

CHAPTER 11: THE SITUATION FOR GIRLS

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THE SITUATION FOR GIRLS

Girls in DYS


Historically, the number of girls in DYS has been quite low. Then, in recent years, the number of girls involved with DYS increased somewhat dramatically. That development was consistent with national trends.¹ More recently, however, the numbers of girls detained and committed in DYS have actually declined.² Overall, between 1997 and the end of 2006, the number of females on the DYS committed caseload rose by 33 (12%).³

During 2006, 607 girls were admitted to pre-trial in DYS detention, 17% of all youth admitted to pre-trial detention.⁴ As of January 1, 2007, 318 girls were on the committed caseload of DYS, 15% of all youth on the DYS committed caseload.⁵

When girls are committed to DYS, they generally require less secure facilities than do boys. In 2002, DYS reported that approximately 80% of the girls committed at that time were at grid levels 1 and 2 (minimum security), while most boys were at grid levels 2 or 3.⁶

DYS has created gender-specific services for girls to respond to the increase in the female population. What is happening in Massachusetts regarding girls and DYS is consistent with national trends.⁷ There is growing recognition that girls have special issues that need attention when they are placed in DYS confinement.

In June 2007, DYS opened a 40-bed facility for girls on the grounds of Westborough State Hospital called the Zara Cisco Brough Center. The Center houses the Pelletier Assessment Program, a 25-bed assessment unit for girls. All girls entering DYS will be assessed at this facility. (The Center also contains a hardware secure treatment unit for girls, discussed below.) However, DYS's staff secure, (residential) group care and detention facilities for girls are not centralized, but are located in the various regions of the state.


 **Tip for families:** If you are a parent of a DYS girl, pay special attention to ensure that DYS is meeting your daughter's needs.

Medical issues

Girls involved with DYS often have unaddressed medical problems. DYS seeks to identify such programs during assessment and develop a treatment plan to respond to them.

Pregnancy

If a girl is pregnant while in a DYS facility, she can consent to her own medical care (even if under age 18).⁸ However, her consent is not sufficient for abortion or sterilization procedures.⁹ If your daughter wants an abortion, and she is under the age of 18, both her parents (unless there is only one available parent or only one parent holds custody) must give written consent to the abortion.¹⁰ Alternatively, she may obtain permission from a judge.¹¹

 **Tip for families:** For girls who want to seek judicial permission for an abortion, the Planned Parenthood League of Massachusetts, reachable at (800) 230-PLAN, will connect youth with a lawyer who can file a motion in court and assist the youth in appearing before the judge.¹²


Mental health services

Some girls in DYS require specialized mental health services. As many as three-quarters of the girls in DYS custody exhibit some form of stress disorder or mental illness. Compared to boys, girls in DYS tend to have higher incidences of low self esteem, depressive disorder, anxiety disorder, eating disorders, self-mutilation, and suicidal attempts. Many girls involved in DYS suffer trauma from past sexual or physical abuse.

DYS has a small number of residential facilities for DYS girls with mental illness. Further, DYS has one locked treatment facility for committed girls -- the Fay A. Rotenberg School for Girls located at DYS's new facility for girls, the Zara Cisco Brough Center, on the grounds of Westborough State Hospital. This placement is for girls who have been in trouble with DYS before and have been found delinquent of serious crimes. The Rotenberg School has space for 16 girls.¹³ The Department of Mental Health has other programs for girls.

DYS also has an independent transitional living program for girls ages 16 to 21.

In terms of specialized services for girls, DYS is increasingly using Dialectical Behavior Therapy (DBT), a therapy program which is used to help overcome trauma from sexual and/or physical abuse.

 **Tip for families:** If you are having difficulty obtaining services for a girl confined at DYS, contact the youth's DYS caseworker or the caseworker manager/supervisor. If this is not productive, you might contact the DYS Regional Director or DYS's Director of Female Services in DYS's Central Office in Boston.

Girls transitioning back to the community

DYS has been increasingly aware of the need to provide specialized services to girls as they transition back to the community. As girls return to the community, they face issues including drug addiction, mental health problems, familial sexual trauma, abusive relationships, gang violence and homelessness.¹⁴ The goals of DYS's work include reducing the recidivism rates and helping girls access appropriate community-based services.

DYS has pursued these goals in each region.¹⁵ In the Metro Region, through the development of the Female Focus Initiative (FFI). FFI is a re-entry program for girls created through a partnership among DYS, Roxbury Youthworks, Inc. and other organizations.¹⁶ FFI seeks to provide comprehensive, gender-specific services to all DYS Metro Region girls returning to the community. FFI brings together the youth's DYS caseworker, a Roxbury Youthworks community monitor, a licensed clinician and a coordinator. FFI operates out of the *Still We Rise* building, in Dorchester. *Still We Rise* is DYS Metro Region's female Community Re-entry Center, and is run by Roxbury Youthworks, Inc.

Resources for girls and advocates working with girls

- The College of Public and Community Service at the University of Massachusetts Boston published a booklet in 2001 called "Your Legal Rights: A handbook for teen girls in Massachusetts."¹⁶
- The Youth Advocacy Project has developed a Community Notebook, a resource guide for girls in the juvenile justice system, available at <http://www.youthadvocacyproject.org/JDN%20girls.htm#notebook>.¹⁸ While designed to aid lawyers who are working with girls in the Boston area who have not yet been locked up or committed, the notebook is a good resource for any Massachusetts advocate working with girls in and out of confinement.
- The Juvenile Rights Advocacy Project (JRAP) at Boston College School of Law specializes in cross-system legal representation

of girls involved in the juvenile justice system. The project serves the Roxbury and Dorchester areas, as well as Lowell. JRAP can be reached at (617) 552-2350 or <http://www.bc.edu/schools/law/jrap/>. JRAP has published Consent to Treatment by Minors in Massachusetts: A Guide for Practitioners (2006), available at http://www.bc.edu/schools/law/jrap/meta-elements/pdf/jrap_medical_consent.pdf. The guide covers, among other topics, pregnancy and family planning services.

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Endnotes

- 1 Youth Advocacy Project Community Notebook, The Girls Edition, A Resource Guide to Programs for Girls in the Boston Area (2007), <http://www.youthadvocacyproject.org/pdfs/Girls%20Edition%20Fall%202007%20PDF.pdf>.
- 2 For example, during 2006 the number of girls on the committed caseload of DYS decreased by 17% while the number of boys decreased by only 9% during that same period. Executive Office of Health and Human Services, Annual Population Analysis - Committed Caseload: 2007 analysis of Department of Youth Services committed caseloads from 1997 to 2007, <http://www.mass.gov/eohhs>.
- 3 Executive Office of Health and Human Services, Annual Population Analysis - Committed Caseload: 2007 analysis of Department of Youth Services committed caseloads from 1997 to 2007, <http://www.mass.gov/eohhs>.
- 4 Executive Office of Health and Human Services, Annual Population Analysis - Detention Admissions: Analysis of DYS detentions from 1997 to 2006, Figure 2, <http://www.mass.gov/eohhs>.
- 5 Executive Office of Health and Human Services, Annual Population Analysis - Committed Caseload: 2007 analysis of Department of Youth Services committed caseloads from 1997 to 2007, Figure 5, <http://www.mass.gov/eohhs>.
- 6 Erin Trahan, "Navigating DYS" in Girls' Coalition Newsletter (Fall 2002/Winter 2003), http://www.girlscoalition.org/uploads/issues/FALL.02_WINTER.03.pdf, at 8.
- 7 Youth Advocacy Project Community Notebook, The Girls Edition, A Resource Guide to Programs for Girls in the Boston Area (2007), <http://www.youthadvocacyproject.org/pdfs/Girls%20Edition%20Fall%202007%20PDF.pdf>.
- 8 109 CMR 11.06(1).
- 9 109 CMR 11.06(1).
- 10 109 CMR 11.07.
- 11 Mass. Gen. L. ch. 112, § 125.
- 12 Contact Planned Parenthood at (800) 258-4448 or <http://www.pplm.org>.
- 13 See DYS, State Breaks Ground on New DYS Girls' Facility in Westboro (Nov. 18, 2005), <http://www.mass.gov/dys>.
- 14 Maria Cheevers and Erin Trahan, "The Female Focus Initiative: Boston's First Re-entry Program for Girls," in Girls' Coalition Newsletter (Fall 2002/Winter 2003), http://www.girlscoalition.org/uploads/issues/FALL.02_WINTER.03.pdf, at 8, 9.
- 15 Correspondence from Jane E. Tewksbury, Department of Youth Services to MHLAC (Dec. 27, 2007).
- 16 For more information, see <http://www.roxburyyouthworks.org/pages/femalefocus.html>.
- 17 The guide is no longer available from the University of Massachusetts, but a copy is on file at MHLAC.
- 18 The Youth Advocacy Project also has compiled other resources for girls in the juvenile justice system, available at <http://www.youthadvocacyproject.org/JDN%20girls.htm>.