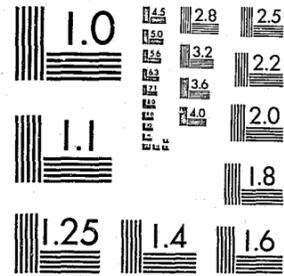


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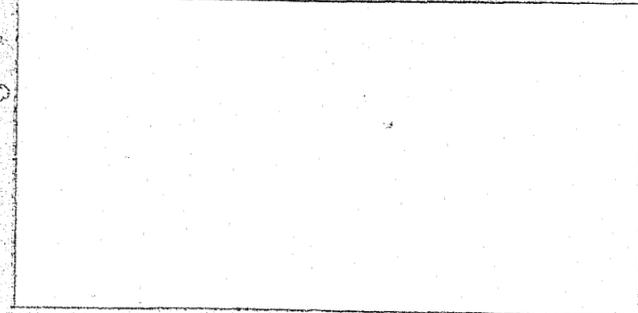
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GIRLS AND THE LAW
by
Charlotte Grimes
St. Louis Post-Dispatch
St. Louis, Missouri

U.S. Department of Justice
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a final report of the
Fellows in Education Journalism
Juvenile Justice Program
INSTITUTE FOR EDUCATIONAL LEADERSHIP

PREFACE

Charlotte Grimes prepared this report on juvenile justice in Missouri as a Fellow in Education Journalism. The 1982 Fellowships provided six outstanding and competitively selected journalists with the opportunity to study and report on specific aspects of juvenile crime and justice while on six weeks leave from their newspapers. In addition to this final report, Grimes wrote a series of articles for The St. Louis Post Dispatch. Her series and those of the other Fellows appear in the IEL monograph, Juvenile Justice: Myths and Realities. The 1982 Fellows and their topics were:

Charlotte Grimes <u>St. Louis Post-Dispatch</u>	Girls and the Law
Wiley Hall <u>Baltimore Evening Sun</u>	Getting Tough With Violent Juvenile Offenders
Leslie Henderson <u>Knoxville Journal</u>	Violent Juvenile Crime in East Tennessee: A Family Perspective
Andrew Petkofsky <u>Richmond News Leader</u>	Locks and Lessons: Virginia's Reform Schools
Woody Register <u>The Tennessean</u>	Juvenile Incarceration and Alternatives in Tennessee
Gary Strauss <u>The Idaho Statesman</u>	Juvenile Justice in Idaho
Margaret Beyer, PhD Freelance (received study grant)	Not Getting Away with Murder: Serious Juvenile Offenders in the District of Columbia

The Fellows in Education Journalism program seeks to strengthen the media's reporting and the public's understanding of education and social service issues by providing journalists with the resources and time to conduct comprehensive studies. Initiated at the Institute for Educational Leadership in 1976 by The Ford Foundation, the program is also sponsored by participating news organizations across the country and other foundations, government agencies and national organizations. The list of 1976-82 Fellows, sponsoring news organizations, and topics of study is included in this publication.



Susan C. Farkas
Director
Fellows in Education Journalism

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Additional copies of this report may be obtained for \$3.50 each from IEL Publications, 1001 Connecticut Avenue, Suite 310, Washington, D. C. 20036.

Appreciation for the opportunity to do this study is due the Ford Foundation, the Institute for Educational Leadership, Inc., and the St. Louis Post-Dispatch. Thanks should go to the scores of court officials, researchers and advocates who shared their expertise and insights. And a special thanks to the girls who shared their experiences and feelings.

Views expressed in this study are those of the reporter or those quoted. They do not represent the positions of the Ford Foundation, the Institute for Educational Leadership, Inc., or the St. Louis Post-Dispatch.

This information first appeared as a series of articles, "Girls and the Law," copyright, 1982, in the St. Louis Post-Dispatch.

Charlotte Grimes
October, 1982

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ACQUISITIONS



In 1981, perhaps as many as 2,000 girls spent time in Missouri's court-run detention centers and holdovers.

Some stayed a matter of hours, some for days and others for months. About 200 eventually were given over to the Division of Youth Services, the last resort for troubled and troublesome youngsters with whom no one else will deal.

In a very real sense, the girls were confined--and some committed to the state corrections agency--because Missouri's juvenile justice system is poorly equipped to deal with the female delinquent.

At best, the system has few resources to meet her needs. In fact, there is great dispute among those associated with the system--judges, lawyers, police, experts on delinquency and advocates for girls--on just what those needs are.

And at worst, the system clearly treats girls differently from boys in trouble with the law. State statistics from 1980, the most recent available, show:

--Girls are at least twice as likely as boys to be brought into the courts for behavior that would not be crimes if they were adults. Those are the status offenses, running away from home, truancy, curfew violations among them.

--Though their offenses are less serious, girls are more likely than boys to be detained by authorities, and to be kept in custody longer.

--And when they are adjudicated--the juvenile equivalent of a conviction-- girls are more likely to get the harshest sanction. In fact, a girl is almost three times as likely as a boy to be committed for status offenses to the Division of Youth Services.

In part, the girls' treatment reflects their distinct minority status within the courts and corrections facilities. Outnumbered by boys by as much as four to one, they are in effect a speciality item in a mass market.

"We respond to numbers, not sex, and we have had greater resources for boys because that's where the numbers have been," as Judge Melvyn Wiesman of the St. Louis County Juvenile Court, one of the three largest jurisdictions in the state, put it.

Sue Schneider, who runs one of the few non-profit runaway shelters which doubles as an alternative to detention centers for St. Louis area courts, was slightly more blunt. "I think," she said, "that they just don't know what to do with girls."

To a great degree, their treatment does indeed reflect a collection of attitudes toward girls, attitudes that flourish in society and the judiciary. And often they work to the girls' detriment. Among those generally agreed upon by juvenile justice officials, advocates and researchers:

--A pervasive philosophy that girls are particularly vulnerable to abuse and exploitation, and therefore in need of protection--even to the point of confinement in stringent security settings.

--A reputation, even among those who work to rehabilitate delinquents, of girls as especially troubled and troublesome, harder than boys to work with, even more violent and assaultive in treatment settings.

--A much more limited repertoire of acceptable behavior for girls, with less tolerance for rebellion and sexual activity.

Noah Weinstein, a retired St. Louis County Circuit Court judge and a nationally respected authority on juvenile justice issues, described the way the system has traditionally worked:

"The excuse that we've used to lock up children, either boys or girls, is that we're protecting them. We old-fashioned guys," said Weinstein, 76, "used to say that we were locking up girls so that they wouldn't get pregnant."

But, the judge added, "What we do to a large extent is substitute the neglect of the state for the neglect of the parents. And we get into a legalistic tyranny in the name of the protection of children."

WHO IS THE DELINQUENT GIRL AND WHY DOES SHE DO WHAT SHE DOES?

*** Grace's father was a pimp, a famous one in his own way, as much for getting killed as the way he lived. And for as long as Grace, now 16, can remember, her mother was sure that his violent blood would run true in Grace.

"She kept sayin' I'd end up just like him," Grace said. "It made me real mad. I figured if she thought that, then I might as well be."

It started out childishly enough. "When I was 10 or 11, I ran with a gang, being ugly and rude and harassin' people on the street." Grace and her mother began to fight. Once, in a rage, Grace threatened her mother with a knife. She started taking drugs with her street friends. By the time she was 15, she'd been in and out of detention for assault, drugs, running away. Now she is in a regional facility for the most dangerous delinquents.

"They say my record is very bad," said Grace. But she has her own ideas of

of her problems, a kind of rough justice toward a world which rejected her from the beginning. "I don't care about nobody," she said, "if they don't care about me."

For decades, the delinquent girl was reduced to a footnote in research, with one early researcher concluding that she was simply "less criminologically interesting."

But recent studies find that typically she is a white 14- or 15-year-old. Her homelife often has been marked by poverty, the chaos of mental illness and alcoholism, and abuse. As many as 30 to 50 percent of runaways had been victims of sexual or physical abuse, according to some research. But she is seldom violent or dangerous.

The most recent statistics in Missouri, from 1980, show:

--About four percent of girls are referred to courts for offenses against people.

--About 15 percent for property offenses.

--About 44 percent for status offenses. In some jurisdictions, that's 70 percent.

--Among the status offenders, almost half are runaways.

If there are clues to understanding that behavior, most experts agree they lie in understanding the even greater mystery of adolescence.

Freud proclaimed the female delinquent to be a young woman who was "maladjusted to her feminine role." But most authorities on delinquency today say usually she is a young woman caught between the normal pressures of growing up and abnormal pressures in her environment, especially in her home.

"We know that many young women who are running away from home are fleeing abuse," said Carol Zimmerman, director of the federally funded National Female Advocacy Project in Tucson, Ariz. "Often they are reacting quite logically to an intolerable situation."

In the psychiatric literature, children as young as 11 and 12 begin to feel the tugs of "growing up pains." They are on the verge of acquiring an identity of their, separate from their parents. It is an ambivalent time for for parents and children alike, with neither quite sure what to expect--or even what they want--from the other. In what many experts liken to a contest of comparative strengths, the adolescents begin to test their boundaries of power, often with behavior that could be considered delinquent if they were caught:

Beer-blasts when parents are away from home. Shoplifting from department stores as the initiation rite to the "in" clique. Sex in the backseat of the family car.

The key for parents, the experts say, is to set boundaries for their children's behavior without building prisons around the emerging adult. But girls, the experts agree, often face higher family walls. What is considered "sowing wild oats" for boys is perceived as the seeds of disaster for girls. And at a time when girls are seeing themselves as young women, the traditional parental rein on them is getting even tighter.

Ironically, some studies show that girls more quickly than boys outgrow the mischievous phases of adolescence. In the Jackson County Juvenile Court, which serves Kansas City, officials noted that pattern in its residential treatment program for status offenders. "We found that very few girls end up in trouble with the law as adults," said Dean Askeland, director of court services. "They seem to go through a difficult period between 13 and 15. But they seem to outgrow it."

But in some families, it is not a passing phase. And in time, the girl's misbehavior and her parents' inability to deal with it become a kind of vicious family circle that brings them into court.

There, the same patterns seem to repeat themselves.

Judy Pierson now runs Youth Emergency Services in St. Louis, a non-profit shelter for runaways and youngsters having family problems. But for seven years she was a deputy juvenile officer. She likens the court's role to that of a father with a misbehaving daughter. "It is still a predominately male organization," she said, "and for girls, the court is just a repeat of what happened to her at home."

WHAT HAPPENS TO THE TROUBLESOME GIRL?

***For 15-year-old Spooney, becoming a delinquent was as simple as a broken promise to a nine-year-old.

"My mom was beatin' me all the time and the social workers took me away from her," Spooney recalled. "Then the social workers gave me back and my mom promised she wouldn't beat me anymore. That night she beat me again and I ran."

"I been runnin' ever since."

Today, Spooney is in a group home for status offenders, considered a chronic runaway, suspected of prostitution to support herself on the streets and thought to be in need of stringent rehabilitation.***

Many Missouri judges and court officials admit that they see girls as more vulnerable and in need of protection than boys. Some acknowledge they treat girls differently, largely out of that sense of girls' vulnerability. And still others say that their treatment of girls is really an attempt to help families torn by irreconcilable differences.

"It never ceases to amaze me the number of families whose members have totally rejected each other," Judge Wiesman of the St. Louis County Juvenile Court

said of situations that typically confront him and his colleagues. Often, he said, the girls come into the courts because family situations have reached such an impasse that either the parents refuse to keep her at home, or she refuses to stay.

Ray Grush, chief juvenile officer of the 11th Circuit in St. Charles County, added: "Many times at midnight I've argued with parents that I'm not going to put their daughters in detention."

Many courts in Missouri have a walk-in policy that allows parents to bring their children directly to the courts. And court officials agree that influences the number of referrals--about 10,000 statewide each year--of girls to the courts. Parents, even more than police, they agree, are more likely to bring girls in to the court.

That policy is also one of the ways that the courts get involved in the sex life of teenage girls. While most court officials say they would not be interested in girls' sexual activity unless it involved conscription by pimps or as abuse, they also acknowledge that parents often make an issue of it. In fact, some court officials agree that sexual activity is often the primary, though cloaked, reason that girls are in the courts.

Said Grush: "Parents do bring it up more often with girls than boys. If his son is promiscuous, then dad probably will just tell him how to protect himself. But if dad catches his daughter, he's likely to get more upset. It's a macho kind of thing too. In that way, our society is kind of screwed up. We should be as concerned about our sons as our daughters."

Grush said that he has instructed court workers not to inquire of parents whether they suspect that their daughters are sexually active. "We do ask about other things that might be more of a relationship to crime, such as drugs or alcohol," he said.

Don Szwabo, director of court services for the St. Louis Juvenile Court, said: "My own philosophy is that the court exists for the welfare of the community and the child. And if responsible parents come to us and say they need help, that they are concerned about their daughter's sexual activity, then we have to help."

But what kind of help is unclear.

Most authorities, including many court officials, agree that once youngsters become sexually active, they are not likely to stop. "It's hard to keep them down on the farm, once they've seen Paree," as one juvenile officer put it.

And it is also clear that the courts themselves have more than a passing interest in girls' sexuality, and clearly more interest in theirs than boys'.

It is a common court practice to make references to a girl's sexual past in her official character portrait--called a social history--prepared by court staff. So that whether she comes into the court as suspected burglar or a chronic truant, the odds are good that her sexual behavior will become a part of her court record. And those records are passed on to the judge or hearing commissioner in the crucial hearing to determine the disposition of her case, even whether or not she is to be temporarily detained in secure custody.

Judge John E. Parrish of the 26th Circuit Court, which covers the Ozark counties of Camden, Laclede, Miller, Moniteau and Morgan, said that he has occasionally seen notes from his court-paid psychologist that mention whether or not a girl is sexually active. But, he added, "I've never seen it on a boy, I can say that."

Like many court officials, Judge Parrish doesn't think it's necessarily a bad idea for the decision-maker in the juvenile court to have such information. If the girl has to be placed outside of her home, for example, it wouldn't do her

much good to be placed with a foster family that also could not cope with the reality of her sexual activity. But, he concedes, the court probably should be consistent and consider those issues for boys as well.

Others contend that a girl's sexual history is often and unfairly used against her.

Said Beth Dockery, a public defender in the St. Louis Juvenile Court: "I've had boys as clients who were fathers and that would never be commented on. But if a girl is a mother or is living with a boy, it's considered a serious problem. A girl's sexual history is likely to be held against her, a boy's isn't."

Added Glenn Hunt, public defender of the St. Louis County Juvenile Court: "In dispositional hearings, I hear it come out time and again--'She's promiscuous' or 'She's sexually active.' I wonder what relevance it has. To me, there's a heavy emphasis on curbing sexual promiscuity" of girls but not of boys.

He and Dockery contend that mentioning a girl's sexual activity sometimes prolongs or even escalates the court's intervention in her life. For example, a girl who wasn't adjudicated--convicted--for burglary might still find herself under court supervision or ordered to seek counseling. If her social history revealed that she was promiscuous, the court could construe that to mean that she was ill-supervised by her parents or simply interpret it as "conduct injurious to herself."

Explained Szwabo of the city court: "It could be a sign that the family was dysfunctional and then you'd want to look more closely at the home environment."

When parents can't cope with their daughters' sexuality and when court officials fear that sexually active girls might be exploited by older boyfriends or on the street, the reaction is often to use detention as a deterrent, even as protective custody. Court officials obliquely admit that those situations account

for a significant proportion of the girls in detention centers, and is sometimes the reasons that girls are committed to the Division of Youth Services.

The St. Louis city court, for example, detains 20 percent of the girls that come into it, slightly less than the percent of boys it detains. But in the county court, about 26 percent of the girls are detained, compared to 20 percent of boys. In addition, girls account for 29 percent of the county court's commitments to the Division.

"If we turn her loose, 15 minutes later she'll be back on Interstate 70," said Szwabo of the city, "and two days later you may have her naked body turn up-- which is the fate of a lot of female hitchhikers."

WHAT'S WRONG--AND RIGHT--FOR GIRLS IN MISSOURI?

*** At 16, Misty has an eager, engaging personality, a bright smile and and obvious intelligence. Counselors at the group home where Misty lives acknowledge that she would be a potential college candidate. Except for one thing. She is way behind her grade-level in school, part of the consequences of truancy to be with her lover, an older man.

Misty was referred to the court by her mother. "She couldn't handle my not being a virgin," said Misty.

The group home counselors hope to get her into the Job Corps, perhaps send her home after mending the relationship with her mother. Of Misty, one counselor said, "Her biggest problem is just that she likes boys too much." ***

To the critics of the juvenile justice system--and they are a growing group--it is chiefly characterized by Sugar-and-Spice law enforcement, with

girls punished for too little Sugar and too much Spice.

"Courts are spending their time, money and energy on locking up girls who often have not committed a real criminal act," said Carol Zimmerman of the National Female Advocacy Project.

In reality, she said, "The juvenile court is used to control the sexual activity of females. Its mandate is to control, guide and give care. But it has turned out to be a way of forcing morals on young women. It is merely carrying out what society says: Girls aren't allowed to do the same things that boys are."

Retired judge Noah Weinstein agreed: "It's a fair charge that the court has been more interested in enforcing chastity in girls than in boys."

Still others maintain that the courts take too lightly the basic issue of detaining girls--or boys, for that matter. At rock bottom, they point out, it is deprivation of liberty.

"Sure, the girls we're talking about are not always the most endearing of people," said Zimmerman. "Sometimes they're loudmouthed, obnoxious and given to behavior that we don't like. But is that any reason to lock them up? That's something we reserve for people who committed the most serious of crimes."

Harry Swanger of the National Juvenile Law Center, which represents youngsters within the courtroom, said, "We think it is a violation of constitutional rights. It is cruel and unusual punishment to be locked up for non-criminal activity." He was referring to the status offenses for which many girls are brought into the court.

At the heart of much of the concern --and controversy -- are the ground rules under which courts can detain juveniles.

Missouri law allows for them to be kept in custody, without any hearing, for up to 72 hours, plus weekends and holidays. Court officials simply have to

say that the juvenile needs to be kept in detention because she is a danger to society, a danger to herself or likely to skip her court appearance. At the point that the detention decision is made, no evidence is considered about whether or not she has committed the offense with which she was brought to the court.

By the 72-hour deadline, the court must give the juvenile a hearing to determine if detention is to continue. But again, only the criteria of danger to society, to self or likelihood of disappearance is considered, along with any past record of involvement with the juvenile court.

To critics, like Swanger, those criteria are so vague as to be meaningless. And even court officials acknowledge that the category of "danger to self" is a large gray area. One juvenile officer suggested that chronic truancy could be considered a danger to the juvenile, since it might dim job prospects and a productive future, and justify detention.

Given the pervasive protective attitude toward girls, many critics feel that the "danger to self" category is a virtual license to detain girls on the slightest excuse.

The door to the detention centers was partially closed by the 1974 Juvenile Justice and Delinquency Prevention Act, which offered states money in return for not detaining status offenders beyond 24 hours. The act was amended in 1980 to make the money, which is grant-type financing for projects that keep juveniles out of detention, available to states under less stringent guidelines: They had to prohibit, through state statutes, judges from committing first-time status offenders to institutions; and they could detain longer than 24 hours status offenders who'd violated a valid court order. An example would be the truant who's been put on probation but again plays hooky. That status offender

can be detained and not jeopardize the state's compliance with the act and its federal funding.

Without those amendments, Missouri wouldn't have gotten a dime.

In 1980, state officials estimated that more than 1,000 status offenders would be kept in detention for longer than the 24-hour deadline. That cost the state \$1.3 million in federal funding for alternatives to detention. By 1981, Missouri had its state statute forbidding commitment of first-time status offenders, and in 1982 got its first money under the OJJDP Act, \$873,000.

With it, the state is financing projects in 22 of its 43 circuits to keep delinquents out of detention. Among them:

--A grant that enables Youth Emergency Services, a non-profit shelter and counseling agency in St. Louis, to take delinquents from the two juvenile courts in the metropolitan area.

--Money for the Jefferson County Circuit Court in the eastern portion of the state to pay foster parents to care for delinquents.

--A short-term emergency shelter for Livingston County in north-central Missouri, a basically rural area.

--Emergency shelter and counseling services for delinquents in Sikeston, in the southeastern portion of the known as the Bootheel.

In addition to the federal money, the Division of Youth Services has an allocation of \$475,000 which is going as grants to juvenile courts. The grants are to help the courts develop community-based programs for care and treatment so that courts won't commit youngsters to the Division. About half of the circuit courts are participating in the Division's program, but in four of the circuits the money has been used to support detention centers.

Future grants, Division officials said, will be tied to projects that do not include detention centers. "We want to encourage judges to get out of the detention business," said John Bonnot, program development administrator for the Division. "So we're buying them off."

But Missouri's history in the de-institutionalization movement, embodied in the 1974 OJJDP Act, has been discouraging. The Children in Custody Report, with statistics gathered by the U.S. Census Bureau and unique for having 100 percent reporting from courts and law enforcement agencies, shows:

--Between 1974 and 1979, when the national movement against institutions was strongest, Missouri actually increased its commitments to training schools by 11.3 percent. At the same time, Missouri courts detained 13 percent more juveniles.

--In 1979, although there was much less violent crime and serious property crime here than in most states, Missouri was among the top in detaining and committing juveniles. Its rankings: 24th for violent crime; 40th for serious property crime; 16th for detaining juveniles; and 20th for committing them to training schools.

--Each of the state's three metropolitan courts--St. Louis, St. Louis County and Jackson County in Kansas City--detained a higher percentage of youngsters than other, larger metropolitan areas. Each of them had higher detention rates than courts in Cook County, Ill., for example.

THE HISTORICAL AND NATIONAL CONTEXT

The American juvenile justice system was born almost on Missouri's doorstep, with the creation of the first children's court in Chicago in 1899.

Forbidden to treat children as though they were adults, the court was

hailed as a grand gesture of reform. And in terms of what it could actually do to children, it was indeed a dramatic change. Not many years earlier in another part of the country an eight-year-old had been hanged for setting fires to barns.

The execution was perfectly legal.

In the Chicago court, the judiciary was charged with caring for the abandoned and neglected, teaching discipline to the unruly and wayward, and mending the ways of the youthful criminal. Its guiding philosophy was to be that of the benevolent but firm parent.

Hanging was out; rehabilitation was in.

But the break with the past was neither as complete nor as sterling as the reformers had thought. In fact, in shaping the new court, which was soon emulated across the country, the reformers were merely drawing on the social and legal philosophies that spawned the poorhouses, and English common law of the 13th and 14th centuries.

Under it, children had no rights except to custody. Like women, they were considered the chattel of their male guardians. Those concepts were embodied in the Illinois juvenile code of the turn-of-the-century, allowing the state to view itself as the superior parent with the power to assume custody of children from others that it had declared unfit.

But to many of today's critics of the system, the early reformers seemed not to know when to leave well enough alone. Before long, their attempt to rescue children from the hangman had taken on the tenor of a moral crusade, the critics today think.

By the time the Chicago court was established, the social thinkers had declared that the only way to keep children, who were born innocents, from becoming highwaymen and prostitutes was to protect them from corrupting influences. Those

included movies, cigarettes, alcohol, dancehouses, and associating with the unchristian and immoral. It was in essence an early theory of crime-prevention.

And when Illinois legislators set up the laws under which the Children's Court would work, they included its precepts in the new juvenile code, creating "children's crimes"--incurability, truancy, running away from home, the status offenses. By 1928, all but two states had adopted the Illinois model law.

Today, the status offenses are the reason that between 70 and 80 percent of girls and 20 percent of boys nationally are in custody.

Indeed, what began as a trickle of "wayward" girls in the turn-of-the-century courts has become a flood in the last two decades. In the early 1900s, one girl was arrested for every 50 boys. In 1973, the ratio was one girl for every three. Nationally, about 100,000 girls are now coming into the juvenile courts each year, about a fourth of all the referrals to the courts.

Study after study, in different parts of the country and of the national tapestry, has bemoaned their treatment there. Among the most significant findings:

--For many years, some large urban courts routinely required girls to undergo gynecological exams--regardless of the reason they were brought to the court, burglary to runaway. Evidence of sexual contact was often added to the list of charges against the girl.

One of the researchers who documented the practice, Meda Chesney-Lind of the University of Hawaii's Youth and Research Development Center, concluded that the exams meant: "Essentially, all youthful female misbehavior is subject to surveillance for evidence of sexual misconduct."

--From its 1978 survey of the juvenile justice system, the U.S. Civil Rights Commission found that the status offenses under which most girls were in the courts were thin disguises for suspected sexual activity. "Often," the

Commission concluded, "truancy and incurability mean promiscuity when applied to girls."

--In its classic study, "Little Sisters and the Law", the American Bar Association surveyed programs for the female delinquent and found that girls frequently were in detention centers because few community-based alternatives for them existed. And within the state-run institutions, girls often had fewer educational and vocational training options than boys. What was offered for girls often was preparation for low-paying jobs traditionally held by women, cosmetician, waitress, domestic help.

"Yet fairness and the guarantee of equal protection dictate that regardless of the reasons, systematic discrimination should not be allowed to continue," the study urged in 1977.

WHAT NEXT FOR THE DELINQUENT GIRL?

Almost everyone associated with the juvenile justice system in Missouri and nationally agrees that it needs to change the way it treats girls. And there are programs with promise, some within the system itself and some as alternatives. Among them:

--Specialty organizations, such as New Directions for Young Women in Tucson, Ariz., which works with girls who are having trouble at home and who might otherwise be in the detention centers. It offers shelter, counseling, educational and confidence-building support so that the girls can become independent.

Other more traditional groups, such as the Girls Clubs of America and the Young Women's Christian Association, are also moving into the field, with projects in many areas to help girls in trouble with the law.

--In Massachusetts, the state-run Proctor Program helps keep girls out of detention. It matches girls with adult volunteers who take the girls into their homes while awaiting court appearances.

--In New York, an independent living program focuses on status offenders who have not done well in traditional rehabilitation programs. Those youngsters are given a stipend for expenses and special schooling. The idea is to help them get jobs and become self-supporting.

--Some courts have taken a firm stand against involving the status offender in the legal machinery, a move that has tremendous implications for girls.

One outstanding example is the Berrien County, Mich., Juvenile and Probate Court. Its approach has been broad-spectrum, ranging from intense efforts to recruit and support community-based resources as alternatives to detention to a set of policies that simply preclude the court's involvement in many of the traditional problems that bring girls into the court. It doesn't, for example, keep status offenders in detention, and prohibits parents from bringing their troublesome children to the court. Instead, family problems are dealt with through the counselling and crisis-intervention services of a separate Youth Services Bureau, which operates under the court's auspices.

At the time of this study, only one girl was in Berrien County's detention center. She had been charged with larceny.

But to many within and outside the system, court and corrections officials and professional observers, the fundamental concepts under which it operates are overdue for re-examination by the public and policymakers alike.

In tune with the "children's rights" movement, many of those critics

would like to see the juvenile courts work more like the adult courts. "We need to get away from the paternalism that characterizes the juvenile courts," said Harry Swanger of the National Juvenile Law Center in St. Louis. He and others would like to see juveniles acquire some of the procedural rights commonly accorded adults: preliminary hearings, the right to post bond rather than be detained, more formal and adversarial roles for those involved in the court actions, such as public defenders and prosecutors.

One technicality that particularly bothers the lawyers who represent juveniles is the court's authority to fit its charges to whatever evidence is available. If, for example, the deputy juvenile officer can't make a case on burglary, he is allowed to return with a charge that suits what can be shown, perhaps a status offense.

The overriding question appears to be: What should be expected of the juvenile justice system?

More and more, it has become involved in what are generally conceded to be family problems, epitomized by the sharp increase in the numbers of status offenders and girls in the courts. In 1960, the status offenses accounted for about a third of the caseloads in the courts. Now they are half and more.

"The court has become the body shop, where parents and other institutions like schools bring their trouble kids and say, 'Here, you fix it,'" said one juvenile officer. And by and large, the courts have aided and abetted that.

"The problem with the juvenile court is that it has extended itself beyond its abilities," said Chuck Kehoe, director of court services in Berrien County, Mich. "Some of us seem to believe that we can make the lame walk and the blind see."

The juvenile courts, like the adult system, should limit itself to

protecting society from the truly dangerous juvenile.

For girls, perhaps the most pressing need is a change in attitudes toward them. For them, parents have less tolerance for rebellion and misbehavior and courts a greater willingness to intervene in their lives. And yet, even within the system that purports to help them, they are viewed with a dismaying chariness.

Many privately run group homes and residential treatment centers are reluctant to take them. And the constant refrain from judges, juvenile officers and corrections officials is, "Give me a good delinquent instead of a girl any day."

Kathie Guyton, an associate judge in Lincoln County and co-chairman of the Missouri Bar Association's committee on juvenile courts, summed up the frustration: "Clearly we are not speaking to the needs of young women. And it is discriminatory. It is a discrimination brought on by lack of resources, lack of services and lack of answers."

*** Inside the two-story house in a crime-ridden St. Louis neighborhood, 16-year-old Pumpkin ponders what brought her to this place, a group home for delinquents.

She doesn't smoke. She doesn't drink. She's never taken drugs. She is, however, very angry.

Out of nine children, she was chosen by her mother to care for the others, missing school to do the domestic chores, no social life with her peers. Pumpkin is sure that her mother's choice was a kind of punishment for being too close to the father who deserted his family.

It was only a matter of time before the mutual resentments between mother

and daughter boiled in confrontations. Eventually to spill into the juvenile court. Unable to reconcile their differences, court officials sent Pumpkin on the rounds of foster and children's homes. Bitter, frustrated and scared, she started staying out of school again, getting into fights. Her record began to read like a laundry list of delinquency: truancy, assault, incorrigibility. But to Pumpkin, being finally committed to the Division of Youth Services, meant just one thing:

"I'm here," she says, "because no one else wants me." ***



Journalism Fellows

THE INSTITUTE FOR EDUCATIONAL LEADERSHIP, INC.

Since 1976 The Institute for Educational Leadership has administered The Fellows in Education Journalism Program, enabling journalists to conduct studies of education and related social issues. Journalists who have participated in this Fellowship and their study topics are listed by year.

1976

DAVID BEDNAREK	<i>The Milwaukee Journal</i> Milwaukee, WI	Desegregation
MICHAEL BOWLER	<i>The Sun</i> Baltimore, MD	Textbook Selection
HELEN CARRINGER	<i>The Beacon Journal</i> Akron, OH	Parent Power
JAMES A. KILLACKY	<i>The Daily Oklahoman</i> Oklahoma City, OK	Teacher Unions
JACQUELYN KING	<i>WRR News Radio</i> Dallas, TX	Testing
ANDREW MILLER	<i>The Kansas City Star</i> Kansas City, KS	Testing
LAEL MORGAN	<i>Tundra Times</i> Fairbanks, AK	Bilingual Education
LINDA STAHL	<i>The Courier-Journal</i> Louisville, KY	Basic Skills
STANLEY WELLBORN	<i>U.S. News & World Report</i> Washington, DC	Federal Education Policy

1977

CONSTANTINE ANGELOS	<i>The Seattle Times</i> Seattle, WA	Basic Skills
MURIEL COHEN	<i>The Boston Globe</i> Boston, MA	Teacher Education
REBECCA KUZINS	<i>The Muskegon Chronicle</i> Muskegon, MI	Special Education
LORENZO MIDDLETON	<i>The Washington Star</i> Washington, DC	Desegregation
CYNTHIA PARSONS	<i>The Christian Science Monitor</i> Boston, MA	School Finance
WAYNE F. REILLY	<i>The Bangor Daily News</i> Bangor, ME	Competency Based Testing
DALE ALAN RICE	<i>The Post-Standard</i> Syracuse, NY	Magnet Schools

1978

HUNTLY COLLINS	<i>The Oregonian</i> Portland, OR	Gifted & Talented Education
JIMMIE COVINGTON	<i>The Commercial Appeal</i> Memphis, TN	Competency Based Testing
JOE DONOVAN	<i>KYW News Radio</i> Philadelphia, PA	Basic Skills
GARY FIFE	<i>United Indian Planners News</i> Washington, DC	Indian Education
ROBERT FRAHM	<i>The Journal Times</i> Racine, WI	Competency Based Testing
DIANE GRANAT	<i>Chicago Daily Herald</i> Arlington Heights, IL	Parent Power
SAUNDRA IVEY	<i>The Tennessean</i> Nashville, TN	School Finance: Tax Revolt Issues
RICK JANKA	<i>The Milwaukee Sentinel</i> Milwaukee, WI	Achieving Quality Education
ROSA MORALES	<i>KCET Television</i> Los Angeles, CA	Desegregation
ETHEL PAYNE	<i>St. Louis Sentinel</i> St. Louis, MO	Black Colleges
DONALD SPEICH	<i>Los Angeles Times</i> Los Angeles, CA	Effect of Proposition 13
MONTE TRAMMER	<i>The Sun</i> Baltimore, MD	Declining Enrollments and School Closing
LINDA WILLIAMS	<i>Daily Herald/South Mississippi Sun</i> Biloxi, MS	School Finance Patterns in the South

1979*

ROBERT BENJAMIN	<i>Cincinnati Post</i> Cincinnati, OH	Educating Low-Income Students
JOHN CUMMINS	<i>The Salt Lake Tribune</i> Salt Lake City, UT	Education in High-Growth Areas
CHRISTIE DUNPHY	<i>The Evening Gazette</i> Worcester, MA	Declining Enrollment in High Schools
CHARLES HARDY	<i>The Charlotte Observer</i> Charlotte, NC	Black Achievement/Operation Push
WISTA JOHNSON	<i>The New York Amsterdam News</i> New York, NY	Health Education in Urban Schools
MARK LIFF	<i>New York Daily News</i> New York, NY	Education of Indochinese Refugees
BETTE ORSINI	<i>St. Petersburg Times</i> St. Petersburg, FL	Suicide/Depression on College Campuses
BARBARA REINHARDT	<i>Options in Education</i> National Public Radio Washington, DC	Teenage Pregnancy and the Schools
LINDA WERTSCH	<i>Chicago Sun-Times</i> Chicago, IL	Teacher Accountability

FRAN ZUPAN	<i>The Columbia Record</i> Columbia, SC	Sex Barriers in Job Preparation
JANE EISNER	<i>The Virginia-Pilot</i> Norfolk, VA	What's Effective in Virginia's Integrated Schools
JACK KENNEDY	<i>The Lincoln Journal</i> Lincoln, NE	Rural vs. Consolidated Districts: What's Effective in Nebraska
JANET KOLODZY	<i>Arkansas Democrat</i> Little Rock, AR	What's Effective in Arkansas Schools
MARGO POPE	<i>The Florida Times-Union</i> Jacksonville, FL	What's Effective in Florida's Suburban Schools
WAYNE REILLY	<i>Bangor Daily News</i> Bangor, ME	What's Effective in the Rural Schools of Maine
M. WILLIAM SALGANIK	<i>The Sun</i> Baltimore, MD	Academic Achievement in Urban Schools: What Works in Baltimore
ROBERT BENJAMIN	<i>The Cincinnati Post</i> Cincinnati, OH	Towards Effective Urban Schools: A National Study

* In 1979, one group of Fellows looked at general education issues; a second group focused on "What Makes Effective Schools?"

1980-81

MEA ANDREWS	<i>Missoulian</i> Missoula, MT	Middle Schools in Montana
LINDA AUSTIN	<i>Dallas Times Herald</i> Dallas, TX	How High Schools Serve Minorities in Texas
JOHN MCMANUS	<i>The Ledger-Star</i> Norfolk, VA	How Inner City Schools Work for Minority Children
ELIZABETH OLDER	<i>Charleston Daily Mail</i> Charleston, WV	From Coal Mines to Gifted Education
CAROL RUBENSTEIN	<i>Oregon Journal</i> Portland, OR	How Elementary Schools Work for Four Different Minority Groups
STEPHANIE SEVICK	<i>The Hartford Courant</i> Hartford, CT	Schools That Work in "Gold Coast" Towns
PATRICIA SULLIVAN	<i>Sun Sentinel</i> Fort Lauderdale, FL	Schools That Serve the Gifted in Florida

1982

CHARLOTTE GRIMES	<i>St. Louis Post-Dispatch</i> St. Louis, MO	Girls and the Law
WILEY HALL	<i>The Evening Sun</i> Baltimore, MD	Getting Tough with Violent Juvenile Offenders
LESLIE HENDERSON	<i>The Knoxville Journal</i> Knoxville, TN	Violent Juvenile Crime in East Tennessee: A Family Perspective
ANDREW PETKOFISKY	<i>The Richmond News Leader</i> Richmond, VA	Locks and Lessons: Virginia's Reform Schools
WOODY REGISTER	<i>The Tennessean</i> Nashville, TN	Juvenile Incarceration and Alternatives in Tennessee
GARY STRAUSS	<i>The Idaho Statesman</i> Boise, ID	Juvenile Justice in Idaho



The Institute for Educational Leadership (IEL) was created in 1971 as a part of The George Washington University, and became an independent, nonprofit organization in 1981.

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