

**Iowa Girls Justice Initiative**  
**Meeting Notes**  
**December 4, 2015**  
**10:00am – 2:00 pm**



**Polk County River Place – Room 2**  
**2309 Euclid Ave.**  
**Des Moines, IA**

**Working Group Members**

Ashley Artzer, *Juvenile Court Services*  
Terri Bailey, *Achieving Maximum Potential Facilitator*  
Linda Bisgaard, *Girl Scouts of Greater Iowa*  
Jim Chesnik, *Iowa Dept. of Human Services, Div. of Adult, Children, and Family Services*  
Susan Cox, *5th Judicial District*  
Steve Crew, *Iowa Department of Education*  
LaTasha DeLoach, *Johnson County Social Services*  
Kim Denning, *Juvenile Court Services*  
Andrea Dickerson, *Youth & Shelter Services, Inc.*  
Evelyn Garrison, *Achieving Maximum Potential Facilitator*  
Jasmine Garrison, *Achieving Maximum Potential Member*  
Nicole Hart, *Achieving Maximum Potential member*  
Stephanie Hernandez, *Family Resources, Inc.*  
Jeremy Kaiser, *Scott County Juvenile Detention*  
Nathan Kirstien, *Disability Rights Iowa*  
Steve Michael, *Iowa Department of Human Rights, Div. of Criminal and Juvenile Justice Planning*  
Kristie Oliver, *The Coalition for Family and Children's Services in Iowa*  
Brent Pattison, *Drake University School of Law, Middleton Children's Rights Center*  
Lori Rinehart, *Polk County Juvenile Court*  
Tom Southard, *Juvenile Court Services*  
Monica Stone, *Iowa Department of Human Rights*  
Jennifer Tibbetts, *ITFYW Chair and Catherine McAuley Center*  
Patti Wachtendorf, *Iowa Correctional Institutional for Women*  
Julie Walton, *Scott County Attorney's Office*

**Guests**

Jen Sievert, *Sequel Youth Services*  
Danah Zepeda, *Children and Families of Iowa*

**Staff**

Gracie Brandsgard, *SPPG*

Indira Karic, *SPPG*

Arlinda McKeen, *SPPG*

Kathy Nesteby, *Iowa Department of Human Rights, Div. of Criminal and Juvenile Justice Planning*

## **Welcome and Overview of the Day**

Arlinda McKeen convened the meeting at 10:05 a.m. She reviewed the charge with the working group and reminded the group to keep the charge in mind as they go forward with their work. The day will focus on the data and discussion around the data.

## **Guiding Principles for Our Work – Consensus**

McKeen presented the guiding principles that will help guide the work of the group to meet the charge. These were created from the brainstorming session that occurred at last month's meeting. Maintaining the focus on the girls is one of the top priorities. McKeen opened up the guiding principles to the group for additional comments or changes. There were none.

## **Data and Research – Presentations and Group Discussion**

### **System Processing – Kathy Nesteby**

Kathy Nesteby pointed out the handouts in each member's packets. These include a list of acronyms commonly used in juvenile justice documents and a description of charge classes and crime types. These are helpful to give working group members adequate context for discussion.

### **Preliminary Data – Laura Roeder-Grubb**

Laura Roeder-Grubb provided a detailed report of the data the CJJP office has compiled for the purposes of this working group. Roeder-Grubb explained that one of the goals of the data collection was to be able to provide a before-and-after picture of the closure of the state training school and how that has impacted the juvenile justice system from a multitude of angles. Two cohorts were used for data collection: state training school eligible girls who were had an out of home placement between January and June of 2013, and state training school eligible girls who were had an out of home placement between February and July of 2014. The 2013 cohort includes girls who were placed at the Iowa Juvenile Home, but the 2014 cohort does not because the Iowa Juvenile Home was officially closed in January of 2014. Nesteby added that this group is a subset of the group of state training school eligible girls and only includes those who were actually placed outside of the home during a specific timeframe.

Roeder-Grubb noted a reduction in the number of girls included in 2014 cohort as compared to the 2013 cohort. This is partly due to the overall decrease in number of complaints against girls overall, which has decreased by 20% from 2011 to 2014.

It was asked if the numbers for boys would be proportionately similar. Roeder-Grubb answered that the percentage of African-Americans would be slightly higher. Data on both is available on the website. Would racial demographics be similar for girls who are not STS eligible? Roeder-Grubb answered that she thought it would be similar.

#### Iowa Delinquency Assessment (IDA) Risk Level

The IDA is a risk needs assessment administered by the juvenile courts; it is a short form of a series of questions that looks at criminal and social risk levels.

Roeder-Grubb explained that the number of girls who have an “unknown” risk level can be accounted for through a number of different ways. Some girls are not given the short form because the nature of their charge moves them directly into formal processing. At that time they would receive a long form assessment, which does not provide a risk level. The unknown number may also be due to the short form assessment being out of date for that individual, if the assessment was administered more than one year prior, it was not included in the data.

A working group member added that during the time period covered in the data collection, the IDA risk assessment was in the process of being standardized in terms of how often it is assessed. Roeder-Grubb added that if the cohort for this year were to be pulled, the unknown number would be lower.

It was asked what the current standard protocol is for the IDA. A member answered that it is supposed to be done on every individual that comes in to the system unless they are diversion cases. It is usually administered when a new triggering event occurs (such as a violation of probation, change in out of home placement, new charge, change of services). A working group member added that ideally the IDA is administered every 90 days to every 6 months, but that is not the norm.

Roeder-Grubb explained that usually those who are in out-of-home placements will place on the moderate-high risk levels. A working group member added that sex offenders often show up as low risk as an example of why there may be girls with a low risk assessment who are state training school eligible.

#### State Training School Eligibility

The majority of girls who are state training school eligible met the three out of four requirements rather than being of age 12 or older with forcible felonies.

A working group member noted the percentage of girls who became state training school eligible by committing a forcible felony and asked if there was data on what those felonies were. Roeder-Grubb said that data is available and can be sent to the working group.

### Adjudicated Charges

Roeder-Grubb noted that the number of adjudicated charges includes consent decrees. Consent decrees are agreements with the court for the girl to do a defined number of requirements and in return their case will be dismissed, and they will not receive an adjudication.

The number of charges includes those prior to their current placement.

### Waivers to Adult Court

Roeder-Grubb noted that the increase in waivers to adult court from the 2013 to 2014 cohort is a significant increase.

A question was asked about discrepancies in the number of adult waivers from two different sources. Nesteby clarified that the two sources pulled data from two different groups of girls in the juvenile justice system, which results in two different sets of numbers. She added that there are many ways to look at data, and the data pulled by CJJP for this report is from one specific cohort and is not meant to be the absolute profile for all girls in the juvenile justice system. Nesteby will share the other report that includes a larger group of girls with the rest of the working group so that all members will have copies of both reports.

The definition of a “direct file” was provided: an automatic waiver to adult court for girls who commit a forcible felony and are over the age of 16.

### History of Services

In looking at the history of services provided to a girl in the cohorts, the working group was collectively surprised by the number of girls in the “None” category. A group member expressed concern that there may be girls who are being placed outside of their homes without first receiving any community-based services. Roeder-Grubb explained that girls can land in the “None” category due to an error in data entry; girls are offered services, but that information does not get entered into the system. Another member shared an anecdote on how overwhelming caseloads can become, which leads to services and other information not getting entered into the database. Nesteby explained that there are some scenarios where the nature of an offense or an individual situation necessitates a girl being placed into detention or being hospitalized abruptly without any prior services. Both of these facilities count as placements,

which may explain some of those in the “None” category. These scenarios are usually emergencies and very individualized.

It was noted that violators programs are currently only offered in four judicial districts and this will impact the number of girls who have participated in such programs.

Clarification was requested about the difference between the “Electronic Monitor” and the “Tracking/Monitor” service categories. Roeder-Grubb explained that tracking/monitor is a person who acts as a tracker and electronic monitor is a device, though that is often accompanied by a person as well. A working group member expressed concern that the number could be artificially inflated if there is double counting.

There was a group consensus that the counseling/therapy numbers are shocking at only 9%. With the prevalence of histories of trauma among girls in the juvenile justice system, the group agreed that that number should be much higher. A member added that oftentimes counseling or therapy that the court is not directly paying for does not get entered into the system.

A working group member noted that of the list of services provided to girls, only two of the services listed are evidence-based. And even then, they aren’t necessarily female-responsive.

#### History of Placements

Roeder-Grubb pointed out the number of girls in the “None” category is low, but this could also be an issue of data entry. A working group member noted that this number could be partially explained by the number of girls serving in a detention center for the first time. Or, a girl’s prior placements may have been with DHS and thus would not have been counted in the courts database. There was discussion about how common these specific scenarios were and if they would explain a significant number of girls in the “None” category. It is very common to have crossover between DHS kids and juvenile justice system kids. Members will want to keep this crossover in mind when creating the working group’s recommendations to ensure that there is a continuum of services for those making the transition between DHS to the courts system. Duplications of services exist between DHS and the courts, and there is a need to increase communication between the two entities to maximize efficiency.

Roeder-Grubb also went through the types of placements girls have been placed into prior to their current placement. Between the 2013 and 2014 cohorts, there is a significant increase in group care placements and a significant decrease in MHI and hospital placements.

There was a request that the history of placements data be broken down by race, particularly the “None” category. Nesteby indicated that there is additional information available.

It was suggested that the “None” category be changed to “None/Unknown” to reflect that some of the girls in the category are there due to errors in data entry. Roeder-Grubb responded that the state office does not create the categories, they are determined by another source so CJP lacks the authority to change categories.

#### Subsequent Services and Placements

A working group member clarified that services and placements offered or received after the current placement are counted; the current placement could include placement in a shelter or detention center.

#### Recidivism

Roeder-Grubb clarified that the recidivism numbers include all charges, not just adjudicated charges. The numbers are similar across both cohorts. Nesteby added that the definition of recidivism is not standardized across states, which makes it hard to compare recidivism rates. Nesteby pointed out that there is a low number of girls who re-offend while in a placements. Assaults and property damage are the most common charges while in placement.

It was pointed out that some girls in placement have both a DHS worker and a JCO assigned to their case. In these instances, who trumps who? There is no clear answer, and many noted that there is a lot of discretion used in those situations.

A concern was voiced that charges while in placement could have a higher consequence than the same charge committed in the community (particularly pointing to assaults on a particular professions), but noted that this was mainly a concern only in state training schools and detention centers, not in other placements like shelters and group care. Discussion included the reality that assaults on staff occur on a regular basis, but charges are rarely filed and only done when the assault is egregious. It was noted that assaults that are charged tend to be racially disproportionate in terms of who is charged with assault while in placement. Because the number of girls who receive charges in placement is already so small some wondered if it was possible to get the number any smaller, and suggested that the group look to places in the system where they can make the largest impact. The bigger concern is that we should lower the number of kids who are even in this position.

A working group member noted that their experience shows that nontraditional settings or services can mediate kids who can assault. Trauma informed services can take care of the

problem – especially to mediate the triggers and any history of trauma. One of the gaps is the lack of training and education for JCOs and anyone who has direct contact with kids. In addition, we need to be more culturally sensitive and implement that lens into the system. Example: one refugee juvenile fought back because their placement’s routine of marching was triggering from prior life experiences with war. There is also a need to recognize that adults know the system and work in it every day. Kids in the juvenile justice system do not understand the system, the procedures, and the boundaries.

A request was made to run recidivism rates based on adjudicated charges only.

Roeder-Grubb explained that the cohort only spans 6 months rather than the full year because they needed to leave enough time to track recidivism. Additionally, in the last six months of 2013 they knew the Iowa Juvenile Home would be closing so this would skew the data and not give the group a clear before-and-after picture of the state training school closing.

Is it possible for girls to be in both cohorts? Nesteby answered that it was, and expected a small crossover. CJJP may be able to calculate exact numbers of duplicates.

#### Concern about data quality

Concern was expressed that part of the charge is being data-driven and research based, yet the data has a lot of holes in it. The lack of standardization with regards to data entry may be a disservice to the girls being served because it prevents the working group, administrators, and other decision makers from having a real, clear picture of girls and their needs. McKeen added that there will always be a lot of inputs and exceptions to the data due to the nature of the system. There is a small number of girls in the deep end of the system and they have not been paid a lot of attention, that’s the reason for this work. The holes in the data play to the reason why we are here and why there needs to be a plan. We probably wouldn’t be here if there were no unknowns because we would already know what to do.

A member added that a concerted effort to do data collection started in 2007, so we are still on the cusp of this process, but will continue to see positive trends in this area. It was suggested that improving the data should be a part of the working group’s approach.

#### **Female-Responsive Services and Relevant Research – Kathy Nesteby**

Nesteby presented information on female-responsive services and its necessary components, and the needs of girls at the deep end of the juvenile justice system. Nesteby stressed that this is a crucial element in the process because it is the lens the working group will be using to create its plan. Historically, girls and women have, and currently do, make up a small portion of

the justice system. The prevailing research has been in response to the majority of the system, so most of the research focuses on boys and men; the system responds primarily to who makes up the majority of the system. Women often face harsher consequences for smaller crimes in comparison to males because deviant behavior goes against female stereotypes and gender norms. For example, concern over a female who is promiscuous versus no concern over a male in the same situation, and the idea that the system should do something to address the concern.

Nestey stressed that girls should not be viewed in a bubble or as acting outside of societal pressures and systems. The working group should remain cognizant of the idea that the girl and her family are a product of society.

Evidence and research have shown effectiveness of single gender environments. Nestey gave the example that on the system-wide picture, one example of a single gender would be JCOs that have solely-female caseloads. A group member began a discussion about whether JCOs should be able to handle caseloads with both genders. It can be difficult to switch hats to work with both genders, and it could be more mentally challenging than having a single gender caseload. In rural areas a single gender caseload is not possible due to resource constraints and lower demand. Instead, the group needs to look at adequate training so that all JCOs can handle female caseloads. Nestey clarified that single gender caseloads are the ideal, but it is not the absolute. The plan of the working group can create the ideal system, while keeping in mind that the ideal may not always be practical or feasible, and then provide resources for the next best alternative.

Sometimes the importance of the differences between boy and girls is not recognized, and that is when the system starts compromising services away from the unique needs of girls. The group needs to recognize the services needed for girls, that males do not need.

Part of the plan has to keep in mind who the audience of the plan is, and the working group may need to develop an education aspect to show them that there are differences between boys and girls. The plan will also need to show cost effectiveness of these new approaches to get buy-in from stakeholders outside the working group. The cost effectiveness of female-responsive services is obvious; they help break the cycle of delinquency, there is savings from not sending girls to adult prison, fewer protective orders against abusive spouses, their kids aren't going through DHS, etc. Being involved in the system is often a family business and anything to break that cycle will save money and resources.



The issue was raised about services that stay in place during a child's transition from placement to home and how the working group might be able to support those services.

### Who are these girls?

Nestey presented a list of commonalities among girls in the deep end of the juvenile justice system. She noted that boys also experience these risk factors, but they experience them at different rates and with different sensitivities.

- Struggling in school. For girls, this means feeling disconnected from school and these feelings typically peak during middle school. For boys this means performance in school, with grades specifically.
- Sexual assault and abuse is one of the highest indicators of delinquency. Girls experience sexual abuse at a much higher volume than boys.
- Girls are more sensitive to family dysfunction than boys.
- Mental health issues are prevalent among boys and girls. Boys are more often diagnosed with ADD/ADHD, and girls are more often diagnosed with anxiety, depression, and PTSD. Working group members noted that a mental health diagnosis often doesn't occur before teenage years, and they often won't let you diagnosis a child much earlier. The juvenile justice system often treats the diagnosis, but not the precursor, and it doesn't get to the root cause of the problem.
- Girls are disproportionately placed in detention centers for misdemeanors than boys. A working group member noted that this sometimes happens because girls won't open up to their JCO right away so JCOs do not have enough information to make a decision about the child and resort to detention centers as a holding place until they gain more information. Nestey noted that when you place low-level offenders in a higher-level placement, they are more likely to reoffend and offend at a higher level. At the time most of these girls are placed, they are going through phase of identity formation. So when you're placing them in detention and giving them idea that they are worthy of detention center, they will live up to that. A group member added that this is also a product of our society's paternalism toward girls – we want to protect girls more than boys. Thus, girls are more likely to be taken into custody for running away, and charges can often result from this due to trauma triggers (e.g. police officer putting a hand on the girl, etc.)
- Girls experience a greater drop in levels of self-confidence.
- Generally speaking, girls are more often non-violent, low-level offenders.
- Early onset puberty is a delinquency indicator for girls. People treat girls differently once they go through puberty, when they look older than they are, but still have the brain development of their biological age. A working group member added that a study

showed victims of sexual molestation are more likely to experience early onset of puberty.

There was a discussion by the working group on the double standards for girls and boys in relation to the idea of promiscuity. How do we address these issues without criminalizing their behavior? Our system normalizes the double standard and the sexualization of girls. What can we do to change this?

There was interest expressed about information on culturally responsive services.

### **Closing Comments**

McKeen thanked the working group for their thoughtful discussion and thanked the guests for attending. The meeting ended at 2:00 pm. The next meeting will feature a presentation on qualitative data collected from JCOs and additional data on race disproportionality.

**Next Iowa Girls Justice Initiative Working Group meeting is January 8, 2016 – Polk County River Place – Room 2, 2309 Euclid Ave., Des Moines, IA**