

# Improving Juvenile Justice: Connecting Race, Class and Gender



## A Gender Dictionary

“Gender” is used in multiple contexts. Here’s a quick guide.

**Gender Equality/Equity Ensuring**  
equal access to resources, power, and opportunity for women, men, children and families, LGBTQ, etc.

**Gender Expression**  
How we express feeling feminine and masculine through dress, hair style, adornment, posture, etc.

**Gender Identity**  
An inner sense of being male, female, or neither; useful when discussing transgender individuals who feel a conflict between their sex and gender identification.

**Gender Lens or Gender Analysis**  
Being aware of the impact of gender equity and/or gender norms on a problem or issue.

**Gender Norms**  
Socially constructed ideals, scripts, and expectations for how to be a woman or a man.

**Gender Roles**  
Social and behavioral norms for how men and women are expected to act: being a doctor or nurse, being martial or maternal.

**Sexual Orientation**  
Romantic attraction to members of one or more sexes.

**Transgender**  
Umbrella term for those whose self-identity does not conform to conventional binary woman/ man, including those whose gender identity varies from their birth-assigned sex (e.g., transsexual).

## A GENDERED SYSTEM

*“Juvenile justice is a gender-specific system, one that reflects and operates on assumptions about gender, and reflects masculine [and feminine] norms”*  
Nancy Dowd (Dowd, 2008)

Juvenile justice is a highly gendered and gendering system, one that anticipates rewards, reinforces, and even punishes specific kinds of masculinity in boys and femininity in girls. Although JJ reflects and operates on assumptions about traditional masculine and feminine norms, except for the challenges of LGBTQ+ youth or the need for more gender-responsive programs for girls, JJ systems rarely interrogate their own gender assumptions. Because of this, few have developed policies, advocacy, or programming to train staff about gender or to help young people think critically about harmful gender norms.

Rigid gender expectations have enormous impact on young people at nearly every level of JJ systems—mental health, trauma care, education, probation, rehabilitation, and re-entry—and are deeply connected to inequities caused by race and class. Norms are particularly important during the “gender intensification” years of ages 9 to 14, when interest in traditional gender norms accelerates, and belief in them solidifies.

## DOCUMENTED IMPACTS

For instance, studies show that boys who buy into narrow ideals of manhood like strength, aggression, dominance, and emotional toughness are more likely to be expelled from school, under-achieve economically, become depressed, and engage in violence. They are more likely to prioritize behaviors like public risk-taking, confrontation, defying adult authorities, and suffering punishment silently which—taken together—are practically a checklist for increased friction with school disciplinary and law enforcement systems. Such boys are more likely to rigidly police masculinity among their peers. If they have been traumatized, they are likely to avoid care-seeking because they believe showing feelings or emotional vulnerability is unmanly, weak, or feminine.

Similarly, girls who buy into the “three D’s” of traditional femininity—being Deferential, Dependent, and Desirable—are more likely to have unplanned pregnancies and defer to male sexual prerogatives, to have low self-esteem and equate self-worth with beauty, and to grow up to be dependent on an older, stronger, male partner. For girls generally, if they are traumatized, it is more likely to be sexual in nature, and they are more likely to engage in self-harm as a compensation or avoid trauma-care because they feel guilty.

Both boys and girls who buy into harmful gender norms are likely to have a difficult time rehabilitation and reintegrating into society as returning citizens.

This can be especially important for dual status youth also in foster care, and those who are aging out of child welfare systems. Studies also show that gender norms can be especially problematic for young people in low-income communities, where gender codes may be particularly narrow, and penalties for transgressing them harsher.

Both boys and girls who buy into harmful gender norms are likely to have a difficult time rehabilitation and reintegrating into society as returning citizens.

This can be especially important for *dual status* youth also in foster care, and those who are aging out of child welfare systems. Studies also show that gender norms can be especially problematic for young people in low-income communities, where gender codes may be particularly narrow, and penalties for transgressing them harsher.

### IMPLICIT BIAS

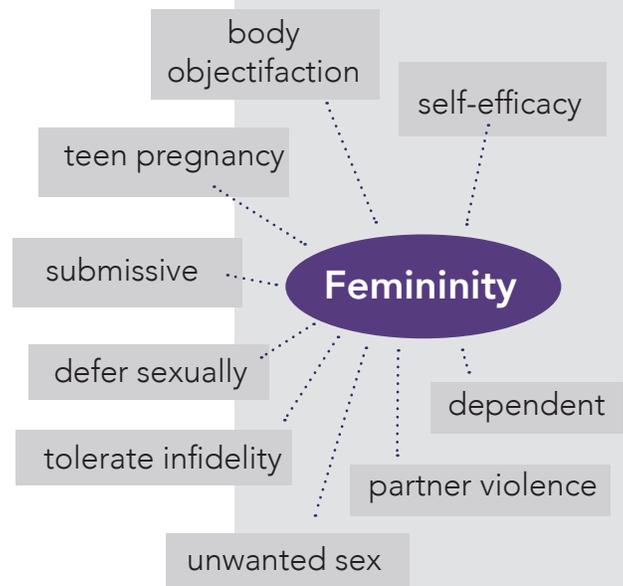
Professionals—probation and field officers, court advocates, educators, and therapists—interacting with young people are constantly modeling masculinity and femininity, providing important messages for how to be a man or a woman during a critical period.

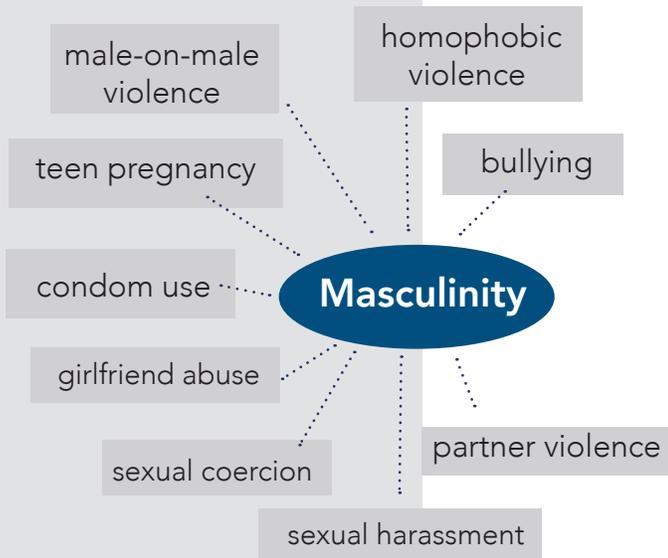
Some may even unconsciously project their own stereotypic ideals for womanhood or manhood, yet few if any have formal training or in thinking about gender norms critically. This can be particularly important for young men, who are over-represented in systems which seldom help them think about manhood, and often unintentionally promote attitudes of strength, competition, stoicism, sexism, or homophobia.

Staff in JJ and school disciplinary systems may also internalize their own raced and gendered biases. For example, they are more likely to suspend boys of color than their white counterparts because they are perceived as more dangerous or threatening, or girls of color for being “too loud” or “too ghetto” and generally not projecting more white, middleclass notions of femininity.

Both boys and girls of color are punished more harshly for the same infractions, and perceived on average as 3-4 years older than they actually are because of racialized gender biases.

Similarly, jurists and probation officers are more likely to view young men of color through a lens of predation, and provide harsher punishments because of implicit raced and gendered biases. Girls of color are more likely to have their parole violated for minor infractions like truancy or curfew (which might be overlooked with boys). Girls generally are also likely to be sentenced for running away from abuse or for defending themselves or dependent children.





## GENDER AUDIT FINDINGS

A Gender Audit of one of the US's largest probation systems found findings like these, and a greater need to focus on gender norms at nearly every level: programs that could teach young people to think critically about rigid gender ideals; toolkits and training to help probation, field, and detention officers—and therapists, teachers, and court advocates—become more aware of their own gender biases as well as engage young people in critical discussion about gender; and policies and advocacy that can re-center gender norms in *best practice* for JJ systems.

Similarly girls just coming into womanhood may need help thinking through issues of relational intimacy, male dependence, abuse or trauma, and sexuality. Studies show that the majority of girls entering institutional care have been sexually victimized; in addition, a high percentage of young women entering child welfare systems become pregnant in their first year.

While some formal training on LGBTQ issues is part of officers' certification, there are no trainings, policies, toolkits, or programming that directly addressed gender norms, either youth-facing, or staff-facing for officers and administrators tasked with protection, rehabilitation, and care. This was confirmed through individual discussions with staff members, examination of materials, policies, and websites.

A small group curriculum was offered to young women who focused on issues like avoiding unplanned pregnancy and (possibly outdated) ideals of feminine etiquette and deportment; no symmetrical training was offered to young men.

Similarly, mental health therapists lacked policy guidance or trainings that addressed gender norms, or toolkits they could use to guide mental health care generally, especially responsive trauma care. This was also true for teachers in the alternative education program. Finally, court advocates reported that they ended up doing significant mentoring of young people, particularly adolescents, but were provided with no model curricula for doing so in a structured manner and no formal training in this area.

## TrueChild

TrueChild is a network of leading experts and researchers that helps organizations address structural inequality through intersectional approaches that connect race, class, and gender.

Based on the findings of the Audit TrueChild is working with juvenile probation experts and key researchers to develop model policies which advocates to promote, model curricula to help young people think critical about rigid gender norms, and trainings and toolkits to help JJ leaders, staff, therapists, and educators become more aware of their own gender assumptions.

We are currently seeking partnering JJ systems to pilot and implement these policies and materials. To raise awareness, TrueChild also offers free 40-minute training on gender norms to advocates, policy-makers, and funders engaged in juvenile justice work.