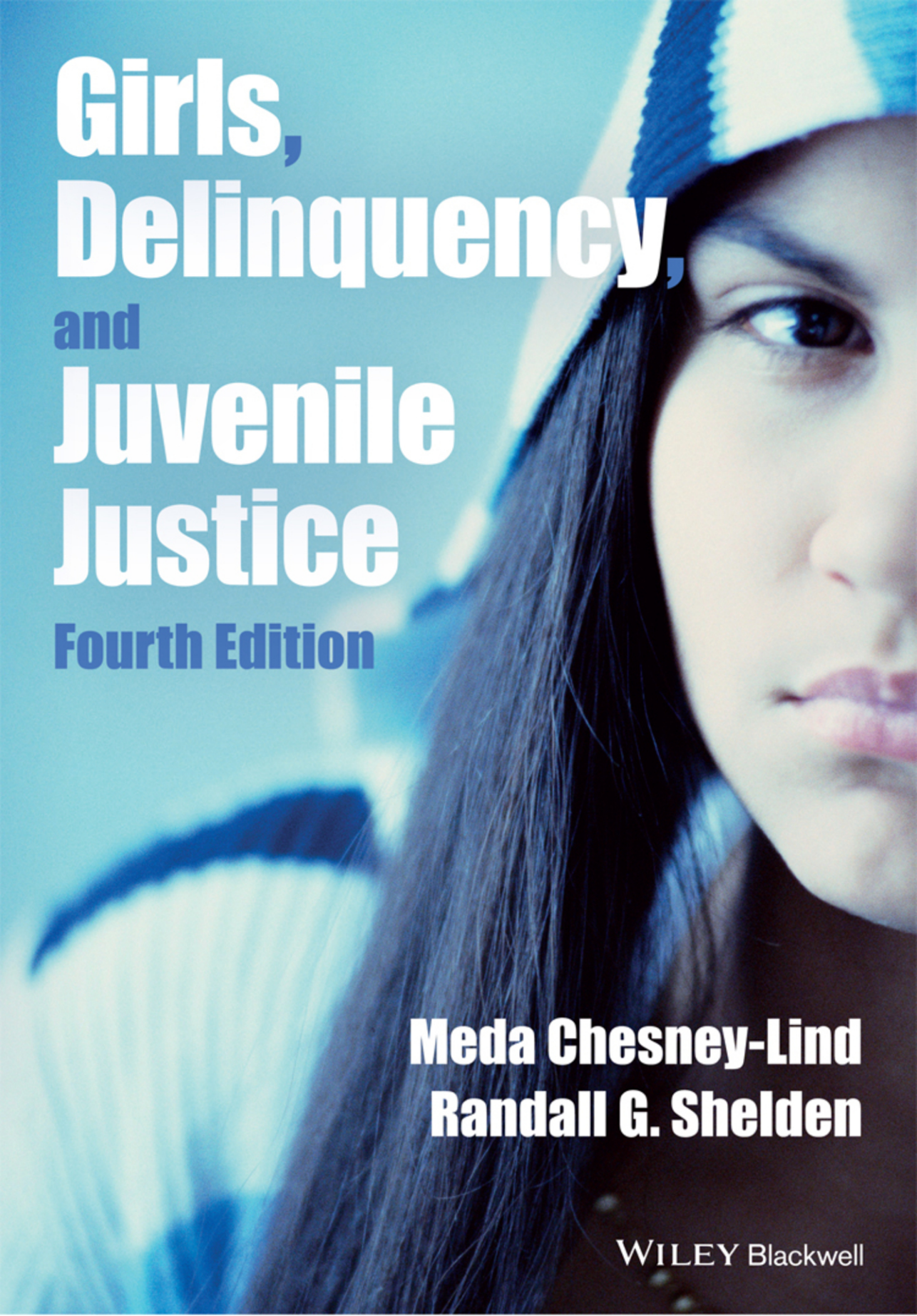
Girls, Delinquency, and Juvenile Justice
Fourth Edition
Meda Chesney-Lind
Randall G. Shelden
WILEY Blackwell

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Preface to the Fourth Edition

In the preface to the third edition we noted that "the world we inhabit has been dramatically changed. The dramatic events of September 11, 2001 made certain that the world, as we know it might never be the same." These words were written a few weeks before the invasion of Iraq. We all know what happened during the remaining years of that decade as literally billions of dollars were funneled into these wars; money that could have been spent for more useful purposes, including programs for girls.

We regret to report that the situation for girls in the juvenile justice system has not improved a great deal. Sure, there has been a drop in the proportion of girls referred to court for status offenses; yet they still out-number boys by a wide margin in both rates of referrals and rates of detention and incarceration.

Other developments since the third edition was published have more than made up for the small gains in terms of status offenses. Various "zero tolerance" policies have resulted in a great increase in the proportion of girls arrested and referred to court and incarcerated on such charges as "simple assaults" (stemming mostly from fighting in school and domestic violence cases), disturbing the peace and "technical violations" (many related to violations of court orders concerning status offenses – which in turn are counted as "delinquent" offenses, an example of what we call "upcriming" and "bootstrapping"). In short, status offenses have become "hidden" under such headings as violation of court orders and domestic violence cases, among others.

Also, as we note in Chapter 2, runaway offenses have been literally omitted from the annual Uniform Crime Reports (UCR)! Runaways typically have constituted about 10–20% of all arrests for girls, and usually ranked second behind larceny-theft. In this edition of the book these offenses have disappeared. As we note in this chapter no explanation was given in the UCR report and we have been told from knowledgeable sources that the omission was at the request of various law-enforcement agencies without giving a reason.

As expected, there have been many updates in this edition of the book. All the data reported in the third edition have been updated. New research has been added in every chapter. The chapter on programs for girls has been thoroughly revised in light of the fact that some programs no longer exist (mostly because of the lack of funding) and more have been developed. However, as we have noted in every other edition girls still get short-changed in this regard.

The role of the media in creating negative images about "bad girls" continues to be an issue. This issue has been thoroughly updated thanks in part to Meda's recent book with Katherine Irwin, *Beyond Bad Girls: Gender, Violence and Hype* (2008). As they noted, despite the fact that self-report surveys show a decline since the early 1990s in girls' involvement in fighting, carrying weapons, and so on, the media continue to publish (often with videos which get reproduced on outlets like "YouTube") exaggerated news stories of girls acting out. This and other recent research is included in the fourth edition.

All of this is part of a larger context of what some may legitimately call a "war on women" by conservative forces. As we write these words (spring, 2012), conservatives all over the country are in a relentless fight to control women's bodies, ranging from bills to re-define "personhood" to attempts to prohibit birth control, including making it mandatory for women who are thinking about getting an abortion to undergo an ultrasound before having an abortion – an unnecessary and possibly dangerous procedure (Geiger, 2012).

As for the double-standard we have discussed in previous editions, we are sad to report that it still exists, although not quite as bad as it once was. The phenomenon of "bootstrapping" and "upcriming" continues.

This edition of the book marks the twentieth anniversary of the first edition. To say this is quite an accomplishment would be an understatement. When we first embarked on this project in the late 1980s we had no idea the book would be so successful. For this we extend our heartfelt thanks to all of those who have read this book and used it in their classes, plus various anonymous and not so anonymous reviewers of the book over all these years. We want to especially extend our thanks to Julia Teweles for taking a chance on another edition of this book, after the previous publisher decided not to continue the relationship we had.

Finally, we want to extend our love and thanks to our respective "significant others" for their unyielding support. Special thanks and love to Ian and Virginia.

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1

Introduction
Why a Book on Girls and Juvenile Justice?

I ran away so many times. I tried anything, man, and they wouldn't believe me. . . . As far as they are concerned they think I'm the problem. You know, runaway, bad label.
(Statement of a 16-year-old part-Hawaiian girl who, after having been physically and sexually assaulted, started running away from home and was arrested as a "runaway" in Hawaii)

So finally I just ran away. It was so hard to survive. I broke into many "for sale" houses just to sleep in them. I was over-exhausted and starving. I had to sell drugs to get money. The person that lent me the drugs got angry and tried to shoot me because I owed him money. Then I got in an argument with a boy, and he also tried to shoot me. I was raped twice. I found out I was pregnant, but I lost the baby. I was constantly running from the cops for all different things. I have barb wire scars all over my legs from running at night. I started getting really sick from lack of food, sleep, and the dirty places I slept.
(Statement of a 13-year-old runaway posted online, 2013, Runaway Lives, 2013)

Crying is not going to get me home. The outside tears are nothing but water. I'm crying on the inside where no one can see it.
(A 14-year-old girl in a California juvenile hall, American Bar Association, 2001: 1)

Juvenile Hall strip search of girl spurs questions; DA begins probe of incident where man was present
(*San Francisco Examiner,* February 16, 1996)

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Fifteen-year-old Kathy Robbins' offense against society was running away from home. She paid for it with her life in a Glenn County Jail cell.
(*Los Angeles Daily Journal,* March 30, 1987)

Historically, female juvenile delinquency has been "ignored, trivialized or denied" (Chesney-Lind and Okamoto, 2001: 3), while girls in the juvenile justice system were once "dubbed" the "forgotten few" (Bergsmann, 1989). This response has gradually changed, as statistics consistently illustrate the increasing involvement of female youths in the juvenile justice system (Budnick and Shields-Fletcher, 1998). Throughout the past two decades, an increasing amount of literature has focused on the etiology, prevalence, and treatment of female juvenile delinquency (Belknap, Holsinger, and Dunn, 1997; Chesney-Lind and Okamoto, 2001; Chesney-Lind, 2010), and has highlighted the unique patterns of female juvenile offending (Poe-Yamagata and Butts, 1995). The invisibility of female delinquency has also rapidly faded because of dramatic changes in the arrests of girls during the last decade of the twentieth century. In fact, increases in girls' arrests dramatically outstripped those of boys for most of the last decade. In the year 2009, girls accounted for about 30% of juvenile arrests, up from 28% in 2000 and 22% in 1990 (Sourcebook of Criminal Justice, Statistics, Federal Bureau of Investigation, 2001, 2009). Attention is being drawn to the fact that their arrests for nontraditional, even violent, offenses are among those showing the greatest increases. These shifts and changes all bring into sharp focus the need to better understand the dynamics involved in female delinquency and the need to tailor responses to the unique circumstances of girls growing up in the new millennium.

Who is the typical female delinquent? What causes her to get into trouble? What happens to her if she is arrested? These are questions that few members of the general public could answer quickly. In contrast, almost all citizens can talk about "delinquency," by which they generally mean male delinquency. They can even generate some specific complaints about the failure of the juvenile justice system to deal with such matters as the "alarming" increase in serious juvenile crime and the leniency of juvenile courts on juveniles found guilty of offenses (Males, 1999; Elikann, 1999).

This situation should come as no surprise. Even the academic study of delinquent behavior has, for all intents and purposes, been the study of male delinquency. "The delinquent is a rogue male," wrote Albert Cohen in his influential book on gang delinquency in 1955 (Cohen, 1955: 140). More than a decade later, Travis Hirschi (1969), in his equally important book, *The Causes of Delinquency,* relegated women to a footnote: "in the analysis that follows, the 'non-Negro' becomes 'white,' and the girls disappear."

This book is our effort to once again rectify the long history of neglect in delinquency research, a neglect we have tried to rectify in the first three editions of this book. Feminist poet Adrienne Rich (1976) suggested that the feminist enterprise is best undertaken by asking, "But what was it like for women?" In this book, we will be asking, "What is it like for girls?" We seek to put girls – their lives, their problems,

and their experiences with the juvenile justice system – at the center of our inquiry. Fortunately, interest in women's issues has meant that many notable studies on this topic are beginning to appear, and we will be drawing on them, as well as our own work, in the chapters that follow.

Chapter 2 shows that although there are many similarities between male and female delinquency, there are also significant differences. First, and most important, girls tend to be arrested for offenses that are less serious than those committed by boys. About half of all girls arrested are arrested for one of two offenses: larceny-theft (which for girls is often shoplifting) and running away from home. Boys' delinquency also involves many minor offenses, but the crimes boys commit are more varied.

One of the two major "girls' offenses" – running away from home – points to another significant aspect of female delinquency. Girls are quite often arrested for offenses that are not actual crimes like robbery or burglary. Instead, the offenses are activities such as running away from home, being incorrigible, or being beyond parental control. These are called "status offenses," and as we see in Chapter 2, they have long played a major role in bringing girls into the juvenile justice system. (In fact, in the early years of the juvenile justice system, most of the girls in juvenile court were charged with these offenses.) As we shall see, status offenses (particularly running away from home and ungovernability) continue as major factors.

Why are girls more likely to be arrested than boys for running away from home? There are no easy answers to this question. Studies of actual delinquency (not simply arrests) show that girls and boys run away from home in about equal numbers. There is some evidence to suggest that parents and police may be responding differently to the same behavior. Parents may be calling the police when their daughters do not come home, and police may be more likely to arrest a female than a male runaway.

Another cause of different responses to running away speaks to the reasons that boys and girls have for leaving home. Girls are much more likely than boys to be the victims of child sexual abuse, with some experts estimating that roughly 70% of the victims of such abuse are girls (Finkelhor and Baron, 1986; Child Welfare Information Gateway, 2008). Not surprisingly, the evidence also suggests a link between this problem and girls' delinquency – particularly running away from home. Chapter 3 also reviews several studies indicating that an astonishing fraction (often two-thirds to three-fourths) of the girls who find their way into runaway shelters or juvenile detention facilities have been sexually abused. The numbers of girls who experience serious problems with physical abuse are also high. The relationship among girls' problems, their attempts to escape these forms of victimization by running away, and the traditional reaction of the juvenile justice system is a unique aspect of girls' interaction with the system.

Chapter 4 explores a relatively recent development in research on delinquency and girls, specifically the involvement of girls in youth gangs. While girls have traditionally been less involved in gang behavior than boys, their numbers tended to be underestimated by researchers who focused exclusively on male gang life. Current

research is correcting this impression and documenting the social and economic changes that have propelled girls into gang life as a survival mechanism. Research clearly shows that although girls join gangs for many of the same reasons that boys do – for status, for protection, for a sense of belonging and identity, and to meet basic human needs that are not being met by such major institutions as the family and the school – their experience of gang life and the streets is deeply affected by their gender. Several case studies are reviewed in this chapter which include interview data reflecting what gang girls have to say about their lives.

Chapter 5 surveys existing delinquency theories, which were admittedly developed to explain male delinquency, to see if they can be used to explain female delinquency as well. Clearly, the theories were much affected by notions that class and protest masculinity were at the core of delinquency. Will what some have rather flippantly called the "add-women-and-stir" approach be sufficient to create a theory that can explain the delinquency of girls as well as boys? This book argues that the issue is not quite that simple and that far more needs to be understood about the lives of girls, particularly young women of color and young women on the economic margin, and about girls' victimization before a comprehensive theory of delinquency is written.

In Chapter 6, we attempt to piece together what life is like for girls who enter the juvenile justice system. The early insights into male delinquency were largely gleaned by intensive field observation of delinquent boys. This chapter looks at the few studies that use a similar approach to the understanding of girls' definitions of their own situations, choices, and behavior. Research on the settings, such as families and schools, that girls find themselves in and the impact of variations in those settings is also reviewed, in addition to the work of those seeking a fuller understanding of how poverty and racism shape girls' lives.

In general, the first half of the book establishes that girls undergo a childhood and adolescence that are heavily colored by their gender (a case can also be made that the lives of boys are affected by gender roles). It is simply not possible to discuss their problems, their delinquency, and their experiences with the juvenile justice system without considering gender in all its dimensions. Girls and boys do not inhabit the same worlds, and they do not have the same choices. This is not to say that girls do not share some problems with boys (notably the burdens of class and race), but even the manner in which these attributes affect the daily lives of young people is heavily mediated by gender.

In one sense, thinking about girls' lives and troubles as they relate to female delinquency sidesteps some important questions that must ultimately be answered if we are to build a truly inclusive delinquency theory. First, there is the issue of why girls commit less delinquency (what might be called the gender-gap issue). And there is the related but independent matter of whether theories generated to explain the behavior of boys can be useful in explaining the behavior of fewer girls who do get into trouble (the "generalizability" issue or more recently the "masculinization" hypothesis) (see Daly and Chesney-Lind, 1988; Irwin and Chesney-Lind, 2008). The first question asks, "What is it about girls' lives that produces less delinquency than

is found among boys?" The second asks, "If girls were exposed to the same opportunities, had the same personality characteristics as boys, and so on, would their delinquency rate mirror that of boys?" That is, are girls who are delinquent simply behaving more like boys?

It is our opinion that too little is known now about the development of girls to answer either question unequivocally, but because more work has been done on girls' delinquency in recent years, we are beginning to think we might know some of the answers. This can be seen from the complexity of the findings that are emerging as research is conducted on girls' lives; sometimes the traditionally male theories seem to work, but more often their applicability to the delinquency of girls is a "yes, but. . . ." Yes, getting troubled youth together in groups generally causes delinquency, but if we are talking about girls, it may not have that same effect because girls spend time in small, intimate groups as opposed to larger, more heterogeneous groups (Block, 1984). Yes, school failure is important in the delinquency of boys, but sometimes it figures more largely in the delinquency of girls. What about the role of race or sexual orientation in female delinquency? Does race also matter? Also, are some of the girls on the streets fleeing families who reject the fact that they are gay? Finally, what is the role of trauma in girls' delinquency, given their high levels of victimization? We need to continue to conduct research on girls' lives before we can fully answer either of the basic questions identified here. We also must consider the role played by other social institutions, particularly the institutions charged with the social control of youths (the juvenile justice system), in the lives of girls.

This discussion sets the stage for consideration of what the juvenile justice system is and has been for the girls who encounter it. Chapter 7 reviews its history. Of particular importance in our understanding of the juvenile court's response to girls is a review of the court's evolution as a sort of judicial parent (*parens patriae*) as well as a more traditional court of law. This orientation, for example, justified the arrest and incarceration of youths for noncriminal status offenses, many of which refer to failure to obey parents, to be amenable to their control, to avoid sexual experimentation, and in general to act in ways that parents might want daughters to act. Chapter 8 documents the ongoing judicial paternalism to girls, many of whom have been at odds with their parents. Indeed, the chapter establishes that the juvenile justice system has a continuing concern with girls' obedience to family authority over and above a concern for girls' criminal behavior.

The judicial "double standard," or sexism, was so deeply ingrained in the system that girls' attempts to explain their problems with their parents or even provide accounts of abuse were often ignored. Instead, the girls were seen as the problem. Chapter 9 documents the method the juvenile justice system has historically employed to handle defiant and/or desperate girls: institutionalization in detention centers, adult jails, or training schools.

Unfortunately, contemporary judicial responses to girls in trouble still leave much to be desired. Despite over fifteen years of federal efforts to encourage deinstitutionalization of status offenders, for example, there are still many girls who are inappropriately detained and incarcerated. A recent study of the nation's detention

centers revealed that in 2006 only 2% of the boys in these facilities were being held for status offenses, but 7% of the girls were being held on these charges. Also, in 2006, among those placed in public residential facilities (mostly training schools), only 4% of the boys, but 17% of the girls were in for status offenses (Sickmund, Sladky, and Kang, 2008). Among those in private facilities, however, the gender differences were stark: 7% of the boys, but 24% of the girls were there for status offenses. Many other girls are incarcerated for violating the conditions of their probation or parole for simple nonviolent property crimes. Specifically, in public facilities 12% of the boys, but 24% of the girls are in for this reason; in private facilities these percentages are 10% for boys and 15% for the girls (see Chapter 9). Moreover, the gains signaled by the deinstitutionalization movement have occasioned a strong parental and judicial backlash, which has most recently expressed itself in congressional efforts to undo some of the most important of the federal efforts to remove noncriminal youths from institutions.

In Chapter 10 we listen to the girls themselves as they talk about their lives and their experiences with programs that aim to keep them out of the juvenile justice system. The interviews are drawn chiefly from a study of Latinas in Arizona but other research will be summarized as well. These interviews make clear that one major problem that girls currently encounter in the system is a product of their difficulties with their parents. Typically, when a boy is arrested or detained, his parents may be upset with him but will generally support him in court. In contrast, girls charged with status offenses have been in court precisely because circumstances at home led them to try the streets. In such situations, parents are not allies and may, in fact, be prosecutors. Moreover, courts are often left with few choices other than incarceration because placements have historically been in very short supply and woefully inadequate for dealing with the psychological problems of troubled young people. The net result was that girls often ended up in juvenile institutions for noncriminal behavior and their male counterparts did not.

National efforts to deinstitutionalize status offenders have resulted in some progress; for example, the past decade showed a dramatic reduction in girls' incarceration in certain states, but recall that these efforts have been under almost constant fire in Congress since the passage of the act. Of even greater concern is the recent jump in the detention rates for girls (with rates of increase far greater than those seen for boys).

Fortunately, renewed interest in girls' issues nationally means there is renewed interest in programming for girls, and some of the most promising of these are examined in Chapter 11. Programs such as therapeutic foster homes, group living situations, homes for teen mothers and their children, and independent living arrangements have proven superior to locking up troubled and victimized girls.

Readers will likely notice that this book is really two books: one about the girls in the juvenile justice system (e.g., the actual behavior that brings them into the system) and another about the juvenile justice system's history and practices toward them. We believe that both perspectives are inseparable if we are to understand girls and their delinquent behavior.

An appreciation of a young woman's experience of girlhood, particularly one that attends to the special problems of girls at the margin, is long overdue. The early years of life set the stage for girls to experience their gender as identity, as role, as rule, and, ultimately, as an institutional web of expectations that defines women, especially young women, as subordinate to men. Despite its importance, astonishingly little has been done on the development of girls – and this is particularly true of girls of color. We do know from the pioneering work of Gilligan and others (Gilligan et al., 1990) that even privileged girls emerge from adolescence with poor self-images, relatively low expectations of life, and much less confidence in themselves and their abilities than boys. How this occurs, or how young women undergo a process that might be dubbed "training girls to know their place," must be understood if we are ever to come to grips with girls' delinquency and its meaning.

One central but neglected element in the enforcement of girls' place, and ultimately women's place, has been the juvenile justice system. This book documents the role of the system in the enforcement of girls' obedience to a special set of expectations about their deportment, their sexuality, and their obedience to familial demands. Its historic concern with adolescent morality, and particularly girls' morality, has been at the heart of the definition of female delinquency both past and present. Many girls, we argue, are still being arrested, detained, judged, and institutionalized for behavior that is overlooked when boys do it. Likewise, girls' genuine problems with families are being ignored because the judicial system that was established ostensibly to "protect" them has not really been interested in their physical or emotional safety. Instead, it has served to shore up the boundaries of a girlhood that shaped and forced young women into being future second-class citizens.

In sum, we see this book as one way to answer the question, what is it like for girls? For us, this question has two facets: first, what elements of girls' lives might bring them into the juvenile justice system, and second, the quality of justice meted out to young women in police stations, detention centers, halfway houses, and training schools. We know that we are relying heavily on the efforts of many others who share our concerns. We also greatly appreciate the fine but largely unappreciated work done by scholars in earlier generations who did pay attention to girls and, in the work that follows, will revisit their ideas; we also will be relying on some very exciting new work being done by scholars of our own generation as well as the recent work of younger scholars. Our hope is to further develop an understanding of the lives of girls in the juvenile justice system and, at a minimum, to begin to imagine ways of responding to their troubles that do more than add to their problems.

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2

The Extent of Female Delinquency

Like all criminal and delinquent behavior, female delinquency encompasses a very wide range of disparate activities. Girls can be labeled as delinquent for the commission of crimes (e.g., burglary, larceny, assault), but they also can be brought into the juvenile justice system, and in many states treated as delinquent, for committing what are called "status offenses." These are offenses for which only juveniles can be taken into custody and include an array of behaviors (running away from home, being a truant, violating a curfew, being incorrigible or "beyond control"). Status offenses play a major and controversial role in female delinquency.

The purpose of this chapter is to explore the question "What is female delinquency, and how much is there?" This chapter examines data from a variety of sources to determine not only how much female delinquency exists, but also its manifestations. Throughout this discussion, many comparisons are made. We lay out differences between the dimensions of girls' offending as measured by anonymous, self-report studies and those that emerge from portraits drawn by official agencies such as the police and the juvenile courts. We also look at gender differences in delinquency and trends in girls' delinquency over time.

Recent Trends: National Arrest Data

Each year the Federal Bureau of Investigation (FBI) compiles crime data from over 10,000 law enforcement agencies in the United States and publishes these figures in *Crime in the United States: Uniform Crime Reports.* The report includes information on characteristics of persons under the age of eighteen arrested for a variety of offenses. The 2011 arrest figures (Table 2.1) reveal that there are considerable gender

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Table 2.1 Arrests of persons under 18, by sex, 2011.

	Male		*Female*	
	Number	*Percent*	*Number*	*Percent*
Total	677,299	100.0	285,243	100.0
Index crimes				
Homicide	456	*	44	*
Forcible rape	1,694	*	41	*
Robbery	13,022	2.0	1,338	*
Aggravated assault	19,214	2.9	6,131	2.2
Burglary	35,181	5.1	5,072	1.7
Larceny-theft	96,253	14.2	75,750	27.6
Motor vehicle theft	6,951	1.1	1,350	*
Arson	2,770	*	440	*
Total violent	34,386	5.1	7,554	2.6
Total property	141,155	20.1	82,612	30.0
Part II Offenses**				
Other assaults	79,252	11.7	43,946	15.4
Forgery/counterfeiting	711	*	306	*
Fraud	2,302	*	1,229	*
Embezzlement	178	*	118	*
Stolen property	7,397	1.1	1,510	*
Vandalism	39,077	5.9	6,824	2.4
Weapons	15,888	2.4	1,839	*
Prostitution	146	*	531	*
Other sex offenses	7,513	*	887	*
Drugs	77,744	11.4	16,390	5.9
Gambling	116	*	17	*
Offenses against the family	1,396	*	891	*
DUI	4,958	*	1,654	*
Liquor laws	37,001	5.2	24,609	7.7
Drunkenness	5,863	*	2,096	*
Disorderly conduct	57,725	8.5	31,019	10.2
Vagrancy	924	*	268	*
Suspicion	65		25	
Curfew and loitering	36,320	6.0	15,301	5.9
All other offenses	127,247	18.8	45,644	15.6

*Less than .1%.

**Starting in 2010 UCR Program no longer collected data on runaways. No reason was given on the FBI web site but see text for a fuller explanation. In 2009 there were 26,800 males arrested for running away (representing 3.3% of total arrests) and 32.423 females were arrested (9.2% of the total).

Source: Federal Bureau of Investigation (2011). *Crime in the United States, 2011*. Retrieved from: http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/tables/table-33.

differences in official delinquency (that is, the picture of delinquency derived from statistics maintained by law enforcement officers). Most obvious is that far fewer girls than boys are arrested for delinquent behavior. Although 285,243 arrests of girls occurred in 2011, arrests of males outnumber female arrests by more than a 2:1 ratio, meaning that more than two boys are arrested for every girl arrested. This ratio has been consistent for the past thirty years.

Boys are also far more likely than girls to be arrested for violent crimes and serious property offenses. The male-to-female ratio for violent index crimes (homicide, forcible rape, robbery, aggravated assault) is about 5:1, and the ratio for the most serious index property crimes (burglary, motor vehicle theft, and arson) is about 1.6:1. Males are also far more likely to be arrested for such offenses as possession of stolen property, vandalism, weapons offenses, and "other assaults." Because of these sorts of arrest patterns, serious violent and property offenses have traditionally been considered "masculine" offenses.

Historically girls have been more likely than boys to be arrested for running away, an offense that usually constitutes up to one-fifth of all of their arrests. However, as of the 2010 FBI Uniform Crime Reports, runaway arrests are no longer counted. We have attempted to find the reasons behind such a change (no reason was given in the report). Through two contacts within the FBI we learned that the decision was based upon requests by several law enforcement agencies around the country that these arrests should not be counted because not every jurisdiction formally arrests juveniles for running away and thus the annual report would not have given a clear picture of how many juveniles were arrested for this offense. One of our contacts said the following in an e-mail:

> In response to your question, the decision to cease collecting statistics on runaways was a result of our law enforcement contributors requesting the offense to be eliminated. Law enforcement agencies can continue to report the arrest statistic but the FBI will no longer publish the arrest category. The FBI's UCR Program cannot dictate state/local laws. It was only for law enforcement agencies participating in the UCR Program that it is no longer necessary to submit the data (to the FBI).[1]

As we will note in subsequent chapters, plenty of juveniles appear in juvenile and family courts on charges of running away (constituting around 18,000 cases or 12% of all status offenders) (Puzzanchera, Adams, and Sickmund, 2011).

The male-to-female ratios are also much closer for such offenses as larceny-theft (1.2:1), forgery (2.3:1), fraud (1.8:1), and embezzlement (1.3:1 ratio), although with the notable exception of larceny-theft, very few youths are arrested for any of these offenses. The number of girls is also more likely to approach that of boys in the commission of other "deportment" and status offenses. For instance, the male-to-female ratio for curfew violations is about 2.3:1 and liquor law violations is 1.6:1. However, boys do outnumber girls by a considerable margin among those arrested for drug law violations (more than 5:1).

Arrest statistics also can provide a portrait of the character of both female and male official delinquency. The distribution of arrests within each sex cohort

(Table 2.1) shows that the bulk of offenses for which both males and females are arrested are relatively minor and that many do not have a clearly defined victim. This has been the case for several decades, as we have noted in all previous editions of this book. For example, larceny-theft dominates both boys' and girls' delinquency, but most of these arrests, particularly for girls, are for shoplifting (Shelden, 2012, Chapter 5). One out of seven arrests of boys and just over one out of four arrests of girls were for this one offense. In contrast, only about 5% of boys' arrests and just under 3% of girls' arrests in 2010 were for serious violent crime. However, as we shall see in Chapter 3, recent self-report studies have shown that boys are slightly more likely than girls to shoplift, suggesting that arrest statistics represent a gender bias on the part of store owners and/or the police.

Status offenses play a more significant role in girls' arrests than boys' arrests. The status offenses of running away and violating curfew/loitering accounted for about 21% of all girls' arrests in 2000, but only about 10% of boys' arrests – figures that remained relatively stable during the past decade (and over previous decades as well), although as we shall see, there has been a downward trend in the last few years. Since the elimination of runaway arrests, arrest figures for status offenses include only liquor law and curfew violations in the latest FBI report. This understates the extent of status offense arrests because the category "all other offenses" (which includes other status offenses, such as "incorrigibility," "unmanageable," and truancy) is an important component of both male and female delinquency: 15.6% of girls' arrests and 18.8% of boys' arrests fall into this category.

Both girls and boys are arrested in large numbers for alcohol-related offenses, but burglary and vandalism (which account for about 11% of boys' offenses) are relatively unimportant in girls' delinquency (accounting for only about 4% of their arrests). Generally, official delinquency is dominated by less serious offenses, and this is particularly true of female delinquency. A ranking of offenses that account for the greatest number of girls' and boys' arrests over time (Table 2.2) shows this clearly. For the past decade, boys were most likely to have been arrested for larceny-theft and "all other" offenses. Larceny-theft ranks first among girls' arrests for both 2001 and 2010, accounting for almost one-fourth of all girls' arrests in 2001 and almost 28% in 2010. In previous years, running away also dominated girls' arrests, but in the past decade it declined from about 13% to about 9% in 2009 but this is missing from the rankings because it has been omitted from the UCR (as noted in previous editions of this book, this offense has consistently been ranked in the top five since at least 1970). For boys, drug offenses have constituted about 10–12% of all arrests throughout the decade but do not appear in the top five for girls. Note that during the past decade the category "other assaults" jumped up one point from number 4 to number 3 during the decade and accounted for 15.6% of their arrests in 2010, up from 13.1% in 2001. This might be explained by the greater willingness of school officials and police departments to arrest girls for minor forms of fighting on and off school grounds. More will be said about this later.

Table 2.2 Rank order of arrests for juveniles, 2001 and 2011. (Figures based on percent distribution within each sex cohort.)

	Male		*Female*	
	2001	*2011*	*2001*	*2011*
1.	All other (18.5)[1]	All other (18.8)	Larceny-theft (24.0)	Larceny-theft (26.5)
2.	Larceny-theft (13.8)	Larceny-theft (14.2)	All other (17.9)	All other (16.0)
3.	Drug violations (10.4)	Other assaults (11.7)	Runaway (13.1)	Other assaults (15.4)
4.	Other assaults (10.2)	Drugs (11.4)	Other assaults (10.8)	Disorderly con. (10.9)
5.	Disorderly con. (7.4)	Disorderly con. (8.5)	Liquor laws (7.5)	Liquor laws (8.6)

	Male		*Female*	
	2001	*2011*	*2001*	*2011*
Arrests for serious violent offenses[2]	5.0	5.1	3.1	2.6
Arrests for all violent offenses[3]	16.3	16.8	13.9	18.0
Arrests for status offenses[4]	8.2	6.0	18.9	5.9

Notes

[1]"All other" refers to a variety of offenses, usually state and local ordinances. Among the most common include public nuisance, trespassing, failure to appear on warrants, contempt of court, and, for juveniles especially, violation of various court orders (e.g., probation, parole) and certain status offenses. This category does not include traffic offenses.

[2]Arrests for murder, robbery, rape, and aggravated assault.

[3]Also includes arrests for other assaults, a part II crime.

[4]Arrests for curfew and runaway in 2001 and curfew only in 2010.

Source: Federal Bureau of Investigation (2011). *Crime in the United States, 2011*. Retrieved from: http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/tables/table-33.

The delinquency of boys does not show a similar degree of concentration. For example, the top five arrest categories in 2010 accounted for more than three-fourths (76.6%) of all the arrests of girls but 64% of the total for boys.

This discussion brings up other salient questions: What are the trends in female delinquency? Are there more female delinquents today? Are they more likely than their counterparts of a previous time period to commit "masculine offenses"? FBI data for the past few decades reveal some interesting patterns. First, the number of girls arrested rose dramatically during the 1960s and early 1970s – between 1960 and 1975, for example, by around 250% (Federal Bureau of Investigation, 1976: 183). Statistics like these, particularly when coupled with increases in the arrests of girls for nontraditional offenses, such as a 503.5% hike in the arrests of teenage girls for serious, violent crimes, encouraged many to believe that the women's movement had triggered a crime wave among young women (Adler, 1975). The controversy – both theoretical and empirical – that emerged around what some have called the "liberation hypothesis" or the "equality" hypothesis is an important one (Chesney-Lind

and Jones, 2011). The impact of this perspective on theories about girls' crime will be discussed later in this book. Here, we examine the arrest trends in further detail to determine what the data actually show about the amount and character of girls' delinquency during the past two decades.

Examining the data in Tables 2.3 and 2.4, we see several trends. First, as shown in Table 2.3, girls' share of serious violent crimes has remained roughly the same (but note the drop for homicide) but their share of serious property crimes has increased, led chiefly by a noteworthy increase in their share of larceny–theft offenses (from around 39% to 46%). Girls' share of other assaults, disorderly conduct, and liquor law violations has also increased.

Further, as noted in Table 2.4 (2009 is used instead of 2010 in order to include runaways for the entire period), fluctuations in arrest rates for both girls and boys have been almost identical: as one goes up, so does the other and vice versa (the same can be said when comparing adult and juvenile arrest trends). In other words, the patterns appear to be similar for both sexes. Second, while it could be argued

Table 2.3 Girls' share of all juvenile arrests, 2001 and 2010 (index crimes and selected part II offenses).

	2001	*2010*
Total	**28.9%**	**29.5%**
Part I Crimes		
Homicide	10.2	10.5
Rape	1.4	1.5
Robbery	8.7	10.4
Aggravated assault	23.2	24.4
Burglary	12.3	12.4
Larceny-theft	39.2	46.0
Motor vehicle theft	18.3	16.6
Arson	11.0	13.2
Total violent	18.1	18.4
Total property	31.9	38.4
Selected Part II Offenses		
Other assaults	31.7	35.3
Stolen property	14.4	16.3
Vandalism	13.1	14.5
Weapons	10.5	10.7
Drugs	16.2	16.9
Liquor laws	32.3	38.2
Disorderly conduct	29.7	35.0
Curfew and loitering	29.7	29.3
All other	26.2	25.8

Source: Federal Bureau of Investigation (2010). *Crime in the United States, 2010*. Retrieved from: http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/10tbl33.xls.

Table 2.4 Juvenile arrest rate trends (per 100,000 population aged 10–17).

	Female			*Male*		
	1990	*1999*	*2009*	*1990*	*1999*	*2009*
Part I Crimes						
Homicide	*	*	*	22	8	7
Rape	*	*	*	42	30	19
Robbery	27	17	21	277	167	191
Aggravated assault	75	104	81	395	336	250
Burglary	84	74	62	920	549	430
Larceny-theft	987	910	888	2333	1537	1068
Motor vehicle theft	76	56	24	604	272	123
Arson	5	6	5	45	44	32
Total violent	105	122	102	736	542	465
Total property	1152	1046	979	3903	2401	1652
Selected Part II Crimes						
Other assaults	258	473	485	803	1008	882
Vandalism	78	92	87	803	631	536
Weapons	19	27	24	268	241	210
Drugs	69	192	171	527	1075	892
Liquor laws	334	333	305	808	701	480
Disorderly conduct	187	326	381	687	790	740
Curfew	179	559	261	453	774	546
Runaway	723	586	377	522	379	279
Total	3754	4429	3878	12,090	12,136	8642

*Less than 1 per 100,000.

Sources: For 2009 data: Federal Bureau of Investigation (2010). *Crime in the United States, 2009*. Retrieved from: http://www2.fbi.gov/ucr/cius2009/data/table_33.html; for previous years FBI reports for 1990 and 1999. Rates based upon population from US Census reports.

that for some crimes girls are "catching up," the fact of the matter is that boys clearly outnumber girls for most major crimes, with the exception of larceny-theft.

What must be explored in some detail here are the trends concerning girls' arrests for violent offenses. As noted in both Tables 2.3 and 2.4, in terms of both rates per 100,000 and the proportion of arrests accounted for by girls, arrests for these kinds of offenses increased in the 1980s (as shown in previous editions of this book), but have shown a noteworthy decline since then, especially since the 1990s. The increases during the 1990s were greatest for two specific offenses in particular: aggravated assaults and "other assaults." However, almost equally high increases occurred for boys. The arrest rates for girls for aggravated assault increased by 39% between 1990 and 1999, but declined 22% between 1999 and 2009. For boys, though, the arrest rate for aggravated assault declined by about 15% between 1990 and 1999, followed by an even greater decline of 26% from 1999 to 2009. For the offense "other assaults," girls' arrest rates increased by 83% between 1990 and 1999, but only a very slight

increase during the next decade. For boys, these increases were 25% during the 1990s followed by a decline of just under 13% for the past decade. It should be emphasized that the largest increases for "violent" crime have been for relatively minor assaults and boys continue to be in the lead.

There are several possible explanations for the increases in arrests for these two violent offenses. First, many of these increases could be attributed to the increase in girls' involvement in gang-related offenses. However, at the same time, the increase in actual *arrests* could also be an artifact of increased police attention to the gang problem, rather than a real increase in violent behavior (Shelden et al. 2012; Chesney-Lind and Hagedorn 1999; Miller 2001). Second, some of the increase could be attributed to increasing attention toward the problem of domestic violence, which has resulted in more arrests for both males and females (Feld 2009; Chesney-Lind and Jones, 2011). Third, and perhaps more important, there is evidence to suggest that in recent years many of the arrests on these charges may be because of greater attention to normal adolescent fighting and/or girls fighting with parents.[2] A great deal of this stems from so-called "zero tolerance" policies enacted all over the country during the past decade (Sullivan et al, 2010; American Psychological Association 2008). In past times such aggression was ignored or dealt with informally. Fourth, some of this increase is undoubtedly a reflection of a real increase in violence, which may be a reflection of larger and more structural problems in modern society that are causing greater violence among both male *and* female youths (e.g., poverty, violence at home, lack of hope, poor educational and occupational opportunities, the increase in the amount and sophistication of modern weaponry, and the increasing acceptance of carrying and/or using weapons in our society).

Labeling girls as "violent" or "more violent" than at some point in the past is a process of social construction. Feminist criminologists have criticized traditional schools of criminology for assuming that male delinquency, even in its most violent forms, was somehow an understandable if not "normal" response to their situations. Girls who shared the same social and cultural milieu as delinquent boys but who were not violent were somehow abnormal or "over-controlled" (Cain, 1989). Essentially, law-abiding behavior on the part of at least some boys and men is taken as a sign of character, but when women avoid crime and violence, it is an expression of weakness (Naffine, 1987). The other side of this equation is that *if* girls engage in even minor forms of violence, they are somehow more vicious than their male counterparts. In this fashion, the construction of an artificial, passive femininity lays the foundation for the demonization of young girls of color, as has been the case in the media treatment of girl gang members (see Chapter 3). Also, from the media we often get the interpretation that when there are increases in male violence the response is something like "So what else is new?" but when there is an increase in girls' violence something fundamental is wrong or there is a "new breed" of "violent women" roaming the streets and threatening the social order (IrwinChesney-Lind and Irwin, 2008).

If we consider the girls' share of all juvenile arrests, a more complex picture emerges. As noted in Table 2.3, the share has risen very slightly from 28% to just