

U.S.

A Court's All-Hands Approach Aids Girls Most at Risk

By PATRICIA LEIGH BROWN JAN. 28, 2014

SAN LEANDRO, Calif. — Toni J., an effervescent 16-year-old who talks on speed-dial, lives with 11 family members in West Oakland, on a street buffeted by gang activity and poverty. Her mother died of an overdose, her father in a revenge shooting. In ninth grade, she was raped while on probation for shoplifting.

At odds with the law from a young age, Toni has appeared in court 38 times. But things are suddenly starting to change thanks to an unusual collaboration between the judicial and social service systems. Toni is now doing well at school and even mentoring other at-risk girls.

“You’re stepping up to the plate,” Judge Rhonda Burgess said to Toni from the bench before recommending that she be taken off probation.

Like Toni, who was picked up along International Boulevard in Oakland, a major West Coast hub for sex trafficking, the vast majority of teenage girls who appear before Judge Burgess in the Alameda County Girls Court, a special tribunal for girls, have been recruited as child prostitutes or, like Toni, been considered at risk for involvement. (All those mentioned in this article are minors.)

Girls Court brings an all-hands-on-deck approach to the lives of vulnerable girls, linking them to social service agencies, providing informal Saturday sessions on everything from body image to legal jargon, and offering a team of adults in whom they can develop trust. And while still in its early years, the system is showing promise.

Founded two and a half years ago and carved out of the existing juvenile court, the Girls Court is for young women considered most at risk, especially those forced into prostitution. It is part of a network of a half-dozen or so Girls Courts

around the country, each with a different emphasis. The results have been encouraging: The court in Hawaii, a program where both parents and girls attend counseling for a year, has led to a marked decrease in detentions, according to a 2011 evaluation. The Orange County Girls court, which was started in 2009, intervenes in the lives of teenage girls in long-term foster care, with preliminary studies suggesting better grades and fewer placements.

“It’s a unique alignment between adversaries,” Laurel Bellows, a Chicago lawyer and co-chairwoman of the American Bar Association’s anti-trafficking task force, said of the court’s collaborative approach. “These are not easy victims to deal with.”

“It’s changed me,” Toni said of the court. “Without it, I probably would have been in jail, dead or somewhere getting beaten up by some dude.”

In most states, including California, young prostitutes continue to be charged with crimes despite a growing consensus that minors who engage in sex for pay are victims of sex trafficking rather than criminals. Dr. Ellen Wright Clayton, a professor of pediatrics and law at Vanderbilt University, said the optimal strategies for helping these young people are still being developed, but that training judges, lawyers and others to identify them is a first step. “What is really needed is a collaborative approach that directs people to services rather than prosecution,” she said. “It’s an enormous problem we’re only beginning to get the scope of.”

The Girls Court is part of a national movement to address the sex trafficking of minors domestically, many with a history of childhood abuse. Among the high-profile efforts are New York State’s new network of 11 statewide Human Trafficking Intervention Courts for those 16 years and up, and the passage of so-called Safe Harbor laws, in a small but growing number of states, that define sexually trafficked youth as victims rather than offenders.

Oregon revised its child welfare practice so that a trafficked minor is considered a victim of abuse and the province of the child welfare system rather than the courts. Next year, sexually exploited minors in Minnesota will be referred to one of six regional case managers who will direct them to a network of emergency shelters.

Here in Alameda County, which includes Oakland, a survey last year of 113 sexually exploited youths by WestCoast Children’s Clinic found that 75 percent of

such youngsters here and in a neighboring county had experienced abuse and neglect.

The lives that unfold in Courtroom 401 in the Alameda County Juvenile Justice Center contain few glimmers of gladness.

One girl, who was in detention in juvenile hall, entered the courtroom through a guarded, Brinks-like door. The police had found her passed out on an Oakland street, having injected drugs she could not identify. Another young woman, the daughter of a methamphetamine addict, was “sold” by her mother to an uncle in the Central Valley who sexually exploited her in exchange for drugs.

One 17-year-old wore a fuzzy pink sweater in court, looking down at her feet. She has been sexually abused since childhood, one of her molesters an older brother. Last year, she fled a group home outside Los Angeles and became homeless, at one point sleeping in a park.

In weighing such cases, Judge Burgess says she tries to understand the back story, the forces, often within their own families, that have made the young women feel diminished. Many girls come to court unaware that they are being exploited. “Once they begin to see it, they see their own power and have a chance at fashioning their own destiny,” Judge Burgess said.

Jasmine grew up with a parade of men terrorizing her household. By age 7, she had watched her mother being savagely beaten by boyfriends in drunken rages.

She spent years as a child prostitute and had numerous brushes with the law. “I was on the run from my mom,” she said. “I felt money was the only way.”

Like many of the girls, Jasmine developed a tough-girl demeanor, capable of switching like quicksilver from ‘let’s talk’ charming to knife-edge anger. Judge Burgess directed her to an out-of-state program for exploited girls, where she spent nine months.

Today, Jasmine has a job and is preparing to move into her own apartment. “I felt a lot of support from those ladies,” she said of the Girls Court team. “Even though we sometimes had problems with each other, I see why they did what they did.”

The court provides adult guidance for girls who may never have had any. The female triumvirate — Judge Burgess; the assistant district attorney, Jennifer Madden; and Aundrea Brown, the public defender — offer appropriate behavior

for the young women to emulate. Ms. Brown took one shopping after she showed up for court in her most alluring outfit. "I said, 'Oh no, baby,'" Ms. Brown recalled. " 'That's a cute cat suit, but this is not the place for it.' "

The focused attention can give girls strength to confront long-buried emotional landmines. "Girls and women respond to consistency in relationships," said Ms. Brown, who supervises the Alameda County Public Defender's Juvenile Branch. Many flee their families to escape abuse, said Stephanie S. Covington, co-director of the Center for Gender and Justice in La Jolla. In adolescence, she said, "the risk for boys comes from people who dislike them: the police, their peers or a rival gang.

In contrast, she said, "For girls, the violence in their lives comes from relationships — the person to whom she's saying, 'I love you.' "

Many of the young women grew up in Oakland near their predators. "These kids are considered high-value property by high-risk criminals," said Julie Posadas Guzman, the former director of girls' services for the San Francisco Juvenile Probation Department. "A 12-year-old is way more valuable than a 40-year-old with a crack habit."

The county's H.E.A.T. Watch unit, started by the district attorney in 2006, was set up to aggressively go after people who traffic in women: as of last year, 111 exploiters of children under 18 had been convicted.

But being perceived as a snitch can be perilous. Erica W. was the kind of person to light up the room. She was still attending the Saturday program and preparing to testify against her pimp last year when her body was found dumped amid the eucalyptus trees along a highway in the Oakland hills.

Efforts to come to grips with what many experts consider an epidemic vary widely across the country. New York State's Safe Harbor law, the country's first, classifies trafficked minors through age 17 as needing supervision rather than probation. In Los Angeles County, a special sex trafficking court diverts girls to a network of local foster care agencies and social service providers; meanwhile, the probation department now has a dedicated unit to "support young victims instead of locking them up when they run," said Michelle Guymon, the department's director.

Nationally, safe housing for exploited youngsters remains "a systemic problem," with trafficked girls often placed with foster parents who lack awareness

of the issue, said Nola Brantley, who was trafficked herself and co-founded Missey, an Oakland-based nonprofit group that helps girls in crisis, provides mentoring and offers links to therapy and other services.

For Judge Burgess and her colleagues, success is moment to moment. For every Toni, who writes poetry and loves math, there is a Pooh, who seems to be stable until she vanishes.

Most of those involved in the Girls Court program here are sent to residential treatment programs out of state. Many are re-exploited within days of returning, sometimes “within hours of getting off the plane,” said Susan Drager, a program director of the WestCoast clinic. “It takes an adult woman an average of seven times to get out of a domestic violence relationship. How long will it take a child?”

The ebb and flow of girls' lives sometimes reveals itself in unexpected ways. At a Zumba class in juvenile hall, bottled up emotion accompanied a group of young women into the room; they had just been marched with their hands behind their backs down an anonymous corridor. But each girl's own aggressive universe gradually gave way to something lighter. They were a sweaty band of cacophonous teenagers dancing with a stranger: joy.

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