

9-22-2023

Overrepresented and Under Discussed: From Conceptual Analysis to Practical Implications for Crossover among Black Girls

Karen M. Kolivoski
Georgetown University, karen.kolivoski@georgetown.edu

Alexandra Miller
Georgetown University, am4020@georgetown.edu

Macon Stewart
Georgetown University, macon.stewart@georgetown.edu

Sherri Y. Simmons-Horton
University of New Hampshire, sherri.simmons-horton@unh.edu

Follow this and additional works at: <https://digitalcommons.library.tmc.edu/jfs>

Recommended Citation

Kolivoski, Karen M.; Miller, Alexandra; Stewart, Macon; and Simmons-Horton, Sherri Y. (2023) "Overrepresented and Under Discussed: From Conceptual Analysis to Practical Implications for Crossover among Black Girls," *Journal of Family Strengths*: Vol. 23: Iss. 1, Article 2. Available at: <https://digitalcommons.library.tmc.edu/jfs/vol23/iss1/2>

The *Journal of Family Strengths* is brought to you for free and open access by CHILDREN AT RISK at DigitalCommons@The Texas Medical Center. It has a "cc by-nc-nd" Creative Commons license" (Attribution Non-Commercial No Derivatives) For more information, please contact digitalcommons@exch.library.tmc.edu

Overrepresented and Under Discussed: From Conceptual Analysis to Practical Implications for Crossover among Black Girls

Acknowledgements

The authors would like to thank the reviewers and editor of the journal for their valuable support in the success of this manuscript.

Journal of Family Strengths

Manuscript 1471

Overrepresented and Under Discussed: From Conceptual Analysis to Practical Implications for Crossover among Black Girls

Karen M. Kolivoski

Alexandra Miller

Macon Stewart

Sherri Y. Simmons-Horton

Follow this and additional works at: <https://digitalcommons.library.tmc.edu/jfs>

The Journal of Family Strengths is brought to you for free and open access by CHILDREN AT RISK at DigitalCommons@The Texas Medical Center. It has a "cc by-nc-nd" Creative Commons license" (Attribution Non-Commercial No Derivatives) For more information, please contact digitalcommons@exch.library.tmc.edu



Introduction

Throughout juvenile justice, child welfare, and other youth-serving fields, the topic of disproportionality is frequently focused on the disparate involvement and treatment of youth of color generally, or Black boys specifically. In doing so, Black girls are often overlooked or disregarded causing further detriment to the well-being of a population that is prevalent in both the juvenile justice/youth legal and social services systems.

Commonly referred to as crossover youth, young people who have experienced maltreatment and delinquency and thus often become known to both systems, they are recognized to have worse experiences and outcomes than their peers who are involved in only one system or the other (Herz & Dierkhising, 2019). This population is also referred to as dual system, dual contact, dually involved, and dually adjudicated youth depending on the timing and level of involvement in the child welfare and youth legal systems. Black girls are grotesquely overrepresented in dual system numbers. Nationwide, this group accounted for 35% of delinquency cases among female youth in 2015 despite only representing 15% of the female youth population (Ehrmann et al., 2019). Relatedly, in a sample of 6,877 youth, researchers in Los Angeles found that 80% of Black justice-involved females had contacted the child welfare system compared to 69% of Black males, 59% of Hispanic males, 75% of Hispanic females, 65% of white females, and 55% of white males (Herz et al., 2021).

Due to having intersectional marginalized racial and gender identities in a racist and patriarchal society, Black girls are particularly vulnerable to experiencing various forms of trauma and abuse that propel them into child welfare and juvenile justice entities (Authors, In Press). While involved in these systems, Black girls who cross over are commonly exposed to out-of-home placements and congregate care, placement instability and mobility, and continued physical, emotional, and sexual abuse (Ehrmann et al., 2019; Stern, 2021; The Annie E. Casey Foundation, 2022). For these reasons and abundant others, it is imperative that Black girls be understood, valued, and supported by the communities of which they are a part to prevent inappropriate system involvement and to improve their outcomes when such intervention is necessary.

Theoretical Background: Black Feminism

Black feminism is a theoretical framework that examines race, racism, sexism, and classism by centering the experiences of Black females to produce new knowledge through an intersectional paradigm (Collins, 2000). As defined by the Combahee River Collective, Black feminism acknowledges that race and gender oppression are unable to be separated (Taylor, 2017). Because white supremacy and patriarchy are key sources of Black female subjugation, Black feminists are interested in the oppression imposed upon them by White women and men (Schiele,

2009). Black feminism is a reexamination of white feminism that views Black females as valuable and possessing distinct knowledge that comes from their unique and diverse lived experiences due to multiple oppressions (Johnson, 2015). Further, Black feminism is committed to the liberation of Black females in various systems reflecting the mosaic of their worldview. The framework acknowledges that social policy has endeavored to surveil the behavior of Black females considered to be immoral, irresponsible, and threatening (Schiele, 2009). This includes child welfare, juvenile justice, and education systems that characterize Black girls as being unworthy of compassion, and imposes inhumane and differential treatment based on negative stereotypes. Thus, Black feminism emphasizes and underscores structural causes related to the disproportionate representation and treatment of Black females (Schiele, 2009).

Formally evolving from the work of the Combahee River Collective, the Black feminism framework is rooted in the lived experiences of Black queer females and acknowledges their intersectional challenges and oppressions, while also celebrating the mosaic of Black females and the confidence they embody (Evans-Winters, 2019; Taylor, 2017). The absence of examinations of their race in the feminist movement and their gender in the Civil Rights Movement, Black feminism unifies the multi-faceted systemic experiences of Black females. Thus, Black women believed it necessary to respond to the simultaneous racism and sexism and formed the National Black Feminist Organization (NBFO), later organizing as the Combahee River Collective. The Collective developed a new vision for Black feminism that opposed all forms of oppression, including sexism, racism, classism, and ageism (Taylor, 2017). Black feminism draws on the communal and collective knowledge of Black females (Johnson, 2015).

Intellectual scholars have endeavored to synthesize Black feminism into key features, including interlocking oppression, standpoint epistemology, everyday knowledge, dialectical images in the United States, and a social justice praxis (Richie, 2012). As aforementioned, the point of intersectional or interlocking oppression indicates that experiences of Black females cannot be separated, but are aligned (Johnson, 2015). Standpoint epistemology suggests that knowledge is best examined from those who have lived experience with the phenomenon (Richie, 2012). Therefore, information from the standpoint of Black females provides the purest insight. The feature of everyday knowledge posits that the manner in which Black females engage in dialogue, which includes the daily understood knowledge, is collectively shared (Johnson, 2015). Finally, Black females are subject to negative images of their femininity, considered in conflict with the dominant expectation of females to be passive, nurturing, and relationship oriented. Because Black females are viewed to be strong, hypersexual, and loud, they are deemed less worthy of compassion, support, or protection (Richie, 2012). The noted principles of Black feminism are unquestionably applicable to Black girls who cross over, and how negative views of them are directly connected to their

experiences, outcomes, and treatment in child welfare and juvenile justice systems. Thus, it is through a Black feminist view that racist and gendered practices can be dismantled.

Theoretical Background: Critical Race Theory

Given the impact of racism and sexism on Black girls involved in the child welfare and juvenile justice systems, theoretical frameworks and perspectives that consider both are warranted. Critical Race Theory (CRT) analyzes the role of race, racism, and power (Delgado & Stefancic, 2017) to inform action towards racial justice. Intersectionality is a tenet of CRT (Cole, 2009; Crenshaw, 1989), in addition to being considered its own standalone concept (Combahee River Collective, 1977).

Intersectionality refers to the interlocking and overlapping nature of social identities such as race, gender, and class as related to better understanding oppression and discrimination (Crenshaw, 1989). CRT offers a way to inform action strategies by critically examining relationships between race, racism, and power, and particularly the ingrained nature of white supremacy as the unquestioned status quo within current U.S. society. Thus, CRT is different from other frameworks, in the need to not just better understand inequities and racial hierarchies, but also to inform how we can better improve society (Delgado & Stefancic, 2017). There is an emphasis placed on how structural racism should be analyzed by considering broad social, economic, and historical contexts (Matsuda et al., 1993).

Because CRT is composed of an extensive collection of scholars and activists, there is variation in its basic tenets; however, most CRT scholars would agree on some main propositions. The first is that racism is ordinary, which refers to the difficulty in addressing racism due to its lack of acknowledgement of given that it is part of the status quo or typical way society operates (Delgado & Stefancic, 2017). Not recognizing the role of race and racism results in the risk to view issues with a colorblind lens that further perpetuates inequities. Another tenet is that race is a social construction, which indicates that the meanings ascribed to race are from social thought and cultural context. In the U.S., whiteness is considered to have the ultimate worth, meaning that being a member of the racial majority includes certain advantages and privileges (Harris, 1995). Additionally, interest convergence is a basic tenet of CRT, which posits that the racial majority will only allow for racial progress if there is self-benefit (Bell, 1980). Because of the overreliance on the racial majority to hold power and provide perspective, CRT values counter-storytelling, which amplifies input from people of color to offer perspectives of their reality that whites are not likely to have knowledge of (Delgado & Stefancic, 2017).

Child Welfare Experiences of Black Girls Who Experience Crossover

Historical and contemporary context is needed to better understand the role of how child welfare system experiences impact Black girls who experience crossover between systems. Starting with the formal origins of

the child welfare system in the United States in the late 1800s, the target population centered on white families of lower socioeconomic status who were new, European immigrants, and excluded Black families (Hill, 2004). Because of this exclusion, informal kinship care (Scannapieco & Jackson, 1996) and other social programs (Carlton-LaNey, 1999) were formed to fill the need for Black children. The number of Black children in the child welfare system increased dramatically when Black children became able to receive child protective services under the Social Security Act in 1995 (Billingsley & Giovannoni, 1972), as well as other shifts towards parents as perpetrators of abuse and in need of punitive responses (see Williams-Butler, 2022 for more).

In the present day, systems that historically excluded Black children now “envelop and entrench families,” typically with adverse outcomes, especially for youth involved in the child welfare and juvenile justice systems (Heldman & Gaither, 2021, p. 34). In Allegheny County, Pennsylvania, for example, Black girls are four times more likely than their white counterparts to receive referrals to the child welfare system, have an investigation and cases opened for services, and receive a placement outside of their home of origin (Brinkman et al., 2019). Frequent placement moves and an increased likelihood of being placed in congregate care settings while in the child welfare system also contribute to their outcomes (Hyde & Kammerer, 2009). Black girls are more likely to be punished for acting out their traumatic experiences, which in turn affects their school attendance and performance, and can lead to contact with the juvenile justice system (Hunt, 2022). Black girls are also typically perceived as more adult-like than their white counterparts and are on the receiving end of a presumption of guilt rather than innocence.

Systems and those who work within them play a substantial role in who becomes involved in them, and the child welfare system is no different. Surveillance bias may have an even greater effect on the likelihood of having a child protective services report than the intergenerational transmission of maltreatment (Widom et al., 2015). Specific to dual-status youth, evidence suggests a “child welfare bias” in which professionals in the juvenile justice system perceive past involvement in the child welfare system as a negative factor (Ryan et al., 2007). When youth with involvement in the child welfare and juvenile justice systems were interviewed about their experiences, they expressed the role that being in foster care had on their vulnerability to arrest and formal contact with juvenile justice (Simmons-Horton, 2021). The child welfare system acts as a path to involvement with juvenile justice. Black adolescents are particularly in need of advocacy when interacting with professionals in the courts and legal system; combined with being a foster care, youth may feed into an assumption that they do not have adequate parenting at home due to their race (Roberts, 2022).

Another way that Black girls are susceptible to adverse outcomes is through the pathways they may take and inadequate system responses that make them more likely to become crossover youth. For example, one in four Black girls will experience sexual abuse before they turn 18

(National Center on Violence Against Women in the Black Community, 2018). Black youth are less likely than white youth to receive mental health services in the child welfare system (Burns et al., 2004). Additionally, Black youth are more likely to receive out-of-home placement than white youth. Being placed away from familiar faces, in unfamiliar places, and without appropriate services to address past abuse and trauma sets Black girls up to not succeed. At least a third of arrests among crossover youth are related to their placements. Child welfare placements do not guarantee that children will not experience sexual or physical abuse in the placement (Saar et al., 2015), which may contribute to the desire of a youth to physically leave. Running away from placement is also considered problematic and may be a pathway to a juvenile justice referral. Factors related to an increased likelihood of running away from placement include being a teenager, Black, a girl, or LGBTQ (Roberts, 2022). Once a Black girl runs away, she may receive a label of being defiant or oppositional and in need of attention from the juvenile justice system (Saar et al., 2015).

Juvenile Justice Experiences of Black Girls in Crossover

The historical experiences of Black girls in the American juvenile justice system are given limited attention and are often grouped with the challenges faced by Black boys, ignoring the unique, complex, and intersectional systemic encounters Black girls face. Before the implementation of the first juvenile court at the turn of the 19th century, Houses of Refuge emerged in response to the growing number of poor, immigrant, and seemingly incorrigible children running in streets unsupervised. Houses of Refuge were sanctioned to board vagrant children informally “convicted” of crimes of social control (Nanda, 2012). Conforming to moral and traditional gender roles, these reformatories only allowed for the residency of Black children following a high need for cheap labor, coming from massive arrests of Black children for minor infractions under Jim Crow laws (Nanda, 2012). Founded in the early 1900s and following the efforts of religious white women of the child savers movement, the formal juvenile court system was implemented with the stated intention to rehabilitate wayward children. Despite this intention, this system was not intended to include Black children (Nanda, 2012; Stewart, 2022).

The involvement of Black children in the early phases of the juvenile justice system represents a disparate process of punishment and harsh treatment compared to the practice of rehabilitation and training of poor white immigrant children. This differential treatment of Black children has continued as evidenced by a legacy of racial bias in the juvenile punishment system. As the juvenile justice system continued to evolve, its goal of rehabilitation shifted to a model of punishment and accountability, with its main target on Black children (Stewart, 2022). Stringent punishments included mandatory transfers of youth to adult courts and determinate sentencing. For Black youth, this meant fewer opportunities for diversion programs and increased out-of-home placement in detention

facilities (Stewart, 2022).

The overrepresentation of Black children in the juvenile justice system begins in schools and in child protection placements—locations intended to support children. To illustrate, it is reported that while Black children make up 18% of the students in U.S. public schools, they represent 46% of multiple school suspensions (Chiariello et al., 2013). Further, research has indicated that Black children in foster care across multiple age categories are at a higher risk of juvenile justice involvement, particularly when placed in restrictive congregate settings (Cutuli et al., 2016). The pervasive overrepresentation of Black children in the juvenile justice system has had especially adverse effects on Black girls. A study conducted in a rural Texas school district reported that Black girls had the highest population of female student suspensions across all campuses and grades (Center for Justice Research, 2021). Further, in Allegheny County, Black urban girls are reported to have higher rates of juvenile referrals from schools, and they are 11 times more likely to be arrested (Elliott et al., 2020). Finally, in the Bay Area in California, Black girls make up nearly 13% of the population of girls between the ages of 10 to 17, and 66% of girls confined in county juvenile facilities (Morris, 2016).

Foster care is yet another pathway leading Black girls into the juvenile justice system. The foster care system aims to protect children from alleged abuse and neglect from their family. Girls entering the juvenile justice system are noted to come with experiences of abuse and trauma (Baumle, 2018). Further, minor infractions, status offenses, and other crimes for which girls enter the juvenile justice system are best explained by expected adaptive trauma reactions. For Black girls, there is the compounding vulnerability and risk of juvenile involvement because of structural racism, racial and gender bias, and poverty (Baumle, 2018; Lee & Villagrana, 2015). In the absence of compassion for the added intersectional barriers present for Black girls, the systems' reactions to their multiple traumas is criminalization of their behavior. Despite being no more likely to commit offenses than white girls, Black girls are six times more likely to be arrested and detained, regardless of the offense type (Baumle, 2018). Black girls are most commonly arrested for minor offenses, which include truancy, substance abuse, and running away—all behaviors that are linked to trauma reactions (Baumle, 2018).

Black girls who are involved in both the child welfare and juvenile justice systems are higher in numbers than girls in the general juvenile population (Lee & Villagrana, 2015). Black and other girls of color, when compared to their white counterparts, have increased incidences of placements in out-of-home settings, most often experiencing frequent placement moves in restrictive residential facilities (Flores et al., 2018). It is through these experiences in unrelated out-of-home placement that place Black girls in a particularly vulnerable risk of subsequent juvenile involvement. The criminalization of racial and structural trauma are key forces explaining how Black girls become involved in the juvenile justice system while in foster care.

Underlying Factors and Outcomes Related to Crossover among Black Girls

It is difficult to understand the experiences of Black girls in the juvenile justice and child welfare systems without recognizing the many other factors at play and the collateral consequences that result in and from crossover.

As previously noted, intersectionality is an issue that cannot be ignored when considering the oppression, discrimination, and treatment of Black girls. One way in which this is evident is through adultification, which for the purposes of this discussion, is the interpretation of children's behaviors based on racial and cultural stereotypes. From a young age, Black children are viewed by (usually white) adults as older than their same-age peers (Goff et al., 2014). This phenomenon is steeped in the historical dehumanization of Black persons in America, and its consequences are innumerable (Ocen, 2015). Black girls are perceived as needing less protection, support, and nurturing, and as being more independent and more knowledgeable of topics related to sex in comparison to white girls their age (Epstein et al., 2017). Essentially, Black girls are seen as less innocent than their peers and, in turn, more culpable for their actions. This bias against Black girls suggests that they will experience different treatment than their counterparts, including not having the ability to make typical mistakes that young people make as they navigate adolescence, and they will be judged more harshly for them.

The implications of these stereotypes are far-reaching, but none are more evident than in schools. Black girls are consistently and unequivocally punished at higher rates than their female peers, often due to sexist and subjective infractions (e.g., dress code violations, disobedience, disruptive behavior; Crenshaw et al., 2015; Epstein et al., 2017; Morris, 2016). They face more in- and out-of-school suspensions, school-based law enforcement referrals, and school-based arrests than their female counterparts, beginning as early as pre-school (Crenshaw et al., 2015; U. S. Department of Education, Office of Civil Rights Data Collection [CRDC], 2021; Epstein et al., 2020.; Morris, 2016). Case in point, Black girls accounted for 8.6% of pre-school enrollment in the 2017-18 school year and represented 9.1% of out- of-school suspensions (CRDC, 2021). By contrast, white girls composed 19.2% of the pre-school population and accounted for less than 5% of out-of-school suspensions (CRDC, 2021). This trend worsens as students age. In the 2017-18 school year, Black girls experienced in- and out-of-school suspensions at nearly twice the rate of their enrollment in K-12 settings, whereas white female students were suspended at half the rate of their enrollment (CRDC, 2021).

When students are subject to inequitable and harsh disciplinary treatment, they not only lose valuable learning time, but are in effect denied equal access to education (Epstein et al., 2017). Exclusionary discipline also bears implications for if and how students engage in school, including whether they attend. Researchers have found that every

out-of-school suspension doubles a student's likelihood of dropping out (Balfanz et al., 2015). Unsurprisingly, when young people do not attend school, they are more likely to come to the attention of the legal system (Robertson & Walker, 2018).

The youth legal system is another arena where the adultification of Black girls is evident. Reflecting the misbelief that Black girls are more culpable than their peers, this population is 30% more likely to be held in pre-adjudication detention and approximately three times more likely to be referred to juvenile court than white or Hispanic girls (Ehrmann et al., 2019; Herz et al., 2022). Girls are less likely to engage with the juvenile legal system than boys; however, those who do are more likely to come to the attention of the system because of status offenses (i.e., offenses applicable only to minors), which pose little to no threat to the community. For example, girls are more likely than boys to be charged with truancy and running away, which are behaviors that are often symptomatic of larger issues (e.g., see previous commentary on trauma and education). In 2015, girls accounted for 14% of juveniles held in placement. However, the majority were held for less serious offenses than their male counterparts. Case in point, 52% and 35% of all youth held for running away and for truancy charges, respectively, were girls. Black girls alone accounted for 34% of the female population in juvenile justice placements and were more likely than Hispanic and white girls to be charged with running away (Ehrmann et al., 2019). Of youth placed in secure juvenile facilities for girls, 80% are survivors of sexual violence (Vera Institute of Justice, n.d.; Saar et al., 2015), begging for the recognition that Black girls are often incarcerated for fleeing from abuse.

Although children are removed from their homes by child welfare agencies to theoretically protect them from abuse and mistreatment, many ultimately find themselves in situations leading to further victimization. Black girls specifically tend to spend more time in the foster care system, are less likely to experience family reunification or adoption, and are also less likely to access services than other youth (Child Welfare Information Gateway, 2021; Children's Bureau, 2021; U.S. Government Accountability Office, 2007; Lu et al., 2004; Garcia et al., 2016). This population is also more likely to be placed in congregate care settings and to undergo above-average placement mobility, two factors that increase the likelihood of coming to the attention of the legal system (Citizens for Juvenile Justice, 2015; Herz, et al., 2022; Herz, et al., 2019; The Annie E. Casey Foundation, 2022).

Housing instability and group home placements have a demonstrable link to commercial sexual exploitation among females involved with youth legal and child welfare entities (Dierkhising et al., 2022). Dual-system involved girls are particularly prone to experiencing sexual abuse, among other forms of maltreatment, which can result in complex trauma (Anderson & Walerych, 2019). This subpopulation is subsequently more likely to have deeper involvement in the child welfare system. Female youth facing such circumstances are at greater risk for commercial sexual exploitation, which further exposes them to trauma

and abuse. In fact, in 2015, 76% of youth “prostitution” related arrests were of girls (Ehrmann et al., 2019). In response, trafficking victims may engage in self-defense and survival mechanisms that result in assault and property charges, which are the two leading reasons Black girls come to the attention of the legal system (Dierkhising et al., 2022; Ehrmann et al., 2019).

A Call to Action: Practical Implications

As evidenced in the research to date, youth who receive services from or are placed in the custody of the child welfare or youth legal system are likely to have abysmal short and long-term outcomes. Involvement in these systems and the negative outcomes they produce come with considerable human and societal costs (Miller & Pilnik, 2021). Therefore, it is imperative that any effort seeking to make an impact on youth who have crossed over must include a preventative focus. Black girls are a population of young people who are hidden in plain sight. There is an absence of scholarship related to the experiences of Black girls, despite the fact that they are disproportionately affected by the relationship between education and influx into carceral institutions (Annamma et al., 2019). This absence also exists in services and programming. As a result, Black girls continue to be victimized and overlooked by people who work within the systems that are charged to protect, educate, and rehabilitate them. There is much to be done at the systemic and direct services levels to bring about awareness of the variance in treatment experienced by Black girls, to make Black girls feel and be seen, and to improve the level and quality of support and services offered to them.

Prevention efforts must begin within the context of the communities in which youth reside, many of which come from families (biological and fictive kin) that can provide for and support them in some manner. Preventing initial child welfare or youth legal system contact will reduce the number of youths who become involved in both systems (Miller & Pilnik, 2021). The act of removal from one’s home environment can be traumatic, and such removal does not guarantee safety or stability for the youth upon placement in care. As such, engagement of community-based organizations, recreational facilities, faith-based institutions, social clubs, Black Greek sororities and fraternities, positive youth development programs, and other establishments that have a vested interest in Black girls creates opportunities to build up and activate the “village” to support youth outside the scope of governmental systems. This community will withstand the existence of any human and legal system in its support for Black girls. Therefore, community engagement in combination with familial support should be the solution.

“Being Black is not a risk factor” (National Black Child Development Institute, 2013). While rote with a life of adversity, being Black means deriving from a rich lineage that has survived slavery and segregation; a bloodline that continues to succeed in the face of adversity, constant discrimination, and institutional racism. Being Black means being destined to have lifelong rich and textured cultural experiences that are shared

within a community but are commonly misunderstood by those who are not. However, those experiences, norms, and values that are essential to how Black people function in society must be understood and appreciated by everyone if there is a genuine aim to serve them adequately in governmental systems. Femininity gender norms must be attended to because they often align with white middle class values (Annamma, 2015; Ladson-Billings, 1998); this results in Black girls, much like Black women, experiencing excessive surveillance and punishment if there is variance in their personalities or attire from what society, and education institutions by extension, expect (Crenshaw et. al 2015).

Regarding mental health diagnosis and treatment, it is imperative to be cognizant of Black youth experiences. Given the compounding contextual factors of sexism, racial oppression, and traumatic childhood experiences for Black girls who encounter the child welfare and juvenile justice systems, the issue is particularly salient. These issues remain pervasive regarding diagnosis and treatment, or misdiagnosis and decreased access to treatment, within behavioral health systems. In one study of over 10,000 youth, including approximately 723 Black females, were 54% more likely to have a diagnosis of conduct disorder than white youth; this finding held even with considering traumatic experiences, behaviors, and offenses (Baglivio et al., 2017). Another study of youth involved in the justice system in Florida indicated that Black girls who reported substance use were significantly less likely to report receiving a referral for a substance use disorder screening (Johnson et al., 2022). Results like these support that there is the need to address structural, external factors within systems to better support Black girls. On the micro level, Kevin Simon, a pediatric and adolescent psychiatrist and addiction medicine specialist, offers concrete examples and ways of reframing presenting issues and therefore better addressing the mental health needs of Black girls (Simon, 2022). These include recognizing the disparate treatment within the mental health system, validating the experiences of Black girls and their allies who express concern for their mistreatment, reminding staff of the age of Black girls and how adultification and other historical harm has affected how we view them, and offering micro-advocacy for more appropriate ways of addressing concerns. Last, in addition to these factors, mental health stigma within people of all age groups, including adolescence, needs attention to inform interventions. DuPont-Reyes and colleagues (2020) found that non-Latino/a-Black girls and boys expressed more desire for being separated from peers with mental health issues when compared to non-Latino/a-white girls.

Addressing the needs of Black girls is a nuanced matter that is layered with understanding the history and culture of Black people. Additionally, it is necessary to recognize that implicit bias among child serving professionals impacts how Black girls are viewed and treated, which in turn has a trickle-down effect to the outcomes we see among them (Kolivoski, 2022). Such being the case, an immediate shift can begin if child serving professionals simply exhibit empathy, give respect, and see

Black female youth as the girls or teenagers they are. This adjustment in behavior (by adults) does not require any level of training or certification; it simply requires willingness. Adults need to have self-awareness and reflect on being there for Black girls and providing them the ability to make mistakes like all adolescents do as they learn and grow, and to do so in an environment and context that is supportive and not punitive or dismissive (Blake & Epstein, 2019). There are levels of work to be done in support of Black girls that includes, but is not limited to: raising awareness of disparities and inequities, funding for scholarly research, more focused collegiate and professional education, training (for all levels of helping professionals including educators, law enforcement, social workers, etc.), policy, and program development. In the meantime, show Black girls the respect and empathy they so rightfully deserve. Don't wait.

References

- Anderson, V. R., & Walerych, B. M. (2019). Contextualizing the nature of trauma in the juvenile justice trajectories of girls. *Journal of Prevention & Intervention in the Community*, *47*(2), 138-153. <https://doi.org/10.1080/10852352.2019.1582141>
- Annamma, S. A., Anyon, Y., Joseph, N. M., Farrar, J., Greer, E., Downing, B., & Simmons, J. (2019). Black girls and school discipline: The Complexities of being overrepresented and understudied. *Urban Education*, *54*(2), 211–242. <https://doi.org/10.1177/0042085916646610>
- Annamma, S. A. (2015). Whiteness as property: Innocence and ability in teacher education. *Urban Review*, *47*(2), 293–316. <https://doi.org/10.1007/s11256-014-0293-6>
- Authors. (In Press). Black Girl Magic: Empowerment stories of Black dual status girls. *Children and Youth Services Review*.
- Baglivio, M. T., Wolff, K. T., Piquero, A. R., Greenwald, M. A., & Epps, N. (2017). Racial/ethnic disproportionality in psychiatric diagnoses and treatment in a sample of serious juvenile offenders. *Journal of Youth and Adolescence*, *46*, 1424-1451. <https://doi.org/10.1007/s10964-016-0573-4>
- Balfanz, R., Byrnes, V., & Fox, J. H. (2015). Sent home and put off track. *Closing the school discipline gap: Equitable remedies for excessive exclusion* (pp. 17-30). Teachers College Press.
- Baumle, D. (2018). Creating the trauma-to-prison pipeline: How the U.S. justice system criminalizes structural and interpersonal trauma experienced by girls of color. *Family Court Review*, *56*, 695-708. <https://doi.org/10.1111/fcre.12384>
- Bell, D. A. (1980). Brown v. Board of Education and the interest convergence dilemma. *Harvard Law Review*, *93*(3), 518-533. <https://doi.org/10.2307/1340546>
- Billingsley, A., & Giovannoni, J. (1972). *Children of the storm: Black children and American child welfare*. Brace & Jovanovich.
- Blake, J. J., & Epstein, R. (2019). Listening to Black women and girls: Lived experiences of adultification bias. *Georgetown Law Center on Poverty and Inequality*. <https://www.aecf.org/resources/listening-to-black-women-and-girls>
- Brinkman, B. G., Goodkind, S., Elliott, K., Joseph, A., & Doswell, W.

- (2019). Advocating for equity for Black girls: The formation of the Black Girls Equity Alliance. <http://d-scholarship.pitt.edu/40912/>
- Burns, B. J., Phillips, S. D., Wagner, H. R., Barth, R. P., Kolko, D. J., Campbell, Y., & Landsverk, J. (2004). Mental health need and access to mental health services by youth involved with child welfare: A national survey. *Journal of the American Academy of Child and Adolescent Psychiatry*, 43(8), 960–970. <https://doi.org/10.1097/01.chi.0000127590.95585.65>
- Carlton-LaNey, I. (1999). African American social work pioneers' response to need. *Social Work*, 44(4), 311–321. <https://doi.org/10.1093/sw/44.4.311>
- Center for Justice Research. (2021). Race, ethnicity, gender, and school suspensions?. Research brief for the Madison County NAACP Unit #6193-B. https://assets-global.website-files.com/5ef1f236f51b59892a5aec87/621e54168f160991e2981230_CJR_race_ethnicity_gender%20and%20school%20suspensions-final%20report_edited%2002.20.22.pdf
- Chiariello, E., Williamson, L. A., & Wolfram, W. (2013). *The school-to-prison pipeline*. Learning for Justice. <https://www.learningforjustice.org/magazine/spring-2013/the-school-to-prison-pipeline>
- Children's Bureau. (2021). *The AFCARS Report: Preliminary FY 2020 estimates as of Oct. 04, 2021 - No. 28*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcarsreport28.pdf>
- Child Welfare Information Gateway. (2021). *Child welfare practice to address racial disproportionality and disparity*. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. <https://www.childwelfare.gov/pubs/issue-briefs/racial-disproportionality/>
- Citizens for Juvenile Justice. (2015). *Missed opportunities*. <https://www.cfjj.org/missed-opp>
- Cole, E. R. (2009). Intersectionality and research in psychology. *American Psychologist*, 64(3), 170–180. <https://doi.org/10.1037/a0014564>.
- Collins, P. H. (2000). Gender, black feminism, and black political economy. *The Annals of the American Academy of Political and Social Science*, 568(1), 41-53. <https://www.jstor.org/stable/1049471>

- Combahee River Collective. (1977). The Combahee River Collective Statement. www.blackpast.org/african-american-history/combahee-river-collective-statement-1977/.
- Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black Feminist critique of antidiscrimination doctrine, feminist theory, and antiracist politics. *University of Chicago Legal Forum*, 140(1), 139-167.
- Crenshaw, K. W., Ocen, P., & Nanda, J. (2015). *Black girls matter: Pushed out, overpoliced and underprotected*. African American Policy Forum and Center for Intersectionality and Social Policy Studies. https://44bbdc6e-01a4-4a9a-88bc-731c6524888e.filesusr.com/ugd/62e126_4011b574b92145e38323-4513a24ad15a.pdf
- Cutuli, J. J., Goerge, R. M., Coulton, C., Schretzman, M., Crampton, D., Charvat, B. J., Lalich, N., Raithel, J. A., Gacitua, C., & Lee, E. L. (2016). From foster care to juvenile justice: Exploring characteristics of youth in three cities. *Children and Youth Services Review*, 67, 84-94. <https://doi.org/10.1016/j.chilyouth.2016.06.001>
- Delgado, R., & Stefancic, J. (2017). *Critical Race Theory: An introduction* (3rd Ed). New York University Press.
- Dierkhising, C. B., Eastman, A. L., & Walker Brown, K. (2022). Examining housing instability among females who are system-involved: Comparing females with and without histories of commercial sexual exploitation. *Child Maltreatment*, 27(4), 637-646. <https://doi.org/10.1177/10775595211039463>
- DuPont-Reyes, M. J., Villatoro, A. P., Phelan, J. C., Painter, K., & Link, B. G. (2020). Adolescent views of mental illness stigma: An intersectional lens. *American Journal of Orthopsychiatry*, 90(2), 201–211. <https://doi.org/10.1037/ort0000425>
- Ehrmann, S., Hyland, N., & Puzanchera, C. (2019, April). *Girls in the juvenile justice system*. U.S. Department of Justice: Juvenile Justice Statistics. <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/251486.pdf>
- Elliott, K., Goodkind, S., Makoshi, G., & Shook, J. (2020). Understanding and addressing institutionalized inequity: Disrupting pathways to juvenile justice for Black youth in Allegheny County.

<https://analytics.alleghenycounty.us/2020/10/06/understanding-and-addressing-institutionalized-inequity-disrupting-pathways-to-juvenile-justice-for-black-youth-in-allegheny-county/>

- Epstein, R., Blake, J. J., & González, T. (2017). *Girlhood interrupted: The erasure of Black girls' childhood*. Center on Poverty and Inequality, Georgetown University Law School.
<https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/girlhood-interrupted.pdf>
- Evans-Winters, V. E. (2019). *Black feminism in qualitative inquiry: A mosaic for writing our daughter's body*. Routledge.
- Flores, J., Hawes, J., Westbrook, A., & Henderson, C. (2018). Crossover youth and gender: What are the challenges of girls involved in both the foster care and juvenile justice systems?. *Children and Youth Services Review*, *91*, 149-155. <https://doi.org/10.1016/j.childyouth.2018.05.031>
- Garcia, A. R., Kim, M., & DeNard, C. (2016). Context matters: The state of racial disparities in mental health services among youth reported to child welfare in 1999 and 2009. *Children and Youth Services Review*, *66*, 101–108. <https://www.doi.org/10.1016/j.childyouth.2016.05.005>
- Goff, P. A., Jackson, M. C., Di Leone, B. A. L., Culotta, C. M., & DiTomasso, N. A. (2014). The essence of innocence: consequences of dehumanizing Black children. *Journal of Personality and Social Psychology*, *106*(4), 526-545.
<https://doi.org/10.1037/a0035663>
- Harris, C. I. (1995). Whiteness as property. In K. Crenshaw, N. Gotanda, G. Peller, & K. Thomas (Eds.), *Critical Race Theory: The key writings that formed the movement* (pp. 357–383). The New Press.
- Heldman, J. K., & Gaither, G. A. (2021). An examination of racism and racial discrimination impacting dual status youth. *Children's Legal Rights Journal*, *42*(1), 21-51.
- Herz, D. C., & Dierkhising, C. B. (2019). *OJJDP dual system youth design*

study: Summary of findings and recommendations for pursuing a national estimate of dual system youth (No. 252717; p. 184). Office of Justice Programs' National Criminal Justice Reference Service.

- Herz, D. C., Dierkhising, C. B., Raithel, J., Schretzman, M., Guiltinan, S., Goerge, R. M., Cho, Y., Coulton, C., & Abbott, S. (2019). Dual system youth and their pathways: A comparison of incidence, characteristics and system experiences using linked administrative data. *Journal of Youth and Adolescence*, 48(12), 2432–2450. <https://doi.org/10.1007/s10964-019-01090-3>
- Herz, D. C., Eastman A. L., Putnam-Hornstein E., McCroskey J. (2021). Dual system youth and their pathways in Los Angeles county: A replication of the OJJDP dual system youth study. *Child Abuse & Neglect*, 118, 105-160. <https://doi.org/10.1016/j.chiabu.2021.105160>
- Herz, D. C., Eastman, A. L., & Suther, H. (2022). An empirical test of dual system pathways. *Youth Violence and Juvenile Justice*, 1-27. <https://doi.org/10.1177/15412040221138042>
- Hill, R. B. (2004). Institutional racism in child welfare. *Race and Society*, 7 (1), 17-33. <https://doi.org/10.1016/j.racsoc.2004.11.004>
- Hunt, M. (2022). A new podcast speaks to Black girls' experience in foster care. *The Imprint*. <https://imprintnews.org/foster-care/podcast-speaks-to-black-girls-experience-in-foster-care/63417>
- Hyde, J., & Kammerer, N. (2009). Adolescents' perspectives on placement moves and congregate settings: Complex and cumulative instabilities in out-of-home care. *Children and Youth Services Review*, 31(2), 265-273. <https://doi.org/10.1016/j.childyouth.2008.07.019>
- Johnson, L. (2015). From the anti-slavery movement to now: (Re) examining the relationship between Critical Race Theory and Black Feminist Thought. *Race, Gender & Class*, 22(3-4), 227-243. <https://www.jstor.org/stable/26505358>
- Johnson, M. E., Lloyd, S. L., Bristol, S. C., Elliott, A. L., & Cottler, L. B. (2022). Black girls and referrals: Racial and gender disparities in self-reported referral to substance use disorder assessment among justice-involved children. *Substance Abuse Treatment, Prevention, and Policy*, 17(68), 1-10. <https://doi.org/10.1186/s13011-022-00462-6>
- Kolivoski, K. M. (2022). Applying Critical Race Theory (CRT) and Intersectionality to address the needs of African American crossover girls. *Child and Adolescent Social Work Journal*, 39,

133-145. <https://doi.org/10.1007/s10560-020-00726-9>

Ladson-Billings G. (1998). Just what is Critical Race Theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7-24. <https://doi.org/10.1080/095183998236863>

Lee, S.-Y., & Villagrana, M. (2015). Differences in risk and protective factors between crossover and non-crossover youth in juvenile justice. *Children and Youth Services Review*, 58, 18-27. <https://doi.org/10.1016/j.chilyouth.2015.09.001>

Lu, Y. E., Landsverk, J., Ellis-Macleod, E., Newton, R., Ganger, W., & Johnson, I. (2004). Race, ethnicity, and case outcomes in child protective services. *Children and Youth Services Review*, 26, 447–461. <https://www.doi.org/10.1016/j.chilyouth.2004.02.002>

Matsuda, M. J., Lawrence, C. R., Delgado, R., & Crenshaw, K. W. (Eds.). (1993). *Words that wound: Critical Race Theory, assaultive speech, and the First Amendment*. Westview Press.

Miller, A., & Pilnik, L. (2021). *Never too Early: moving upstream to prevent juvenile justice, child welfare, and dual system involvement*. Georgetown University, McCourt School for Public Policy, Center for Juvenile Justice Reform. <https://georgetown.app.box.com/s/u8lznq3kuyw4kpjqzqpd12ar7wuma701>

Morris, M. (2016). *Pushout: The criminalization of Black girls in schools*. The New Press.

Nanda, J. (2012). Blind discretion: Girls of color & delinquency in the juvenile justice system. *UCLA Law Review*, 59, 1502-1536.

National Black Child Development Institute. (2013). *Being Black is not a risk factor: A strengths-based look at the state of the Black child*. https://www.nbcdi.org/sites/default/files/resource-files/Being%20Black%20Is%20Not%20a%20Risk%20Factor_0.pdf

National Center on Violence Against Women in the Black Community. (2018). Black women and sexual assault. <https://ujimacommunity.org/wp-content/uploads/2018/12/Ujima-Womens-Violence-Stats-v7.4-1.pdf>

- Ocen, P. A. (2015). (E)racing childhood: Examining the racialized construction of childhood and innocence in the treatment of sexually exploited minors. *UCLA Law Review*, 62(1586). <https://heinonline.org/HOL/LandingPage?handle=hein.journals/ucla162&div=39&id=&page=>
- Richie, B. E. (2012). *Arrested justice: Black women, violence, and America's prison nation*. New York University Press.
- Roberts, D. (2022). *Torn apart: How the child welfare system destroys Black families—and how abolition can build a safer world*. Basic Books.
- Robertson, A. A., & Walker, C. S. (2018). Predictors of justice system involvement: Maltreatment and education. *Child Abuse & Neglect*, 76, 408-415. <https://10.1016/j.chiabu.2017.12.002>
- Ryan, J. P., Herz, D., Hernandez, P. M., & Marshall, J. M. (2007). Maltreatment and delinquency: Investigating child welfare bias in juvenile justice processing. *Children and Youth Services Review*, 29(8), 1035–1050. <http://dx.doi.org/10.1016/j.childyouth.2007.04.002>
- Saar, M. S., Epstein, R., Rosenthal, L., & Vafa, Y. (2015). *The sexual abuse to prison pipeline: The girls' story*. Center on Poverty and Inequality, Georgetown Law, Georgetown University. <https://genderjusticeandopportunity.georgetown.edu/wpcontent/uploads/2020/06/The-Sexual-Abuse-To-Prison-Pipeline-The-Girls%E2%80%99-Story.pdf>
- Scannapieco, M., & Jackson, S. (1996). Kinship care: The African American response to family preservation. *Social Work*, 41(2), 190–196. <https://www.doi.org/10.1093/sw/41.2.190>
- Schiele, J. H. (2009). Black political ideologies: Conceptions of African American subjugation and social welfare policy intervention. *Journal of Policy Practice*, 8(3), 240-259. <https://doi.org/10.1080/15588740902956415>
- Simmons-Horton, S. Y. (2021). “A bad combination”: Lived experiences of youth involved in the foster care and juvenile justice systems. *Child*

and Adolescent Social Work Journal, 38, 583-597.
<https://doi.org/10.1007/s10560-020-00693-1>

Simon, K. M. (2022). Daughters' keeper: The care and treatment of Black girls in America. *New England Journal of Medicine*, 386, 2067-2069. <https://doi.org/10.1056/NEJMp2201955>

Stern, M. E. (2021). *Reducing system crossover for Black and LGBTQ+ girls and nonbinary youth*. Center for Juvenile Justice Reform, McCourt School of Public Policy, Georgetown University.
<https://georgetown.app.box.com/s/zoxeg9576jwyy32ptbnol0006mevixoj>

Stewart, K. M. (2022). Re-Envisioning Child Well-Being: Dismantling the inequitable intersections among child welfare, juvenile justice, and education. *Columbia Journal of Race & Law*, 12(1), 630-666.
<https://doi.org/10.52214/cjrl.v12i1.9925>

Taylor, K. Y. (Ed.). (2017). *How we get free: Black feminism and the Combahee River Collective*. Haymarket Books.

The Annie E. Casey Foundation. (2022). *Child welfare and foster care statistics*. <https://www.aecf.org/blog/child-welfare-and-foster-care-statistics>

U.S. Department of Education Office of Civil Rights Data Collection. (2021). An overview of exclusionary discipline practices in public schools for the 2017-18 school year. <https://www2.ed.gov/about/offices/list/orc/docs/crdc-exclusionary-school-discipline.pdf>

U.S. Government Accountability Office. (2007). *African American children in foster care: Additional HHS assistance needed to help states reduce the proportion in care* (GAO-07-816).
<https://www.gao.gov/products/GAO-07-816>

Vera Institute of Justice. (n.d.). *Ending Girls' Incarceration Initiative*.
<https://www.vera.org/ending-mass-incarceration/reducing-incarceration/reducing-jail-and-prison-population/ending-girls-incarceration-initiative?emci=904b33a7-6a64-ed11-ade6-14cb65342cd2&emdi=85f13fbb-c765-ed11-ade6-14cb65342cd2&ceid=73245>

Widom, C. S., Czaja, S. J., & DuMont, K. A. (2015). Intergenerational transmission of child abuse and neglect: Real or detection bias?

Science, 34 (6229), 1480-1485. <https://doi.org/10.1126/science.1259917>

Williams-Butler, A. (2022). Intersectionality and structural gendered racism: Theoretical considerations for Black women, children, and families impacted by child protective services in the United States. *Critical Social Policy*. <https://doi.org/10.1177/02610183221125322>