by girls of color in the juvenile justice system. For example, the harsher punishment they experience compared to boys who commit similar offenses (Jyoti Nanda 2011-12).

### ***WHY STUDY GIRLS OF COLOR IN DETENTION USING DESCRIPTIVE STATISTICS?***

Likewise, there is an absence of quantitative studies that take seriously an intersectional approach to understanding why and to what extent girls of color face detention at uneven rates when compared to their male and White-female counterparts, respectively. In place of such robust statistical analyses, we have several qualitative approaches that point to the negative experiences of girls in detention. One of the more notable historical studies by Guild (1919-20) examined 131 delinquent girls being held at a juvenile detention home in Chicago. Within this detention home, Guild and her research team conducted autobiographical interviews with each girl to glean their individual experience with detention, specifically how it shaped their sense of self and path forward post-release (see also Sharma 2010). Similarly, a study by Herman & Silverstein (2017) conducted exit interviews with girls leaving juvenile justice agencies to examine the myriad challenges they would likely face when they returned to their home and communities. While the four focus groups (see also Kakar, Friedemann, & Peck 2002) of 28 young women provided rich data about these girls' perceptions of the challenges that may confront them during their discharge from a detention facility, these findings do not accentuate the severity of the experiences of girls of color facing detention on a broader level. Even more, outside of these specific locales, although descriptively rich and revelatory, we are unable to generalize the findings to broader populations of girls of color facing detention, which would enable our ability to examine the intra-group variation between girls across different racial/ethnic backgrounds. We hope that our study, which uses both an intersectional approach and a quantitative design, will be a welcome addition to the body of literature.

# DATA ANALYSIS AND RESULTS

*Prepared by Washington State Center for Court Research (WSCCR) Staff*

## METHODS

### **SAMPLE**

The sample for the current study is all youth in Washington State who were under the jurisdiction of a Washington State court and were admitted to a detention facility in 2019. However, all analyses were completed at the admission level. That is, all counts represent unique admissions to a detention facility, not individual youth. Any one youth could be reflected in two or more admissions.

### **DATA SOURCES**

A strength of this report was our ability to utilize data from five sources. The Washington State Administrative Office of the Courts (AOC) maintains databases that are used by most local courts across the state to record all court contacts, person records and demographics, and juvenile detention data. In addition to these three databases, we received juvenile detention data from King County, who uses their own internal database to track detention episodes, and merged these data with administrative data from AOC. Finally, we used Population and Demographics data from the Washington State Office of Financial Management (OFM) Forecasting Division to compare population demographics with detention admission demographics and to derive population-based rates.

### **MEASURES**

#### Detention Admission

For this report, only episodes where youth were formally admitted to one of the state's 20 county-operated juvenile detention facilities, the state's one privately operated facility, or a contracted out-of-state facility were counted. Since our focus was on local juvenile detention facilities, admissions to non-secure or secure Crisis Residential Centers, state-operated Juvenile Rehabilitation facilities, or any other secure juvenile facilities were not included. If the youth was brought to the facility, was screened, did not meet admission criteria (as defined by the local facility) and was released, that event was not counted as an admission. Finally, because we are interested in policies and practices affecting youth who are under the jurisdiction of courts in Washington State, we excluded any holds for out-of-state jurisdictions and Native Tribes.

#### County

There are 39 counties in Washington State and 33 juvenile courts, as several counties share joint jurisdiction. There are 21 juvenile detention centers in the state, 20 operated by juvenile courts and one privately operated. Several smaller juvenile courts contract

with facilities in other counties. In addition, some juvenile courts contract with out-of-state facilities to hold youth. For this report, admissions are counted in the youth's home county, as documented in the detention data set in the field indicating the jurisdiction being held for, regardless of the facility where the admissions occurred. We decided on this strategy so that we could calculate accurate population-based rates. Holds for Juvenile Rehabilitation (JR) are not counted in any particular county, as these youth are under state jurisdiction. These JR admissions (214 boys and 19 girls) are included in statewide rates throughout the report, but are excluded from county-level analyses.

## Demographic Information

In court administrative records, gender is limited to two categories: male and female. For this report we present data for boys and girls, as coded in the available data, together and separately throughout the report. Only four admissions were missing gender data and were excluded from analyses. We recognize that a binary indicator does not align with what is considered to be best practice regarding reporting gender identity for youth, as not all youth identify with one of these two categories. This is certainly a limitation of the available data.

The race/ethnicity variable for youth admitted to detention was created from two indicators in court administrative data, race and ethnicity. The possible race categories include African American; American Indian/Alaskan Native; Asian; Pacific Islander; White; Multi-Racial; and Other. The ethnicity variable indicates whether the youth is Hispanic or Non-Hispanic. Court staff are instructed to record both race and ethnicity for each individual. From these indicators, we created six groups: Native (including Hispanic, Non-Hispanic, and Unknown ethnicity); Asian/Pacific Islander (including Hispanic, Non-Hispanic, and Unknown ethnicity); Black (including Hispanic, Non-Hispanic, and Unknown ethnicity); Latinx (i.e., Hispanic youth, including White, Multi-Racial, Other or Unknown race); White (Non-Hispanic or Unknown ethnicity); and Other/Unknown (Multi-Racial, Other, or Unknown race and Non-Hispanic or Unknown ethnicity). We used the same coding strategy to create racial/ethnic categories in the OFM population data in order to accurately compare representation between community youth populations and detention admissions.

This report differs in its categorization of racial groups from the historical approach used by AOC and what prevails in census data. Specifically, this research group made the decision for this report that individuals recorded as Hispanic ethnicity and of a single Non-White race were best categorized not as Hispanic for racial categorization purposes, but rather should be included in the statistics with their corresponding Non-Hispanic racial category. For example, a youth detention recorded as Hispanic ethnicity and Black race is included in this report as a detention of a racially Black youth. Our rationale for this decision is partly based on the logical function of racial categorization in public data, and partly based on concerns related to the prevailing categorization model, which treats Hispanic ethnicity and all its corresponding racial sub-categories as a single race. It is important to note that only 2.6% of all detention admissions in 2019 involved a youth who was categorized as Hispanic and a single Non-White race, so these coding decisions affected only a small subset of the sample.



One potential discrepancy we discovered involved the use of the Multi-Racial indicator. In the OFM population data, 9.6% of youth in Washington State were classified as two or more races, including both Hispanic and Non-Hispanic ethnicity. In administrative court records, only 1.1% of admissions were tied to a youth categorized as Multi-Racial, including both Hispanic and Non-Hispanic ethnicity. It appears that court staff may be under-utilizing the Multi-Racial code. Because so few admissions were tied to a youth categorized as Multi-Racial, we collapsed Multi-Racial, Other, and Unknown race into a single “Other/Unknown” category. OFM population data did not include an “Other” or “Unknown” race option. As noted above, if a youth was classified as Hispanic and Multi-Racial, we coded this youth as Latinx, in an effort to utilize all available information. Thus, the sixth and final race/ethnicity category, “Other/Unknown,” is not directly comparable between detention admissions and population data, as the former captures all Non-Hispanic youth coded as Other, Multi-Racial, or Unknown race, and the latter captures all Non-Hispanic youth coded as two or more races. For that reason, we do not provide comparisons between these two groups (e.g., rates per 1,000) in this report. We include these groups in graphs and tables when it is important to show the total breakdown for youth in the population and in detention admissions.

### Detention Reason

Detention reasons were classified into five categories: alleged or adjudicated felony offense; alleged or adjudicated misdemeanor offense; violation of a court order–offender (most commonly, a probation violation); violation of a court order–non-offender (includes At-Risk Youth [ARY], Child in Need of Services [CHINS], and Truancy petitions as well as Dependency cases); and Other/Unknown. The final category includes a very small number of criminal and non-criminal infractions, holds for other in-state jurisdictions such as district or municipal courts, and admissions where the reason was not recorded or not clear. Only 4.8% of admissions involving girls and 6.6% of admissions involving boys fell into this final Other/Unknown category. If multiple reasons were recorded for a single admission, the most serious offense/violation was used as the primary reason. A new offense was considered more serious than a probation violation, and anything tied to an offender matter was considered more serious than a non-offender matter. For example, if a youth was admitted for a new misdemeanor offense, a probation violation, and a violation of a court order related to a non-offender matter, the primary reason was the misdemeanor offense.

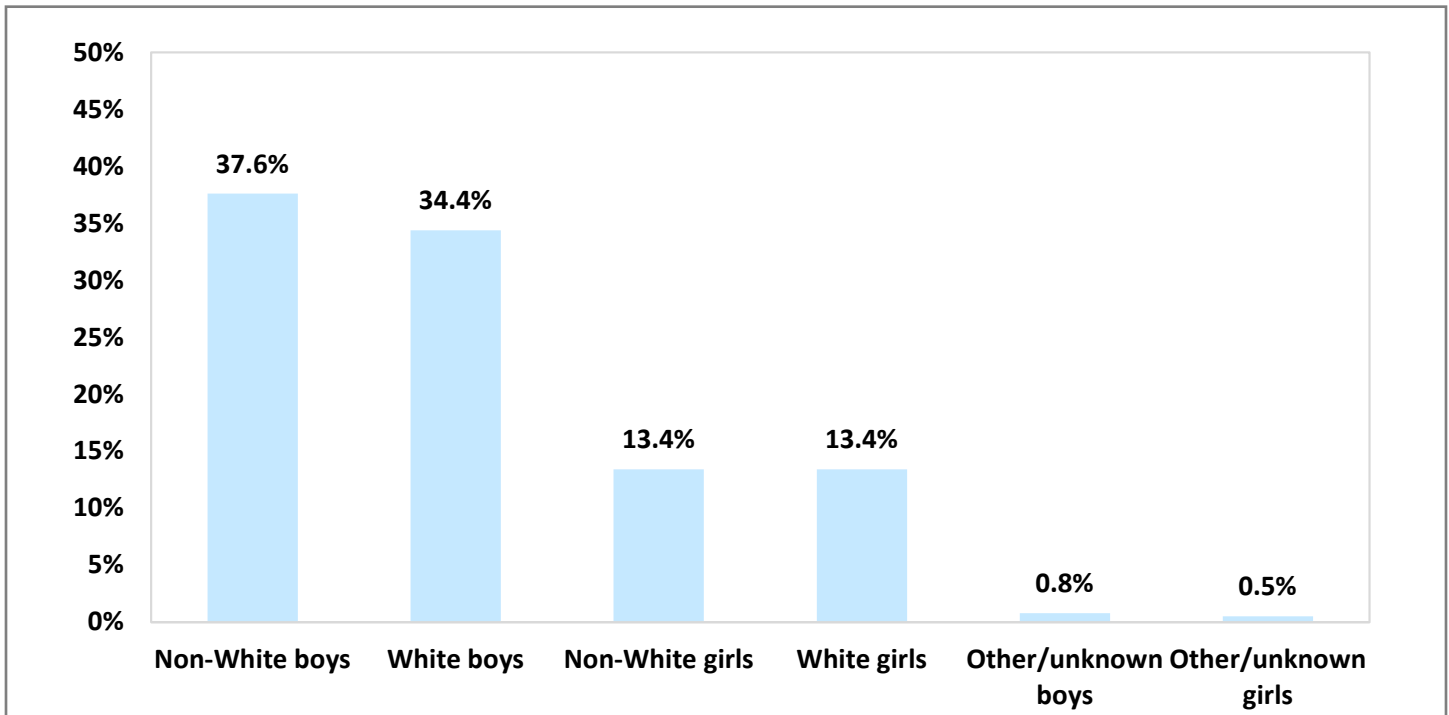
# RESULTS

*Research Question #1: What proportion of juvenile detention admissions in 2019 were accounted for by girls of color?*

*Girls accounted for 27.3% of all detention admissions in 2019. Non-White girls accounted for 13.4% of all admissions.*

In 2019 there were 10,619 admissions to a juvenile detention facility in Washington State or a contracted out-of-state facility in which the youth was identified as male or female.<sup>17</sup> As shown in Figure 1, the largest share of those admissions (37.6%) was accounted for by Non-White boys, followed by White boys (34.4%), White girls (13.4%), Non-White girls (also 13.4%), and finally, boys and girls of an Unknown, Other or Multi-Racial/Ethnic category (0.8% boys and 0.5% girls).

**Figure 1. 2019 Juvenile detention admissions by demographics**



Note: percent totals may not add up to 100 due to rounding.

<sup>17</sup> Four detention admissions were excluded from analyses, as no gender was listed. Currently, court data management systems only provide a binary gender option.

*Research Question #2: Was there evidence of disproportionality in juvenile detention admissions in 2019 compared to representation in the population for girls of color?*

*Relative to their representation in the female youth population, Native, Black, and Latinx girls were overrepresented among female detention admissions, with Black girls showing the highest disproportionality.*

To provide context, we show data for all youth across the state, and for boys and girls separately in Table 1. This table shows the percent of youth age 10-17 in the population by racial/ethnic group and the percent of detention admissions by race/ethnicity in 2019.<sup>18</sup> At the state level in 2019, Native, Black, and Latinx youth were overrepresented among detention admissions for both boys and girls, while White and Asian/Pacific Islander youth were underrepresented. For example, White youth made up 56.7% of the state’s youth population, 56.9% of the state’s male youth population, and 56.6% of the state’s female population. However, White youth accounted for only 47.7% of all detention admissions, 47.2% of male admissions, and 49.0% of female admissions. Patterns of disproportionality were similar for boys and girls, with Native, Black, and Latinx youth showing substantial overrepresentation and Asian/Pacific Islander youth showing underrepresentation.

**Table 1. Representation of racial/ethnic groups in the youth population and representation among juvenile detention admissions in 2019**

		Native	Asian/ Pacific Islander	Black	Latinx	White	Other/ Unknown
All	% of population	2.4	9.2	5.0	18.5	56.7	8.1
	% of admissions	5.8	3.4	16.2	25.7	47.7	1.3
	Rate per 1,000	33.5	5.2	45.7	19.6	11.9	2.2
Boys	% of male population	2.5	9.1	5.0	18.5	56.9	8.0
	% of male admissions	5.3	3.5	16.7	26.2	47.2	1.1
	Rate per 1,000	43.3	7.7	66.7	28.3	16.6	2.7
Girls	% of female population	2.4	9.4	4.9	18.5	56.6	8.2
	% of female admissions	7.0	3.1	14.6	24.6	49.0	1.7
	Rate per 1,000	22.9	2.6	23.3	10.4	6.8	1.7

Total number of youth age 10-17 in the population = 753,507

Total number of admissions to juvenile detention = 10,619

Note: percent totals may not add up to 100 due to rounding.

We see disparities between White youth and youth of color at the state level, evidenced by differences in population-based detention admission rates (see Table 1). Statewide, the number of detention admissions per 1,000 youth in the population varied by racial/ethnic group, with Black youth showing the highest rate (45.7) and Asian/Pacific Islander youth showing the lowest rate (5.2). The rate for Native youth was nearly three times higher than the rate for White youth; the rate for Black youth was nearly four times higher; and the rate for Latinx youth was about one and a half times higher. Patterns of disparities between White youth and youth of color were similar for boys and girls. As

<sup>18</sup> While not all youth admitted to detention were between the ages of 10 and 17, 98.6% of admissions in 2019 involved youth in this age group. For reference, the mean age at admission was 15.7 years, and only 0.7% of admissions involved a youth under the age of 12.

noted in the Methods section, we are not confident that the population-level indicator of Other/Unknown race/ethnicity is comparable to the measure we have for youth in detention. Thus, we do not show population-based rates for this category.

*Research Question #3: Did patterns of disproportionality and disparity for girls of color differ by county in 2019?*

*There was substantial variability in types and levels of disproportionality and disparity across counties in 2019.*

Before comparing population-based detention rates by racial/ethnic groups across counties, it is important to look at the overall detention rate to understand the extent to which detention is being used in each county. In 2019, the overall detention rate varied greatly by county. Table 2 shows the number of detention admissions per 1,000 youth in the population overall (for each county that had at least 10 admissions to detention), and for boys and girls separately (for each county that had at least 10 admissions in each category). Statewide, the overall detention rate was 14.1 admissions per 1,000 youth age 10-17 in the population, with county rates ranging from 4.7 in King County to 54.2 in Okanogan County. For girls, the overall detention rate was 7.9, ranging from 2.6 in King County to 50.9 in Okanogan County.

**Table 2. Juvenile detention admission rates per 1,000 in 2019 by county**

County	Girls	Boys	All
Statewide	7.9	20.0	14.1
Adams	-	-	12.5
Asotin	12.7	29.4	20.9
Benton	13.4	38.5	26.3
Chelan	21.4	41.2	31.7
Clallam	28.6	69.2	49.6
Clark	4.5	16.3	10.6
Columbia	-	-	-
Cowlitz	26.9	69.6	48.5
Douglas	15.0	34.4	25.0
Ferry	-	-	28.3
Franklin	6.6	28.1	17.6
Garfield	-	-	-
Grant	14.3	30.7	22.6
Grays Harbor	25.5	54.2	40.0
Island	4.9	11.0	8.0
Jefferson	-	-	10.2
King	2.6	6.6	4.7
Kitsap	11.7	27.8	19.9
Kittitas	6.7	22.8	14.6
Klickitat	9.9	58.9	35.0
Lewis	26.2	53.0	40.0
Lincoln	-	-	8.9
Mason	6.1	20.8	13.7
Okanogan	50.9	57.2	54.2
Pacific	18.1	36.5	28.0
Pend Oreille	45.2	18.9	31.6
Pierce	7.4	17.6	12.6
San Juan	-	-	10.3
Skagit	11.0	38.9	25.1
Skamania	-	-	-
Snohomish	3.6	8.7	6.2
Spokane	7.2	20.7	14.1
Stevens	10.5	33.0	22.2
Thurston	12.8	26.7	20.0
Wahkiakum	-	-	-
Walla Walla	14.6	36.4	25.3
Whatcom	11.8	22.7	17.3
Whitman	5.5	8.5	7.0
Yakima	10.0	29.8	20.3



Table 3 shows the percent of girls age 10-17 in the population by racial/ethnic group and the percent of female detention admissions by race/ethnicity in 2019, by county. To prevent the possibility of any individuals being identified in the county-level data, we are not showing any cells that correspond to a count of fewer than 10 admissions. For some smaller counties, the result is that no data are shown in this table. It is also very important to keep sample size in mind when interpreting these county-level results. In some cases, a high percent value may only represent a dozen or so admissions, and we do not advise that the readers make any substantial generalizations from these single-year snapshots in smaller jurisdictions. In Table 3 the number of female admissions in the county is included in the first column following the county name for reference.

Only five counties (Okanogan, Pierce, Snohomish, Spokane, and Whatcom) had a sufficient number of admissions of Native girls to report, and all of these counties showed overrepresentation to varying degrees. The starkest difference was in Okanogan County, where Native girls made up 17.0% of the female youth population but 74.3% of admissions of females to detention in 2019. While Asian/Pacific Islander girls were underrepresented in detention admissions collectively statewide, in the three counties with a sufficient number of admissions to report (Cowlitz, Kitsap, and Whatcom), Asian/Pacific Islander girls were actually overrepresented in detention admissions.

Of the 10 counties that had 10 or more admissions of Black girls in 2019, all showed an overrepresentation. In the state's two most populous counties and also the two counties with the largest African American populations (King and Pierce), about 40% of female admissions were accounted for by Black girls, though Black girls made up less than 9% of the female youth population. King and Snohomish Counties were the only jurisdictions with reportable data that detained Black girls at a rate lower than the statewide rate (23.3). Both admitted Black girls to detention at a rate higher than the statewide rate for all girls (7.9). In Spokane County, the detention rate for Black girls was almost 13 times that of White girls (69.7 to 5.4). In Pierce County, the rate for Black girls was eight times greater than for White girls (37.6 to 4.6).

For Latinx girls, disproportionality varied considerably across counties. Some counties showed underrepresentation of Latinx girls (e.g., Franklin and Cowlitz); some counties showed that the representation of Latinx girls among detention admissions was comparable to their representation in the population (e.g., Spokane and Lewis); and, in others, Latinx girls were overrepresented among detention admissions (e.g., in Clark and Skagit Counties). Three of the four counties where the youth population is majority Latinx (>50%) had a sufficient number of detention admissions to report on racial/ethnic disproportionality, and interestingly, in all three of these counties Latinx girls showed either relatively comparable representation or underrepresentation among detention admissions (see Franklin, Grant, and Yakima Counties).

**Table 3. County-level representation of racial/ethnic groups in the female youth population and representation among female juvenile detention admissions in 2019**

County (# female admits)		Native	Asian/Pacific Islander	Black	Latinx	White	Other/ Unknown
<b>Adams (8)</b>	Too few admission to report breakdown						
<b>Asotin (13)</b>	Too few admissions to report breakdown						
<b>Benton (153)</b>	% of population	1.4	3.6	2.4	30.9	57.9	3.9
	% of admissions	-	-	7.8	43.5	45.8	-
	Rate per 1,000	-	-	44.3	19.0	10.6	-
<b>Chelan (85)</b>	% of population	2.7	1.5	0.9	44.3	47.7	3.0
	% of admissions	-	-	-	57.6	38.8	-
	Rate per 1,000	-	-	-	27.9	17.4	-
<b>Clallam (82)</b>	% of population	8.4	2.1	1.2	9.8	68.9	9.6
	% of admissions	-	-	14.6	-	69.5	-
	Rate per 1,000	-	-	350.4	-	28.8	-
<b>Clark (117)</b>	% of population	1.2	6.5	3.0	13.1	68.4	7.8
	% of admissions	-	-	16.2	23.9	56.4	-
	Rate per 1,000	-	-	24.4	8.1	3.7	-
<b>Columbia (3)</b>	Too few admissions to report breakdown						
<b>Cowlitz (149)</b>	% of population	2.5	2.8	1.2%	14.6	72.3	6.6
	% of admissions	-	9.4	-	8.7	78.5	-
	Rate per 1,000	-	89.7	-	16.1	29.2	-
<b>Douglas (36)</b>	% of population	2.9	1.2	0.8	47.1	45.7	2.3
	% of admissions	-	-	-	44.4	38.9	-
	Rate per 1,000	-	-	-	14.1	12.7	-
<b>Ferry (8)</b>	Too few admissions to report breakdown						
<b>Franklin (44)</b>	% of population	1.1	2.5	2.0	67.9	24.8	1.7
	% of admissions	-	-	-	38.6	52.3	-
	Rate per 1,000	-	-	-	3.8	13.9	-
<b>Garfield (0)</b>	Too few admissions to report breakdown						
<b>Grant (91)</b>	% of population	2.2	0.8	1.9	54.7	37.7	2.7
	% of admissions	-	-	-	57.1	34.1	-
	Rate per 1,000	-	-	-	14.9	12.9	-
<b>Grays Harbor (87)</b>	% of population	7.7	2.2	1.4	16.4	65.4	6.9
	% of admissions	-	-	-	18.4	73.6	-
	Rate per 1,000	-	-	-	28.6	28.6	-
<b>Island (15)</b>	Too few admissions to report breakdown						
<b>Jefferson (4)</b>	Too few admissions to report breakdown						
<b>King (259)</b>	% of population	1.3	18.9	8.9	12.8	49.0	9.2
	% of admissions	-	-	39.4	25.5	30.1	-
	Rate per 1,000	-	-	11.6	5.2	1.6	-
<b>Kitsap (138)</b>	% of population	2.2	7.6	3.2	10.1	64.6	12.2
	% of admissions	-	16.7	-	15.9	58.0	-
	Rate per 1,000	-	25.5	-	18.4	10.5	-
<b>Kittitas (14)</b>	Too few admissions to report breakdown						
<b>Klickitat (10)</b>	Too few admissions to report breakdown						
<b>Lewis (100)</b>	% of population	2.6	1.7	1.1	17.0	72.0	5.7
	% of admissions	-	-	-	18.0	68.0	-
	Rate per 1,000	-	-	-	27.7	24.7	-
<b>Lincoln (2)</b>	Too few admissions to report breakdown						
<b>Mason (17)</b>	% of population	6.7	2.0	1.5	13.1	68.6	8.0
	% of admissions	-	-	-	-	94.1	-
	Rate per 1,000	-	-	-	-	8.3	-

County (# female admits)		Native	Asian/Pacific Islander	Black	Latinx	White	Other/ Unknown
Okanogan (105)	% of population	17.0	2.1	1.0	31.1	43.7	5.1
	% of admissions	74.3	-	-	-	21.9	-
	Rate per 1,000	222.2	-	-	-	25.5	-
Pacific (14)	% of population	4.6	2.7	2.8	17.7	67.1	5.2
	% of admissions	-	-	-	-	92.9	-
	Rate per 1,000	-	-	-	-	25.0	-
Pend Oreille (27)	% of population	7.1	1.8	0.3	5.1	81.4	4.4
	% of admissions	-	-	-	48.1	48.1	-
	Rate per 1,000	-	-	-	430.7	26.7	-
Pierce (334)	% of population	1.9	8.5	8.5	13.9	54.1	13.0
	% of admissions	3.0	-	43.4	16.8	34.1	-
	Rate per 1,000	11.6	-	37.6	8.9	4.6	-
San Juan (6)	Too few admissions to report breakdown						
Skagit (71)	% of population	4.3	2.6	1.4	30.8	56.7	4.3
	% of admissions	-	-	-	70.4	22.5	-
	Rate per 1,000	-	-	-	25.2	4.4	-
Skamania (0)	Too few admissions to report breakdown						
Snohomish (145)	% of population	1.9	11.4	3.5	13.6	60.9	8.6
	% of admissions	9.7	-	12.4	12.4	62.1	-
	Rate per 1,000	18.0	-	12.7	3.3	3.7	-
Spokane (187)	% of population	2.2	3.7	2.2	7.5	77.2	7.2
	% of admissions	9.1	-	21.4	7.5	58.3	-
	Rate per 1,000	29.6	-	69.7	7.1	5.4	-
Stevens (23)	% of population	5.8	0.8	0.7	5.4	81.0	6.3
	% of admissions	-	-	-	-	87.0	-
	Rate per 1,000	-	-	-	-	11.3	-
Thurston (178)	% of population	1.9	8.5	4.6	11.9	62.7	10.3
	% of admissions	-	-	13.5	20.8	55.6	-
	Rate per 1,000	-	-	37.4	22.3	11.4	-
Wahkiakum (2)	Too few admissions to report breakdown						
Walla Walla (49)	% of population	1.7	1.8	1.3	36.7	54.2	4.4
	% of admissions	-	-	-	38.8	53.1	-
	Rate per 1,000	-	-	-	15.5	14.3	-
Whatcom (121)	% of population	4.8	5.0	1.7	14.8	67.1	6.6
	% of admissions	17.4	9.1	9.1	18.2	45.5	-
	Rate per 1,000	42.7	21.6	61.5	14.5	8.0	-
Whitman (11)	Too few admissions to report breakdown						
Yakima (167)	% of population	7.2	1.8	1.4	62.1	24.9	2.6
	% of admissions	-	-	7.8	58.7	27.5	-
	Rate per 1,000	-	-	54.4	9.5	11.1	-

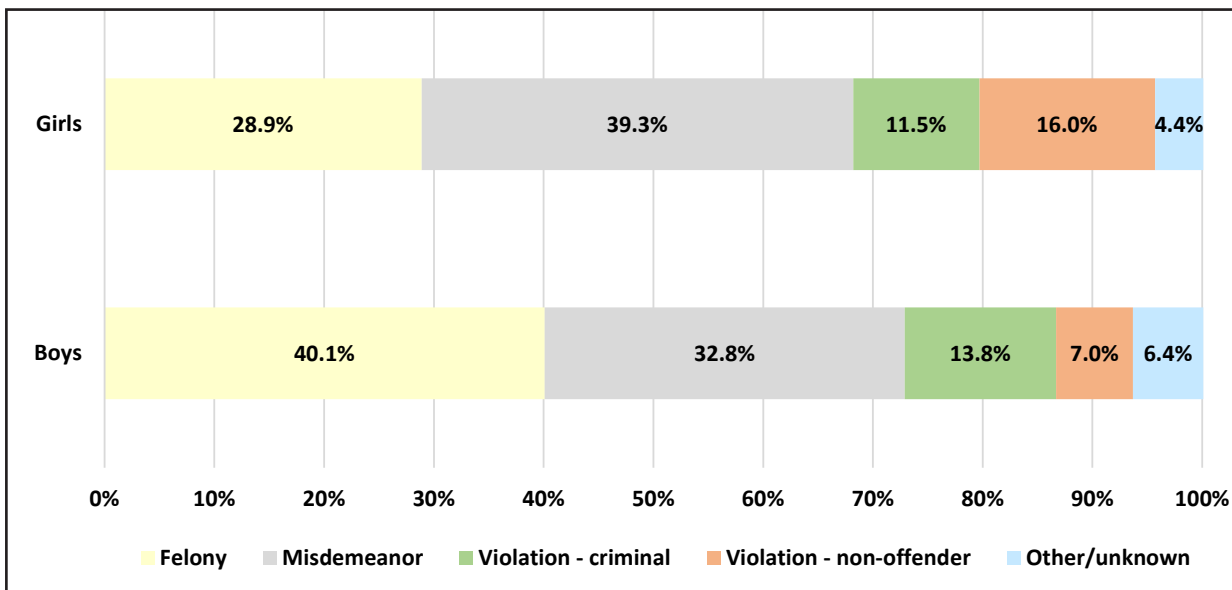
- Notes: 1. percent totals may not add up to 100 due to rounding.  
2. a "-" indicates there were too few admissions to report stats for that group.

*Research Question #4: What were the most common offenses tied to detention for girls of color in 2019?*

*For girls, the most common reason for detention in 2019 was an alleged or adjudicated misdemeanor offense. This was true across all racial/ethnic groups.*

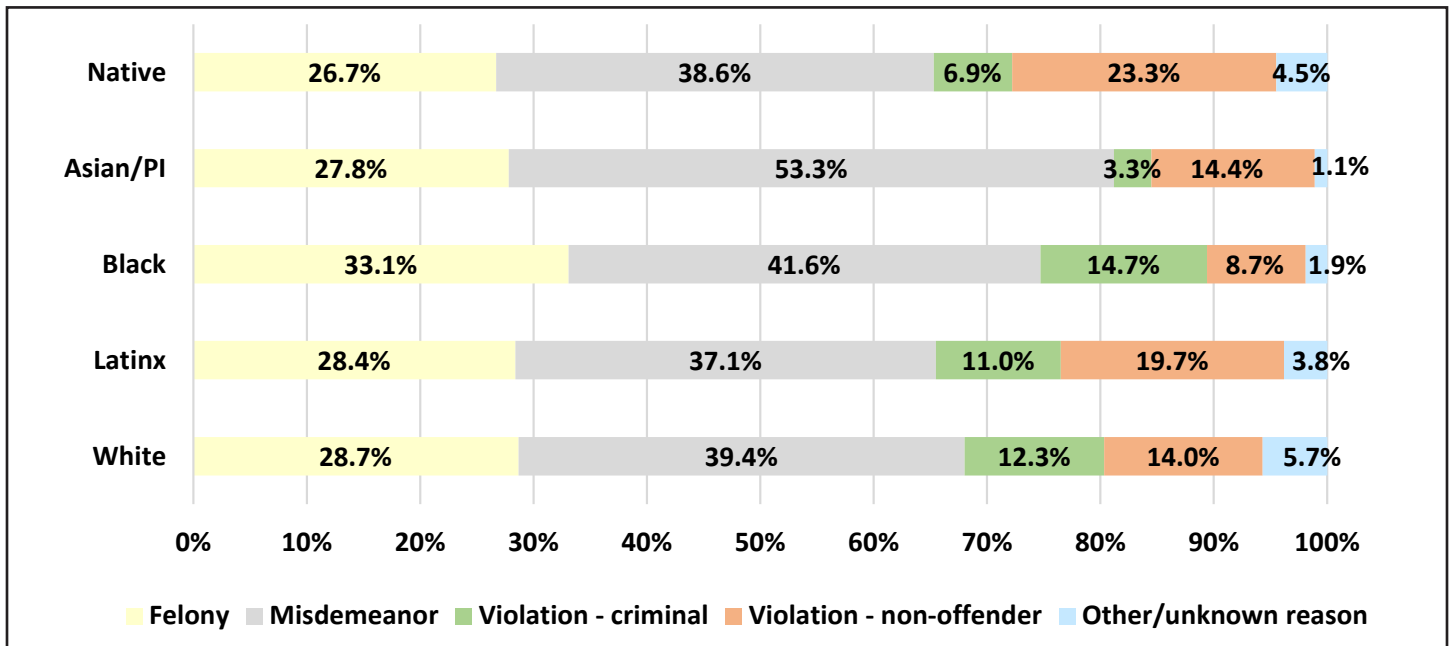
Figure 2 shows the most serious offense/reason tied to the detention admission for boys and girls separately. For girls, 71.1% of detentions were the result of a non-felony offense (or hold for other jurisdiction), whereas boys were detained for non-felony offenses 59.9% of the time. Most commonly, girls were detained as a result of an alleged or adjudicated misdemeanor offense (39.3%), while only 28.9% were in detention for a felony offense. The most common detention admission reason for boys was an alleged or adjudicated felony offense (40.1%). About 12% of girls and 14% of boys were in detention as a result of a violation of a court order tied to a criminal offense, with probation violations being the most common violation. Interestingly, 16.0% of admissions involving girls were the result of a violation of court order tied to a non-offender matter (i.e., a Truancy, At-Risk-Youth, or Child in Need of Services petition or a Dependency case), while only 7.0% of boys were admitted to detention for a non-offender matter. As shown in Figure 3, across racial/ethnic groups, an alleged or adjudicated misdemeanor offense was the most common reason for detention for girls. For all groups, the second most common reason for detention was an alleged or adjudicated felony offense.

**Figure 2. Primary reason for detention by gender in 2019**



Note: percent totals may not add up to 100 due to rounding.

**Figure 3. Primary reason for detention of females by race/ethnicity in 2019**



Note: percent totals may not add up to 100 due to rounding.



# DISCUSSION AND CONCLUSION

*Prepared jointly by MJC and WSCCR Staff*

## DISCUSSION

Just over one quarter (27.3%) of juvenile detention admissions in 2019 were accounted for by girls. We found that Native, Black, and Latinx girls were overrepresented among admissions to juvenile detention facilities in Washington State, and as a result, population-based detention admission rates were 1.5 to 3.4 times higher for these groups of girls compared to White girls statewide in 2019. These disparities appeared relatively similar for boys and girls. Patterns of disproportionality and disparity for girls at the state level differed in some regards from the national level. Ehrmann, Hyland, and Puzanchera (2019) found that most of the overrepresentation among females in residential placement nationwide was seen among Black girls; Latinx girls had comparable representation and Native girls were overrepresented, but to a lesser degree.

Another interesting finding was that patterns of disproportionality and disparity seen statewide did not hold across all counties. There was a considerable amount of variability across jurisdictions. The five largest counties in Washington – King, Pierce, Snohomish, Spokane, and Clark – all had lower detention rates among girls (to varying degrees) than the statewide rate of 7.9 admission per 1,000 youth. There is a wide intercounty disparity in the deployment of detention as a juvenile justice strategy, with many less populous counties utilizing detention at higher rates than larger counties, yet also variation in detention rates amongst the largest counties. The rate for White girls in each of the five largest jurisdictions was lower than the overall statewide rate for White girls, but the same cannot correspondingly be said for girls of color, signifying cognizable but unequal gains in juvenile decarceration efforts in the largest jurisdictions. Finally, we saw that girls, compared to boys, were more likely to be in detention as a result of a lower-level offense or violation, and less likely to be admitted as the result of a felony offense. This is consistent with national data, where the majority of girls were in residential placement for a non-violent offense in 2015 (Ehrmann, Hyland, & Puzanchera, 2019).

### Implications for Future Research

This report serves as a vital first step in exploring the use of incarceration for girls of color in Washington State. We looked at the most common form of youth incarceration statewide, juvenile detention. To fully understand how incarceration is being used for girls, and specifically girls of color, future research should include both juvenile detention data and JR commitment data. In addition, we captured only one year in the current report. Because some jurisdictions are small and had few detention admissions of girls in 2019, it was difficult to explore meaningful trends in racial/ethnic disproportionality by jurisdiction, and in some instances we could not show admission counts due to confidentiality concerns. Future research should study this topic using multi-year data, both to increase the sample size and to explore trends over time. Finally, detention is

just one decision point in a long process of a youth's involvement in the juvenile justice system. Because detention in Washington State occurs both pre- and post-adjudication, disparities observed in detention admissions can be influenced by policing practices, judicial and prosecutorial discretion, probation policies, and detention center admissions criteria. More research is needed to understand the sources of the racial/ethnic disparities observed for girls, so that interventions can be targeted appropriately.

This report represents a novel statewide analysis of juvenile detention data from a deliberately intersectional approach. We hope that in taking this approach, this report contributes to, and indeed advances, the deployment of intersectionality in public research. By looking at the intersection of race/ethnicity and gender in statewide juvenile detention, we hope to better differentiate the juvenile justice experiences of differently-situated youth, so as to better and more efficiently meet the specificities of their unmet needs.

### Implications for Policy and Practice

A recent report published as part of the Grand Challenges for Social Work series entitled "Achieving Equal Opportunity and Justice in Juvenile Justice" (Kim, McCarter, & Logan-Greene, 2020) provides five goals aimed at achieving a more equitable justice system for youth. Three of these goals are particularly relevant for girls of color. First, Kim and colleagues recommend assessing disproportionality and disparity at all decision points for all vulnerable groups. While most states report racial/ethnic disparities in the juvenile justice system, with this report we examined the intersectionality of race/ethnicity and gender to focus on a particularly vulnerable population: girls of color in detention. We hope this is just the beginning of such work, and that, as a state, we will further study disparities for girls of color at all decision points and expand our focus to include other vulnerable populations who identify as girls of color but may have more specific needs, such as lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth, immigrant youth, and youth with disabilities. How these individual characteristics interact with geographic residence, socioeconomic status, and community and cultural differences must be properly appreciated in order to craft fully intersectional policy responses.

The second goal offered by Kim and colleagues was to expand positive alternatives to traditional discipline in schools and to decriminalize nonviolent behaviors and status offenses. Given that the majority of girls of color in our study were in detention as the result of a misdemeanor offense, a probation violation (which often includes truancy or misbehavior at school), or a non-offender matter (i.e., a status offense, including a truancy petition), this is an especially relevant aim. These changes will require more consistent collaboration between schools, juvenile courts, and community-based youth organizations. Finally, Kim and her colleagues recommend increasing diversion opportunities for low-risk and first-time offenders. Again, given that most girls of color are not in detention for serious offenses, many of these girls could likely be diverted out of the juvenile justice system and, hopefully, into services that can help address their unmet needs.

It is also important to acknowledge all of the organizations and individuals that can play a part in the overrepresentation of girls of color in detention. Outside of the juvenile justice system, schools and child welfare agencies make important decisions in youths' lives that can lead to detention. Within the justice system, law enforcement officers, detention staff, probation counselors, prosecutors, and judges all have influence at different stages of the justice process. Each unit needs to take responsibility for their part in perpetuating disparities, and as noted above, more research is needed to determine where disparities are most likely to occur, so that limited resources can be targeted most effectively.

### Limitations

This study, while providing vital information for juvenile justice reform efforts, is not without limitations. First, we are limited to administrative data derived from data collection methods already in place. Unfortunately, the data management systems used by courts and detention centers do not allow for assessing and recording the full range of possible racial and ethnic identities youth may hold. The same is true for gender identities and sexual orientations, which would also be helpful in our analysis of intersectionality. Instead, youth must choose from a limited list of racial and ethnic categories and choose (or be assigned) one of two gender options that may not align with their identities. In addition, it appears that court and detention staff may not be using the Multi-Racial code in all applicable instances, based on the low prevalence of youth categorized as Multi-Racial at detention admission, compared to the prevalence in the general population of youth who identify as two or more races. Thus, we were unable to give due focus to the potentially unique experiences of youth who identify as two or more races with regard to juvenile detention. While we may not be able to fully measure how each youth personally identifies, we are likely capturing a measure that aligns with how youth are perceived and categorized by staff. Despite the limitations inherent in nearly all studies using secondary administrative data, this study makes an invaluable contribution by focusing specifically on the disparities faced by girls of color with regard to juvenile detention.

## CONCLUSION

In sum, it is important to underline the significance of the advancement of research that centers on the experiences of girls of color in detention, as well as the racialized and gendered dynamics at play that have and continue to lead to their uneven placement in detention facilities at higher rates (see McGuire 2002). This report takes the important step to move beyond the false narrative that boys (largely boys of color) are the only population facing the collateral consequences of carcerality. The detention experiences of girls', especially girls of color, might be different from that of boys, but they are worthy of further exploration, nuance, and attentiveness. In doing so, we are able to glean the rate of detention amongst girls of color in Washington State, which we presently know very little about independent of this report. Using the data presented here, future research in the fields of criminology, juvenile justice reform, and legal studies must take up an intersectional framework and evidence-based approach to understanding the socio-political, educational, health, and labor-market outcomes of girls of color who experience detention at higher rates than their White counterparts.

## REFERENCES

1. Alemagno, Sonia A., Elizabeth Shaffer-King, and Rachel Hammel. 2006. "Juveniles in Detention: How Do Girls Differ From Boys?" *Journal of Correctional Health Care* 12, no. 1: 45–53.
2. Anderson, E. 1976. "The 'Chivalrous' Treatment of the Female Offender in the Arms of the Criminal Justice System: A Review of the Literature." *Social Problems*, 23(3), 350-357. doi: [10.2307/799780](https://doi.org/10.2307/799780).
3. Anon. 2020. "Incarcerated Women And Girls | The Sentencing Project." *The Sentencing Project*. Retrieved October 10, 2020 (<https://www.sentencingproject.org/publications/incarcerated-women-and-girls/#%3A%7E%3Atext%3DWashington%2C%20D.C.%3A%20Bureau%20of%20Justice%2C1980%20to%20225%2C060%20in%2201%20>).
4. Anon. 2020. "Juvenile Arrest Rate Trends." *Ojjdp.gov*. Retrieved October 10, 2020 ([https://www.ojjdp.gov/ojstatbb/crime/JAR\\_Display.asp?ID=qa05230](https://www.ojjdp.gov/ojstatbb/crime/JAR_Display.asp?ID=qa05230)).
5. Bloom, Barbara E. 2003. *Gendered justice: addressing female offenders*. Durham, N.C.: Carolina Academic Press.
6. Brewster, K. R., & Cumiskey, K. M. 2017. "Girls in juvenile detention facilities: Zones of abandonment" in C. C. Datchi & J. R. Ancis (Eds.), *Psychology and crime. Gender, psychology, and justice: The mental health of women and girls in the legal system* (p. 151–173). New York University Press.
7. Chesney-Lind, Meda, and Michele Eliason. 2006. "From Invisible To Incurable: The Demonization Of Marginalized Women And Girls." *Crime, Media, Culture: An International Journal* 2(1):29-47.
8. Crenshaw, Kimberle. 1991. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review* 43, no. 6: 1241-299. Accessed October 10, 2020. doi: [10.2307/1229039](https://doi.org/10.2307/1229039).
9. Crenshaw, K. W. 2012. "From Private Violence to Mass Incarceration: Thinking Intersectionally about Women, Race, and Social Control." *Journal of Scholarly Perspectives*, 9(01). Retrieved from <https://escholarship.org/uc/item/7mp3k6m3>.
10. Davis, Angela J. 2017. *Policing the Black man: arrest, prosecution, and imprisonment*.
11. Davis, Carla P. 2007. "At-Risk Girls and Delinquency: Career Pathways." *Crime & Delinquency* 53, no. 3: 408–35. doi: [10.1177/0011128707301626](https://doi.org/10.1177/0011128707301626).
12. Drinan, Cara H. 2018. *The war on kids: how American juvenile justice lost its way*.

13. Ehrmann, Samantha, Nina Hyland, and Charles Puzzanchera. 2019. "Girls In The Juvenile Justice System." *Ojjdp.ojp.gov*. Retrieved October 10, 2020 (<https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/251486.pdf>).
14. Evans-Winters, Venus E. 2005. *Teaching Black girls: resiliency in urban classrooms*. New York: P. Lang.
15. Ferguson, Ann A. 2000. *Bad Boys: Public Schools in the Making of Black Masculinity*. Ann Arbor: University of Michigan Press.
16. Flores, Jerry. 2016. *Caught up: girls, surveillance, and wraparound incarceration*. doi: [10.1525/california/9780520284876.001.0001](https://doi.org/10.1525/california/9780520284876.001.0001).
17. Gilman, Amanada and Sarah Walker. *Forthcoming*. "The Impact of Detention on Youth Outcomes: A Rapid Evidence Review."
18. Harris, Alexes. 2016. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Foundation. Accessed October 10, 2020. <http://www.jstor.org/stable/10.7758/9781610448550>.
19. Herman, J. W., & Sexton, J. S. 2017. "Girls leaving detention: Perceptions of transition to home after incarceration." *Journal of Juvenile Justice*, 6(1), 33-47. Retrieved from <https://www.ncjrs.gov/pdffiles/251066.pdf>.
20. Initiative, Prison, and Wendy Sawyer. 2019. "Youth Confinement: The Whole Pie 2019." *Prisonpolicy.org*. Retrieved October 10, 2020 (<https://www.prisonpolicy.org/reports/youth2019.html>).
21. Irwin, K. and Chesney-Lind, M. 2008. "Girls' Violence: Beyond Dangerous Masculinity." *Sociology Compass*, 2: 837-855. doi: [10.1111/j.1751-9020.2008.00120.x](https://doi.org/10.1111/j.1751-9020.2008.00120.x)
22. Jones, Nikki. 2010. *Between Good and Ghetto African American Girls and Inner-City Violence*. New Brunswick, NJ: Rutgers University Press.
23. Kakar, Suman, Marie-Luise Friedemann, and Linda Peck. 2002. "Girls in Detention: The Results of Focus Group Discussion Interviews and Official Records Review." *Journal of Contemporary Criminal Justice* 18, no. 1: 57–73. doi: [10.1177/1043986202018001005](https://doi.org/10.1177/1043986202018001005).
24. Kerig, P. K., & Becker, S. P. 2012. "Trauma and girls' delinquency" in S. Miller, L. D. Leve, & P. K. Kerig (Eds.), *Delinquent girls: Contexts, relationships, and adaptation* (p. 119–143). Springer Science + Business Media. doi: [10.1007/978-1-4614-0415-6\\_8](https://doi.org/10.1007/978-1-4614-0415-6_8).



25. Kim, B. E, McCarter, S., & Logan-Greene, P. 2020. "Achieving equal opportunity and justice in juvenile justice." *Grand Challenges for Social Work*. Retrieved October 8, 2020 (<https://grandchallengesforsocialwork.org/wp-content/uploads/2020/06/Achieving-Equal-Opportunity-and-Justice-in-Juvenile-Justice-3.pdf>).
26. Lederman, C. S., Dakof, G. A., Larrea, M. A., & Li, H. 2004. "Characteristics of adolescent females in juvenile detention." *International journal of law and psychiatry*, 27(4), 321–337. doi: [10.1016/j.ijlp.2004.03.009](https://doi.org/10.1016/j.ijlp.2004.03.009)
27. Lederman, Cindy, and Eileen Brown. 2000. "Entangled In The Shadows: Girls In The Juvenile Justice System." *Heinonline.org*. Retrieved October 10, 2020 (<https://heinonline.org/HOL/LandingPage?handle=hein.journals/buflr48&div=28>).
28. Lenssen SA, Doreleijers TA, Van Dijk ME, Hartman CA. 2000. "Girls in detention: what are their characteristics? A project to explore and document the character of this target group and the significant ways in which it differs from one consisting of boys." *J Adolesc.* (3):287-303. doi: [10.1006/jado.2000.0315](https://doi.org/10.1006/jado.2000.0315).
29. McGuire, M. D. 2002. "Interactive Effects of Race, Sex, and Offense Severity on Detention Processing Decisions." *Journal for Juvenile Justice and Detention Services* 17 (2): 59–78.
30. Moore, Lori D., and Irene Padavic. 2010. "Racial And Ethnic Disparities In Girls' Sentencing In The Juvenile Justice System." *Feminist Criminology* 5(3):263-285.
31. Moraga, Cherríe, Gloria Anzaldúa, and Toni Cade Bambara. 1981. *This bridge called my back: writings by radical women of color*.
32. Morris, M. W. 2016. *Pushout: the criminalization of Black girls in schools*. New York: The New Press.
33. Nanda, Jyoti. 2012. "Blind Discretion: Girls of Color & Delinquency in the Juvenile Justice System." 59 *UCLA L. Rev.* 1502 (2012), Available at SSRN: <https://ssrn.com/abstract=3452907>.
34. Nekima Levy-Pounds. 2007. "From the Frying Pan into the Fire: How Poor Women of Color and Children are Affected by Sentencing Guidelines and Mandatory Minimums." 47 *Santa Clara L. Rev.* 285.
35. Purcell-Guild, June. 1919. "Study of One Hundred and Thirty-One Delinquent Girls Held at the Juvenile Detention Home in Chicago, 1917." *Journal of the American Institute of Criminal Law and Criminology* 10, no. 3: 441-76. Accessed October 10, 2020. doi: [10.2307/1133822](https://doi.org/10.2307/1133822).
36. Richie, Beth. 1996. *Compelled to Crime: The Gender Entrapment of Battered Black Women*. New York: Routledge.



37. Rios, Victor M. 2011. *Punished: Policing The Lives Of Black And Latino Boys*. New York City: NYU Press.
38. Sharpe, G. 2012. *Offending Girls*. London: Willan, [doi: 10.4324/9780203577042](https://doi.org/10.4324/9780203577042).
39. Sherman, Francine T. 2005. "Detention Reform and Girls: Challenges and Solutions: JDAI Pathways to Detention Reform #13." Annie E. Casey Foundation. Boston College Law School Legal Studies Research Paper No. 2005-02, Available at SSRN: <https://ssrn.com/abstract=2127252>.
40. Sharma, Suniti. 2010. "Contesting institutional discourse to create new possibilities for understanding lived experience: Life-stories of young women in detention, rehabilitation, and education." *Race Ethnicity and Education*. 13. 327-347. [doi: 10.1080/13613324.2010.500840](https://doi.org/10.1080/13613324.2010.500840).
41. Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. 2019. "Easy Access to the Census of Juveniles in Residential Placement." Online. Available: <https://www.ojjdp.gov/ojstatbb/ezacjrp/>.
42. Simkins, Sandra, and Sarah Katz. 2002. "Criminalizing Abused Girls." *Violence Against Women* 8, no. 12:1474–99.
43. Stuart, F. 2016, Becoming "'Copwise': Policing, Culture, and the Collateral Consequences of Street-Level Criminalization." *Law & Society Rev*, 50: 279-313. [doi: 10.1111/lasr.12201](https://doi.org/10.1111/lasr.12201).
44. Tracy, J. L., Cheng, J. T., Robins, R. W., & Trzesniewski, K. 2009. "Authentic and hubristic pride: The affective core of self-esteem and narcissism." *Self and Identity*, 8, 196–213.
45. Wilson, J. P., Hugenberg, K., & Rule, N. O. 2017. "Racial bias in judgments of physical size and formidability: From size to threat." *Journal of Personality and Social Psychology*, 113(1), 59–80. [doi: 10.1037/pspi0000092](https://doi.org/10.1037/pspi0000092).
46. Wolf, Angela M., and Kimberly Kempf-Leonard. 2009. "Gender Issues in Juvenile and Criminal Justice: Introduction to the Special Issue." *Crime & Delinquency* 55, no. 2: 167–70.
47. Wun, Connie. 2018. "Angered: Black and non-Black girls of color at the intersections of violence and school discipline in the United States." *Race Ethnicity and Education*, 21:4, 423-437, [doi: 10.1080/13613324.2016.1248829](https://doi.org/10.1080/13613324.2016.1248829).
48. Zahn, Margaret et al. 2010. "Causes And Correlates Of Girls' Delinquency." [www.ojp.usdoj.gov/ojjdp](http://www.ojp.usdoj.gov/ojjdp). Retrieved October 10, 2020 (<https://www.ncjrs.gov/pdffiles1/ojjdp/226358.pdf>).