



Crossover youth and gender: What are the challenges of girls involved in both the foster care and juvenile justice systems?



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ARTICLE INFO

Keywords:

Crossover youth; Foster youth; juvenile justice
Incarceration
Child-welfare
Qualitative research
Ethnography
Girls

ABSTRACT

In this paper we discuss the struggles of young women who are “crossover youth.” Crossover youth are children who are simultaneously involved in the foster care and juvenile justice systems. Utilizing in-depth interviews collected during a 24-month ethnographic study among detained adolescent girls we discuss how being in both of these systems complicates the lives of the young women in our study. Namely, we find that girls spend more time behind bars and are negatively treated in their group homes because of their dual status. Our findings shed light on this topic and also provide a much-needed discussion of the experiences of young women who are crossover youth.

1. Introduction

In this paper, we discuss the struggles of young women who are “crossover youth.” Crossover youth are children who are simultaneously involved in the foster care and juvenile justice systems (Herz & Ryan, 2008; Ryan & Herz, 2008). Girls are highly represented within the child welfare system, especially in foster homes, and are increasingly crossing over to the juvenile justice system (Baynes-Dunning & Worthington, 2013). Additionally, some work suggests girls involved in the foster system are at a higher risk than their male counterparts of juvenile justice involvement (Baynes-Dunning & Worthington, 2013; Krinsky, 2010). While national figures are difficult to ascertain several studies at the state level for California, New York, and Oregon, estimate that between 6% and 29% of child welfare youth exhibit delinquent behavior (Bolton, Reich, & Gutierrez, 1977; Ryan, Herz, Hernandez, & Marshall, 2007; Shrifter, 2012; Smith & Thornberry, 1995). In the state of California alone there are 62,097 crossover youth (Children's Bureau, 2016). Most of these children have become victims of neglect or abuse and are more likely to experience a slew of challenges compared to other foster youth not involved with the juvenile justice system (Chesney-Lind & Merlo, 2015). These young people have become a fast-growing population, but still remain understudied. Using 24 months of ethnographic research we discuss the unique challenges young women experience when involved with the criminal justice and foster care systems. Our findings shed light on this topic and also provide a much-needed discussion of the experiences of young women who are

crossover youth.

This paper is structured as follows. First, we discuss relevant research related to girls' experiences in the foster care system. This includes a brief description of the general placement instability that young women find in the foster care system. We also provide a general overview of girls' experiences in the juvenile justice system. We then build on these literatures when discussing the few projects that focus on crossover youth. Additionally, we build on Garland's (1990) theoretical work which describes punishment and penalty as a social institution, not an independent group of organizations that punish youth. We then follow this with an overview of the research methods we used for this paper. Next, we discuss our findings. In the findings section we answer three questions: First, how does being involved in the foster care system affect our participants' experiences behind bars? Second, how are these young people's lives affected by the “dual involvement” once they are released and sent to their foster home? Lastly, how does being crossover youth put our participants at an increased likelihood of committing crime? As we discuss in the following sections, these young women must negotiate a unique set of challenges, which are inextricably tied to their institutional involvement with the foster care and juvenile justice systems.

2. Girls' experiences in the child welfare system

A large sum of research regarding young women who are wards of state focus on their experiences prior to placement in foster homes and

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the long-term implications of abuse and trauma they experience. However, research rarely mentions girls' direct experiences in foster care and juvenile detention. This absence of information may be androcentric in that the bulk of the research pertaining to juvenile delinquency is centered on young men (Chesney-Lind & Pasko, 2013). Awareness of girls' experiences inside foster care and juvenile justice is important because these elements greatly impact how well they thrive while in and out of the system. Moreover, the more research and information that is readily available to policymakers, social workers, law enforcement, teachers, and the like, the more likely we are to see effective changes in a system that currently criminalizes victimized youth.

Recently, Riebschleger, Day, and Damashek (2015) evaluated foster youth experiences before and during placement using personal accounts from previously-placed adults who had aged out of the system, as well as minors who were still in foster homes. While the study did not solely focus on foster girls, it provided substantial information regarding girls' experiences inside of foster homes. Policymakers were presented with youth testimonies in the hope that trauma informed services would be developed in the near future (Riebschleger et al., 2015). Young women reported continued trauma while in foster care such as sexual abuse, emotional abuse, physical assaults from care takers and youth residing in the home, derogatory interaction with case workers, and limited access to basic necessities such as food and suitable clothing. These experiences often lead to externalizing behaviors such as anger, hostility, and running away heightening their risk of juvenile justice involvement due to perceived incorrigibility, engaging in criminal acts as a means to survive while on the run, and other forms of anti-social behavior such as aggression (Riebschleger et al., 2015). African American girls were more likely to run away from group homes. It is believed this could be the result of less suitable care available to African American youth, however, researchers have not determined the direct cause (Shook et al., 2013). Researchers have also supported reports of congregate care staff members threatening to report foster girls to the authorities for the purpose of having them removed from the home if they spoke out against maltreatment (Scheyett, 2006).

2.1. Crossover youth

The crossover youth population is inherently vulnerable to various health problems, including mental health issues and substance use, and struggles with school. Within the foster care system, it is not unheard of for children to be labeled “at risk.” Aside from crossover youth being labeled and dealing with the associated stigma associated, intellectual disabilities are often prevalent in this population (Baskin & Sommers, 2010; Thompson & Auslander, 2011; Whitted, Delavega, & Lennon-Dearing, 2012). Within the general population, 18–22% of individuals exhibit mental health problems, compared to the 80% of foster youth (Whitted et al., 2012). Considering the chronic behavior and emotional problems associated with lacking mental health, social relationships with peers or others can be adversely affected (Bala, Finlay, De Filippis, & Hunter, 2015; Whitted et al., 2012). Additionally, crossover youth are at a higher risk of substance abuse. Research suggests that foster youth are at a greater or equal risk than the general population for substance use (Thompson & Auslander, 2011). Other researchers (Herz & Ryan, 2008; Ryan & Herz, 2008) note that this population may resort to substance use and abuse to cope with past trauma and maltreatment. Although the welfare system is meant to protect, it can often lead to negative emotional and psychological effects. For instance, researchers claim separation from a child's family could increase the chances of substance use (Herz & Ryan, 2008; Ryan & Herz, 2008; Thompson & Auslander, 2011). Herz and Ryan (2008), found that among their sample of foster youth 28% suffered mental health problems, 17% exhibited substance abuse problems, and 38% were plagued with both conditions.

In addition, school difficulties are often present among this

population. The foster care system can make children's lives very unstable paving the way for school difficulties. For instance, researchers suggest crossover youth will struggle in school and increase the chances of committing future crimes (Bala et al., 2015; Herz & Ryan, 2008). Huang, Ryan, Sappleton, and Chiu (2015) found that fostered youth residing in a group environment were more likely to experience school problems. Also of note, learning disabilities and behavioral disabilities are more prevalent among juvenile offenders (Alltucker, Bullis, Close, & Yovanoff, 2006). Further, the maltreatment often experienced by youth in the foster care system and youth involved in the justice system puts these separate populations at a higher risk to be diagnosed with PTSD, ADHD, conduct disorder and learning difficulties (Whitted et al., 2012).

Many of these findings speak to risks to youth involved in either the juvenile justice or foster care systems. However, crossover youth embody the overlap of these systems, and thus these risks. This suggests that the likelihood of crossover youth experiencing these adverse conditions or circumstances is at least as high, if not higher, than youth involved in just one system. Furthermore, it appears that girls are especially vulnerable to these risks. Herz and Ryan (2008) find that justice-involved young women are more likely than males to suffer from multiple mental health issues. This underscores earlier findings of Chamberlain, Leve, and Smith (2006) which demonstrate that social and academic failure in middle school can be detrimental to girls' well-being and lead to mental health, substance, and academic issues. Taken together it is strongly suggested that not only are crossover youth at great risk physically, mentally, and socially, girls experience a large disadvantage in finding their way to positive outcomes when exposed to these adverse experiences. This is particularly due to the regularity with which the intersection of these experiences occurs for young women.

2.2. Foster home instability

Living in a stable home allows for youth to establish important healthy attachments and bonds (Huang et al., 2015), however this ability is greatly inhibited by the turbulent nature of foster homes for any youth and especially for crossover youth. Stein (2006) noted in the results of a meta-analysis that 30 to 40% of children in foster care experienced 4 or more moves, and that among these up to one tenth had been displaced 10 or more times. Moreover, Barn and Tan (2012) found that among their sample of 261 youth from multiple areas of England, 25% of these youth had experienced 4 to 9 moves and nearly 20% had 10 or more foster home placements.

Previous research has found that high levels of displacement in both the quantity and duration of foster care increases the likelihood of running away (Clark et al., 2008). It is believed that the lack of permanence and security inherent in foster care creates a dearth of attachment to others and of beliefs in conventional values and norms which are created from social bonds (Huang et al., 2015). These social bonds normally deter youth from engaging in criminal activity. Rather, it appears that for foster youth deviant and criminal behaviors become coping mechanisms to escape the trauma that haunts them (Huang et al., 2015). Further, foster youth have been characterized as a population which struggles to understand acceptable and unacceptable behaviors (Barn & Tan, 2012). These youth lack clear boundaries and feel a sense of rejection, which can lead toward crime and create a need for freedom.¹

2.3. Foster girls' in the juvenile justice system and crossover youth

Over the last couple of decades girls have increasingly become a part of the juvenile justice system and foster girls represent a large

¹ Alternatively, it is possible that foster youth's risk factors are the same as other youth not in this system but their affiliation with the child welfare system makes them more visible and thus more likely to be identified as “delinquent.”

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