



Girlhood Interrupted:

The Erasure of Black
Girls' Childhood

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The **Georgetown Law Center on Poverty and Inequality**, which published this report, works with policymakers, researchers, practitioners, and advocates to develop effective policies and practices that alleviate poverty and inequality in the United States. The Center's areas of anti-poverty work include national, state, and local policy and program recommendations that help marginalized girls, promote effective workforce and education policies and programs for disconnected youth, and develop policy to combat deep poverty. Our strategies are to partner with agencies and non-profit organizations to host national conferences, produce and widely disseminate in-depth reports, engage in public speaking, and participate in national coalitions and working groups.

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Executive Summary

This groundbreaking study by the Georgetown Law Center on Poverty and Inequality provides—for the first time—data showing that adults view Black girls as *less innocent and more adult-like than their white peers, especially in the age range of 5–14.*

The report builds on similar results that have emerged from studies of adult perceptions of Black boys. In 2014, for example, research by Professor Phillip Goff and colleagues revealed that beginning at the age of 10, Black boys are more likely than their white peers to be misperceived as older, viewed as guilty of suspected crimes, and face police violence if accused of a crime.¹

SNAPSHOT OF THE DATA

Compared to white girls of the same age, survey participants perceive that

- Black girls need **less nurturing**
- Black girls need **less protection**
- Black girls need **to be supported less**
- Black girls need **to be comforted less**
- Black girls are **more independent**
- Black girls **know more about adult topics**
- Black girls **know more about sex**

These results are profound, with far-reaching implications. Our findings reveal a potential contributing factor to the disproportionate rates of punitive treatment in the education and juvenile justice systems for Black girls.

IN THE EDUCATION SYSTEM

In light of proven disparities in school discipline, we suggest that the perception of Black girls as less innocent may contribute to *harsher punishment* by educators and school resource officers. Furthermore, the view that Black girls need less nurturing, protection, and support and are more independent may translate into *fewer leadership and mentorship opportunities* in schools.

IN THE JUVENILE JUSTICE SYSTEM

Given established discrepancies in law enforcement and juvenile court practices that disproportionately affect Black girls, the perception of Black girls as less innocent and more adult-like may contribute to *more punitive exercise of discretion* by those in positions of authority, *greater use of force, and harsher penalties.*

Call to Action

This report represents a key step in addressing the disparate treatment of Black girls in public systems. We challenge researchers to develop new studies to investigate the degree and prevalence of the adultification of Black girls—a term used in this report to refer to the perception of Black girls as less innocent and more adult-like than white girls of the same age—as well as its possible causal connection with negative outcomes across a diverse range of public systems, including education, juvenile justice, and child welfare. Further, we urge legislators, advocates, and policymakers to examine the disparities that exist for Black girls in the education and juvenile justice systems and engage in necessary reform. Lastly, we recommend providing individuals who have authority over children—including teachers and law enforcement officials—with training on adultification to address and counteract this manifestation of implicit bias against Black girls. Above all, further efforts must ensure that the voices of Black girls themselves remain front and center to the work.

Introduction.

The Construct of Childhood and the Consequences of Culpability

Children occupy a unique position in our public systems. Once treated as miniature adults, our perception of young people's innocence and ongoing development has led, over time, to granting children leniency when determining the consequences of their behavior.² The special legal status bestowed on youth, in particular, is based on a well-established understanding of children's social and psychological development—that they should be held less responsible and culpable for their actions, and that they are capable, through the ongoing developmental process, of rehabilitation.³ These foundational legal and moral principles protect children from criminalization and extend safeguards that shield them from the harsh penalties levied on adults.⁴

The United States Supreme Court has relied on these principles to establish that children are less culpable than adults.⁵ A seminal opinion, *Roper v. Simmons*, held that the Eighth Amendment's ban on cruel and unusual punishment prohibits the imposition of the death penalty in juvenile cases.⁶ In reaching this holding, the Court highlighted three key characteristics of youth that differentiate children from adults: their lack of maturity, which contributes to making impetuous decisions; their greater susceptibility to negative influences from peers or other outside factors; and their still-developing character and personality.⁷ Subsequent opinions further strengthened the Court's recognition of distinctions between children and adults.⁸ In *Miller v. Alabama*, the Court specifically noted that "[j]uveniles have diminished culpability and greater prospects for reform."⁹

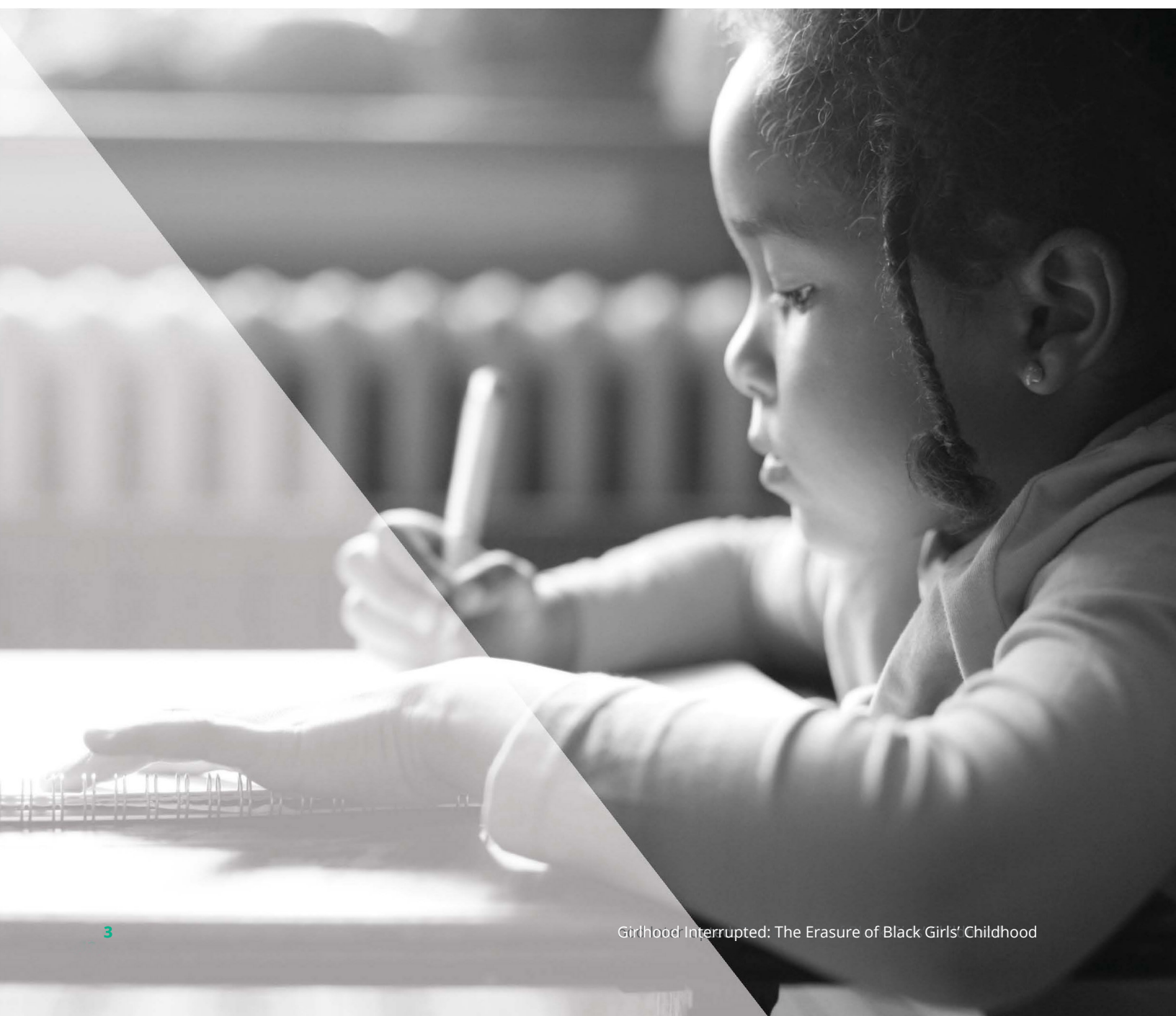
Despite widespread recognition of children's unique attributes and legal status, any single exercise of leniency is necessarily predicated on an initial recognition that the particular child who stands before the court is, in fact, a child—and this recognition is more nuanced than it might seem. The notion of childhood is a social construct—one that is informed by race, among other factors.¹⁰ Research has shown that Black boys, in particular, are often perceived as less innocent and more adult than their white male peers and, as a result, they are more likely to be assigned greater culpability for their actions, which increases their risk of contact with the juvenile justice system.¹¹ This report refers to this phenomenon, which effectively reduces or removes the consideration of childhood as a mediating factor in Black youths' behavior, as "adultification".¹²

To date, limited quantitative research has assessed the existence of adultification for Black girls—that is, the extent to which race and gender, taken together, influence our perception of Black girls as less innocent and more adult-like than their white peers.¹³ However, preliminary hypotheses based on research and guided by ethnographic and historical studies support this theory.¹⁴

Given the dearth of existing research and the significance of adultification to understanding the experience of Black girls, the Center on Poverty and Inequality and Professor Jamilia J. Blake of Texas A&M University conducted a precedent-setting study to measure this phenomenon. This groundbreaking study provides data for the first time revealing that adults surveyed view Black girls as less innocent and more adult-like than white girls of the same age, especially between 5–14 years old.

This report and its underlying findings represent a key step in addressing the disparate treatment of Black girls in public systems. The report first introduces the concept of adultification as it has been applied to Black children. It then presents the results of our research assessing whether Black girls are viewed as more adult and less innocent than their white peers. Finally, it discusses the implications of these results for Black girls in two major public systems: education and juvenile justice.

While the scope of our research is limited, the potential implications are profound. Further exploration of the implicit bias manifested in adultification could lead legislators, advocates, and policymakers to engage in reform to counteract negative outcomes for Black girls. We challenge researchers to develop new studies to investigate the degree and prevalence of adultification of Black girls, as well as its causal connections to harmful outcomes for girls across a diverse range of public systems, including the education, juvenile justice, and child welfare systems. In any such work, the voices of Black girls themselves should remain at the center.



The Theory of Adultification of Black Children

In tracing the legal history of differential treatment of children based on race, Professor Priscilla Ocen has written: “[A]s the notion of the innocent, developmental child emerged, white children began to enjoy greater [legal] protections[,] while Black children’s position remained relatively unchanged.”¹⁵ This result is rooted in the legacy of racial discrimination in this country, which historically included responding to Black youths’ child-like behavior more punitively.¹⁶ According to Professors Michael J. Dumas and Joseph Derrick Nelson:

Beginning in slavery, Black boys and girls were imagined as chattel and were often put to work as young as two and three years old. Subjected to much of the same dehumanization suffered by Black adults, Black children were rarely perceived as being worthy of playtime and were severely punished for exhibiting normal child-like behaviors.¹⁷

Recent research reveals that differential treatment of Black male youth based on race continues today.¹⁸ Most notably, in 2014, Professor Philip Goff and colleagues published an experimental study demonstrating that from the age of 10, Black boys are perceived as older and more likely to be guilty than their white peers, and that police violence against them is more justified.¹⁹ Even seasoned police officers sampled in the study consistently overestimated the age of Black adolescent felony suspects by approximately 4.5 years.²⁰ In addition, these officers assigned greater culpability to Black male felony suspects than to white felony suspects—whom they estimated as *younger* than their actual age.²¹ In essence, consistent with other studies, Goff’s study found that Black boys are afforded the privilege of innocence to a far lesser extent than their white counterparts.²²

Adultification Can Take Two Essential Forms:

1.

A process of socialization, in which children function at a more mature developmental stage because of situational context and necessity, especially in low-resource community environments;²³ and

2.

A social or cultural stereotype that is based on how adults perceive children “in the absence of knowledge of children’s behavior and verbalizations.”²⁴ This latter form of adultification, which is based in part on race,²⁵ is the subject of this report.

Scholars have observed that Black girls, too, are subject to adultification. Noting that our society “regularly respond[s] to Black girls as if they are fully developed adults,” Dr. Monique W. Morris has observed:

The assignment of more adult-like characteristics to the expressions of young Black girls is a form of age compression. Along this truncated age continuum, Black girls are likened more to adults than to children and are treated as if they are willfully engaging in behaviors typically expected of Black women . . . This compression [has] stripped Black girls of their childhood freedoms [and] renders Black girlhood interchangeable with Black womanhood.³⁰

These perceptions are consistent with viewing Black girls as older than their age. In the words of one teacher captured in a recent study by Professor Edward W. Morris, “[T]hey think they are adults too, and they try to act like they should have control sometimes.”³¹ Such comments demonstrate that stereotypes of Black girls, interpreted as “loud,” are imbued with adult-like aspirations, and perceived, in turn, as a threat. The same study recorded teachers’ describing Black girls as exhibiting “very ‘mature’ behavior—socially (but not academically) sophisticated³² and ‘controlling at a young age.’”³³ This interpretation of Black girls’ outspokenness may be associated with the stereotype of Black women as aggressive and dominating.³⁴ Differences in physical development based on the onset of puberty may also play a role in adultification, in light of evidence that “on average, African American girls mature physically at a faster rate than [w]hite girls and as a result can be perceived as older.”³⁵

Another important aspect of adultification for Black girls lies in culturally rooted fantasies of Black girls’ sexualization.³⁶ The commonly held stereotype of Black girls as hypersexualized is defined by “society’s attribution of sex as part of the ‘natural’ role of Black women and girls.”³⁷ Noting the long history of perceiving Black women as hypersexualized, Monique W. Morris has observed that adultification results in applying these stereotypes to Black girls:

Caricatures of Black femininity are often deposited into distinct chambers of our public consciousness, narrowly defining Black female identity and movement according to the stereotypes described by Pauli Murray as “‘female dominance’ on the one hand and loose morals on the other hand, both growing out of the roles forced upon them during the slavery experience and its aftermath.” As such, in the public’s collective consciousness, latent ideas about Black females as hypersexual, conniving, loud, and sassy predominate. However, age compression renders Black *girls* just as vulnerable to these aspersive representations.³⁸

Three dominant paradigms of Black femininity that originated in the South during the period of slavery have persisted into present-day culture, which “paint Black females as hypersexual, boisterous, aggressive, and unscrupulous”²⁶:

- **Sapphire** (e.g., emasculating, loud, aggressive, angry, stubborn, and unfeminine);
- **Jezebel** (e.g., hypersexualized, seductive and exploiter of men’s weaknesses); and
- **Mammy** (e.g., self-sacrificing, nurturing, loving, asexual).

These images and historical stereotypes of Black women have real-life consequences for Black girls today. According to Blake and colleagues, “these stereotypes underlie the implicit bias that shapes many [adult’s] view of Black females [as] ... sexually promiscuous, hedonistic, and in need of socialization.”²⁷ For example, “teachers may subconsciously use stereotypical images of Black females ... to interpret Black girls’ behaviors and respond more harshly to Black girls who display behaviors that do not align with traditional standards of femininity in which girls are expected to be docile, diffident, and selfless.”²⁸ Such “tainted perceptions ... result in patterns of discipline intended to re-form the femininity of African-American girls into something more ‘acceptable.’”²⁹

The consequences of educators’ tendencies to associate Black girls’ behavior with stereotypes of adult Black women can be far-reaching. For example, Edward Morris observed that Black female students “appeared less restrained by the view of femininity as docile and compliant, and

less expectant of male protection than [w]hite girls in other educational research.”³⁹ Morris found that teachers trained their focus on condemning such comportment at the expense of guiding their academic progress—effectively disciplining Black girls for perceived loud and un-ladylike behavior that challenged their authority.⁴⁰ Others have similarly observed that Black girls are under greater surveillance of their decorum than their white peers.⁴¹

Perhaps most concretely, researchers suggest that the phenomenon of adultification may contribute to increasingly disproportionate rates of school discipline for Black girls.⁴² This theme is explored in detail in this report.

“The dominant discourses that frame Black girls as less innocent and feminine than all other girls likely influence these [disproportionate] exclusionary discipline outcomes.”⁴³

The adultification of Black girls in school can be viewed as a reflection of similar inequities in other public systems. As Edward Morris has noted, “[S]chools not only serve as sites for the construction of race, class, and gender identities[;] they also reproduce existing inequalities in these areas . . . [S]chools solidify, or even exaggerate, the inequalities children bring with them to school.”⁴⁴ One example is the differential treatment of Black girls in the juvenile justice system. Ocen argues that the legacy of gender and race discrimination has been layered onto Black girls to contribute to higher rates of criminalization: “[H]istories of racial and gender subordination, including slavery and Jim Crow, have interacted with the category of childhood to create a liminal category of childhood that renders Black girls vulnerable to criminalization.”⁴⁵ Indeed, Goff’s study showed just this result for Black boys: officers not only perceived Black boys as older, but also assigned them greater culpability for suspected felony

crimes.⁴⁶ The potential effects of adultification in the juvenile justice system for Black girls are explored in more detail below.

Adultification Can Be Straightforward

In addition to being perceived as more adult-like, Black girls are also often mistakenly perceived to be biologically older than they are. Recently, for example, a 15-year-old Black girl in New York was arrested by police for using a student Metrocard that is valid only for youth younger than 19. The officers did not believe the girl’s claim that she was 15 years old, nor the affirmations of her age that they obtained from each of her parents when reached by phone. Police held the girl in handcuffs until the girl’s mother brought her birth certificate to the police station. The girl was treated at a hospital for the damage the handcuffs inflicted on her wrists.⁴⁷ The role of stereotypes in mistaken calculations of biological age for Black girls is a phenomenon that merits further research.

Ultimately, adultification is a form of dehumanization, robbing Black children of the very essence of what makes childhood distinct from all other developmental periods: innocence. Adultification contributes to a false narrative that Black youths’ transgressions are intentional and malicious, instead of the result of immature decision-making—a key characteristic of childhood. In essence, “the adultification stereotype results in some [Black] children not being afforded the opportunity”⁴⁸ to make mistakes and to learn, grow, and benefit from correction for youthful missteps to the same degree as white children. Our study shows that Black girls experience this stereotype directly.

Our Study: Adults' Perceptions of Black Girlhood

METHODOLOGY

Our study sought to determine whether adults assign Black girls qualities that render them more like adults—and less innocent—than their white peers. To do so, we adapted a scale assessing childhood innocence that was originally developed by Goff and colleagues. Our scale was comprised of items associated with adultification and stereotypes about Black women and girls.⁴⁹ Similar to Goff's study, we divided the period of childhood and adolescence into four age brackets: 0–4; 5–9; 10–14; and 15–19 years old.

We surveyed 325 adults from various racial and ethnic backgrounds and different educational levels across the United States who were recruited through an online service in order to obtain a community sample of typical adults.⁵⁰ Participants were predominantly white (74 percent)⁵¹ and female (62 percent). Thirty-nine percent were 25–34 years old. Information regarding respondents' occupations was not assessed, but sixty-nine percent held a degree beyond a high school diploma.

Participants completed a nine-item questionnaire. Respondents were not informed of the survey's purpose, but instead were asked only to complete a questionnaire about their beliefs about children's development in the 21st century. Each participant was randomly assigned either to a questionnaire that asked about the respondent's perception of Black girls, or to a questionnaire that asked the same questions about the respondent's perception of white girls. This allowed us to obtain an independent evaluation of respondents' views of Black and white girls irrespective of girls of other ethnic/racial groups. The questionnaires asked participants to respond to inquiries for each age bracket, including the following:

How often do Black [or white] females take on adult responsibilities?

How much do Black [or white] females seem older than their age?

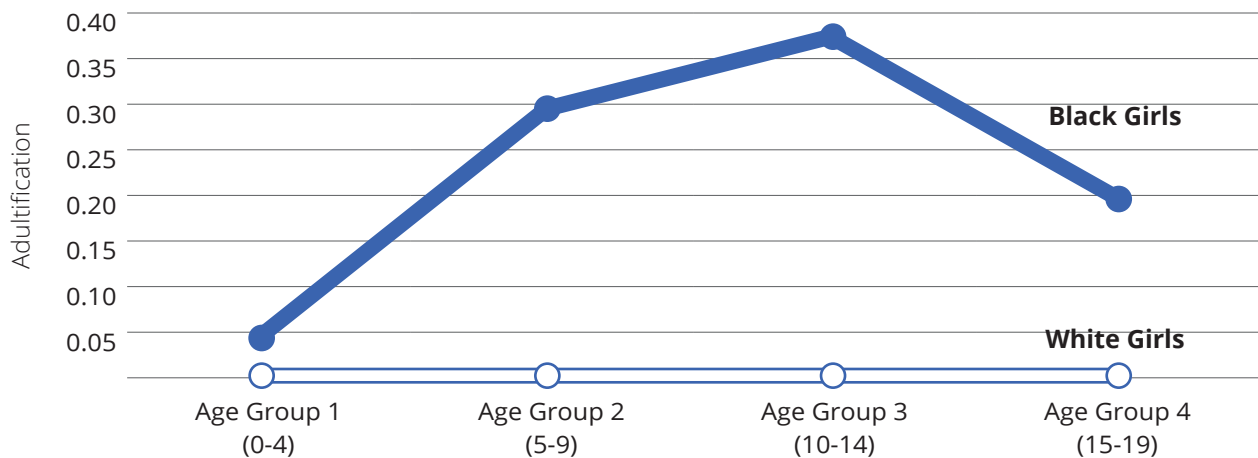
How much do Black [or white] females need to be supported?

How much do Black [or white] females need to be comforted?

How independent are Black [or white] females?

How knowledgeable are Black [or white] females about sex?

For each item, respondents used the following 5-point response scale: (1) not at all; (2) a little; (3) undecided; (4) somewhat; and (5) a great deal. We compared the ratings by respondents who completed the questionnaire for Black girls to those by respondents who completed questionnaire for white girls using measurement invariance analyses. This advanced statistical technique allowed us to examine whether differences existed in adults' perceptions of Black and white females at differing age groups and provided a test of mean differences in the latent construct of adultification between Black and white girls. Latent mean comparisons better account for measurement error across groups that might bias or undermine results, which could contribute to misinterpretation of the findings.⁵² This approach strengthens the basis of our findings of adultification ratings.



Note: Adultification scores presented in the figure represent latent mean scores. White females serve as the reference group (i.e., the control group), and as such their adultification score is fixed at zero. The magnitude of the latent mean scores for each group shown is not based on the response scale as it represents a latent composite of all the items. Thus, the magnitude of these scores cannot be interpreted literally (e.g., as a percentage). Higher latent scores of adultification presented on the y-axis in the figure reflect respondents' greater perceptions of adultification for that group.

RESULTS

Across all age ranges, participants viewed Black girls collectively as more adult than white girls. Responses revealed, in particular, that participants perceived Black girls as needing less protection and nurturing than white girls, and that Black girls were perceived to know more about adult topics and are more knowledgeable about sex than their white peers. The most significant differences were found in the age brackets that encompass mid-childhood and early adolescence—ages 5–9 and 10–14—and continued to a lesser degree in the 15- to 19-year-old age bracket. No statistically significant differences were found in the age group 0–4.

That is, beginning as early as 5 years of age, *Black girls were more likely to be viewed as behaving and seeming older than their stated age; more knowledgeable about adult topics, including sex; and more likely to take on adult roles and responsibilities than what would have been expected for their age.*

SIGNIFICANCE

These results suggest that Black girls are viewed as more adult than their white peers *at almost all stages of childhood*, beginning most significantly at the age of 5, peaking during the ages of 10 to 14, and continuing during the ages of 15 to 19. In essence, adults appear to place distinct views and expectations on Black girls that characterize them as developmentally older than their white peers, especially in mid-childhood and early adolescence—critical periods for healthy identity development.

The significance of this result lies in the potential for adultification to act as a contributing cause of the demonstrated harsher treatment of Black girls when compared to white girls of the same age. Simply put, if authorities in public systems view Black girls as less innocent, less needing of protection, and generally more like adults, it appears likely that they would also view Black girls as more culpable for their actions and, on that basis, punish them more harshly despite their status as children. Thus, adultification may serve as a contributing cause of the disproportionality in school discipline outcomes, harsher treatment by law enforcement, and the differentiated exercise of discretion by officials across the spectrum of the juvenile justice system.

Potential Implications of Our Findings

Although the precise nature of the causal connection between adultification and punishment/criminalization lies beyond the scope of this report, this section outlines potential implications of our findings in two public systems: education and juvenile justice. Future research is needed to delve deeper into these and other consequences of adultification.

ADULTIFICATION'S POTENTIAL ROLE IN SCHOOL DISPARITIES FOR BLACK GIRLS

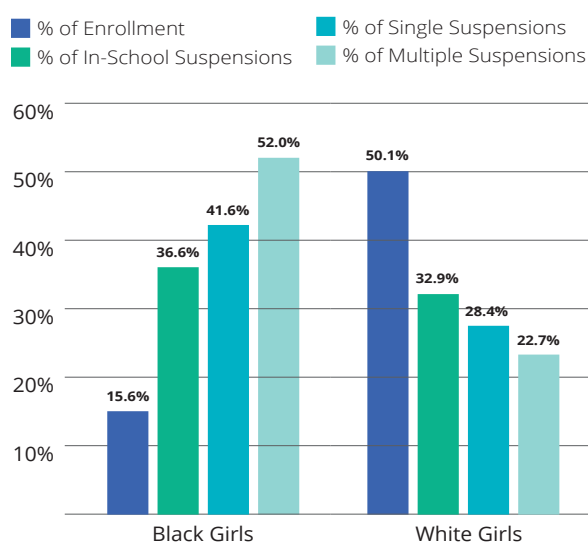
DISCIPLINE

The disproportionate rates of school discipline for Black girls are well established.⁵³ Significant to the results of our study, Black girls are more likely to

“experience exclusionary discipline outcomes for subjective reasons, such as disobedience/defiance, detrimental behavior, and third-degree assault, all of which depend on the subjective judgment of school personnel.”⁵⁴ Some research indicates that Black girls may also be punished more harshly than their peers for the same behaviors when referred to the disciplinary office.⁵⁵ These subjective determinations can turn on school authorities’ adultification of Black girls.

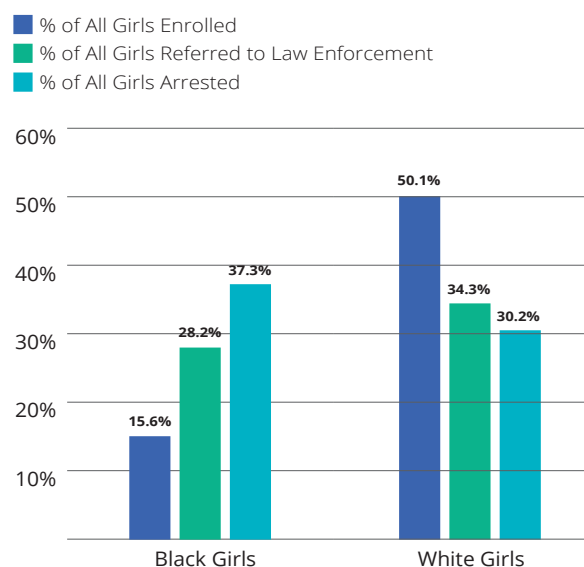
The consequences for such punishment are profound: researchers have determined that students are more likely to be arrested on days they are suspended from school, and that suspensions are connected to higher dropout rates and increased risk of contact with the juvenile justice system.⁵⁶

Rates of Suspensions for Girls in K-12 in the 2013-2014 School Year by Race



Source: NAT'L WOMEN'S LAW CTR., STOPPING SCHOOL PUSHOUT FOR GIRLS OF COLOR 15 fig.6 (2017).

Percentage of Girls Referred to Law Enforcement or Arrested at School in the 2013-14 School Year by Race



Source: NAT'L WOMEN'S LAW CTR., STOPPING SCHOOL PUSHOUT FOR GIRLS OF COLOR 13 fig.5 (2017).

Black Girls Are More Likely to Be Disciplined for Subjective Infractions*

For Minor Violations

(Dress code violations, Inappropriate Cell Phone Use, Loitering)



For Disobedience



For Disruptive Behavior



For Fighting



For Bullying/Harassment



* Note: This study was conducted in one school district in Kentucky

Source: Edward W. Morris & Brea L. Perry, *Girls Behaving Badly? Race, Gender, & Subjective Evaluation in the Discipline of Af. Am. Girls*, 90 *SOCIOLOGY OF EDUC.* 127 (2017).

Suspension Risk for Black Girls Across Developmental Periods (2013-2014)

Black Girls in K-12 Schools:

8%
OF ENROLLMENT

13%
OF STUDENTS
SUSPENDED*

* One or more out-of-school suspensions

Source: OFF. FOR CIV. RTS., U.S. DEP'T OF EDUC., CIVIL RIGHTS DATA COLLECTION: A FIRST LOOK: KEY DATA HIGHLIGHTS ON EQUITY & OPPORTUNITY GAPS IN OUR NATION'S PUBLIC SCHOOLS (2016).

“Exploring disciplinary discrepancies for Black girls, including in relation to white girls, is critical. “When studies have explored the discipline experiences of Black females[,] research has mainly focused on Black girls’ discipline sanctions in relation to Black boys, with Black girls rarely mentioned outside of descriptive statistics.”⁵⁷

Few scholars have thoroughly investigated *why* Black girls are subjected to this differential treatment. However, our findings on the adultification of Black girls may shed new light on a potential cause of these trends. Similar to Goff and colleagues’ finding that adults’ perception of Black boys as older is intertwined with holding them more culpable for their actions, educators and school-based police officers, among others, may also be more likely to view Black girls as older and less innocent. In other words, adultification may result in disciplinary decision-makers’ viewing Black girls’ behavior as “more [intentionally] harmful than [similar behavior exhibited by] other girls”.⁵⁸

“Black girls possess varied experiences and skills, all of which need to be viewed as strengths. In other words, there are a multitude of ways of being a Black girl, and no one set of behaviors should be expected or demanded from them to be given equal access to educational opportunity.”⁵⁹

Leadership and Mentorship Opportunities

The consequences of adultification in school may not necessarily be limited to discipline. For example, some scholars have argued that teachers’ perceptions of students as adult-like may interfere with providing leadership development opportunities. As revealed in a study in a public middle school, in which students overlap with the age ranges in our study that demonstrated the most significant rates of adultification: “the adultification of Black girls can lead to a perception of them as aggressively feminine, which can justify restriction of their inquisitiveness and assertiveness in classrooms.”⁶⁰ Adultification may also affect mentorship opportunities. A recent report published by the African American Policy Forum and the Center for Intersectionality and Policy Studies noted: “Black girls some times get less attention than their male counterparts early in their school careers and ... are perceived to be more socially mature and self-reliant. The lack of attention can become the touchstone of benign neglect that may diminish school attachment in high-achieving female students.”⁶¹ A related vignette in *Push out: The Criminalization of Black Girls in Schools* describing a teacher’s response to a Black girl’s question appears to illustrate this phenomenon: “You already know that; you are just asking to get attention.”⁶² The perception that Black girls do not merit nurturing or that their leadership qualities should be restricted could be associated with our finding that adults believe that Black girls do not need protection or nurturing and could affect opportunities for success.

JUVENILE JUSTICE SYSTEM

As stated above, the differential treatment of Black girls in public systems extends beyond the classroom and into the juvenile justice system. Broad discretion is granted to decision-makers across the juvenile justice system, including police officers, probation officers, defense attorneys,⁶³ prosecutors, and judges. And from arrests to prosecutions, Black girls face more punitive treatment compared to their peers.⁶⁴ For example, past research has shown that prosecutors exercised discretion to dismiss, on average, only three out of every ten cases for Black girls, but

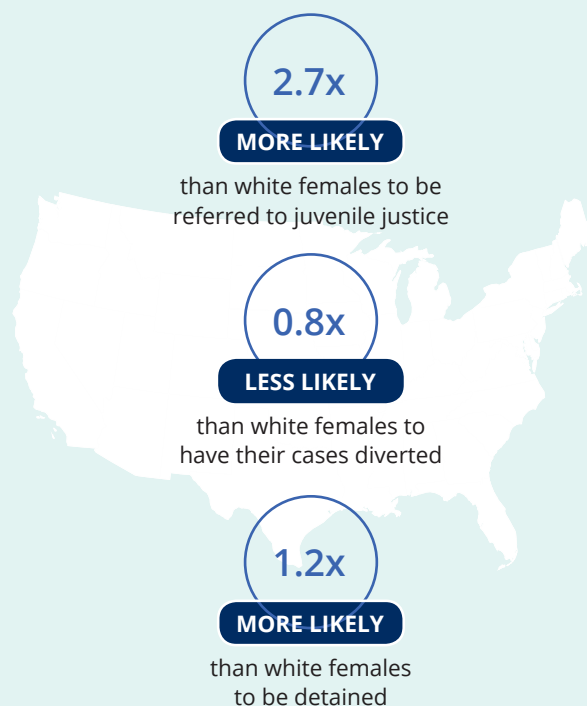
dismissed seven out of every ten cases involving white girls.⁶⁵ In addition, Black girls do not receive equal opportunities for diversion compared to their white peers—i.e., strategies offered at the discretion of prosecutors that hold youth accountable for their actions but which avoid formal processing.⁶⁶ Further, Black girls are three times more likely to be removed from their homes and placed in state custody in either a secure or locked facility⁶⁷ or a residential facility⁶⁸ than their white peers.⁶⁹ In fact, Black girls consistently receive more severe dispositions even after accounting for seriousness of the offense, prior record, and age.⁷⁰

Racial Disparities in Formal Petitions



Source: FRANCINE T. SHERMAN & ANNIE BALCK, GENDER INJUSTICE 6 (2015), <http://nationalcrittenton.org/gender-injustice> (citing Charles Puzzanchera & Sarah Hockenberry, *Nat'l Disproportionate Minority Contact Databook*, OFF. OF JUV. JUST. & DELINQ. PREVENTION, U.S. DEP'T. OF JUST., <http://www.ojjdp.gov/ojstatbb/dmcd/b/> (last accessed May 24, 2017)).

National Portrait of Black Girls' Experience in Juvenile Justice (2013)



Source: Charles Puzzanchera & Sarah Hockenberry, *Nat'l Disproportionate Minority Contact Databook*, OFF. OF JUV. JUST. & DELINQ. PREVENTION, U.S. DEP'T. OF JUST., <http://www.ojjdp.gov/ojstatbb/dmcd/b/> (last accessed May 24, 2017).

Note: A formal petition "is the charging document filed in juvenile court by the state. A petition formally initiates a juvenile proceeding alleging that a juvenile is delinquent and describing the alleged offenses committed by that child. It is similar to a complaint in adult court." See <http://njdc.info/juvenile-court-terminology/>

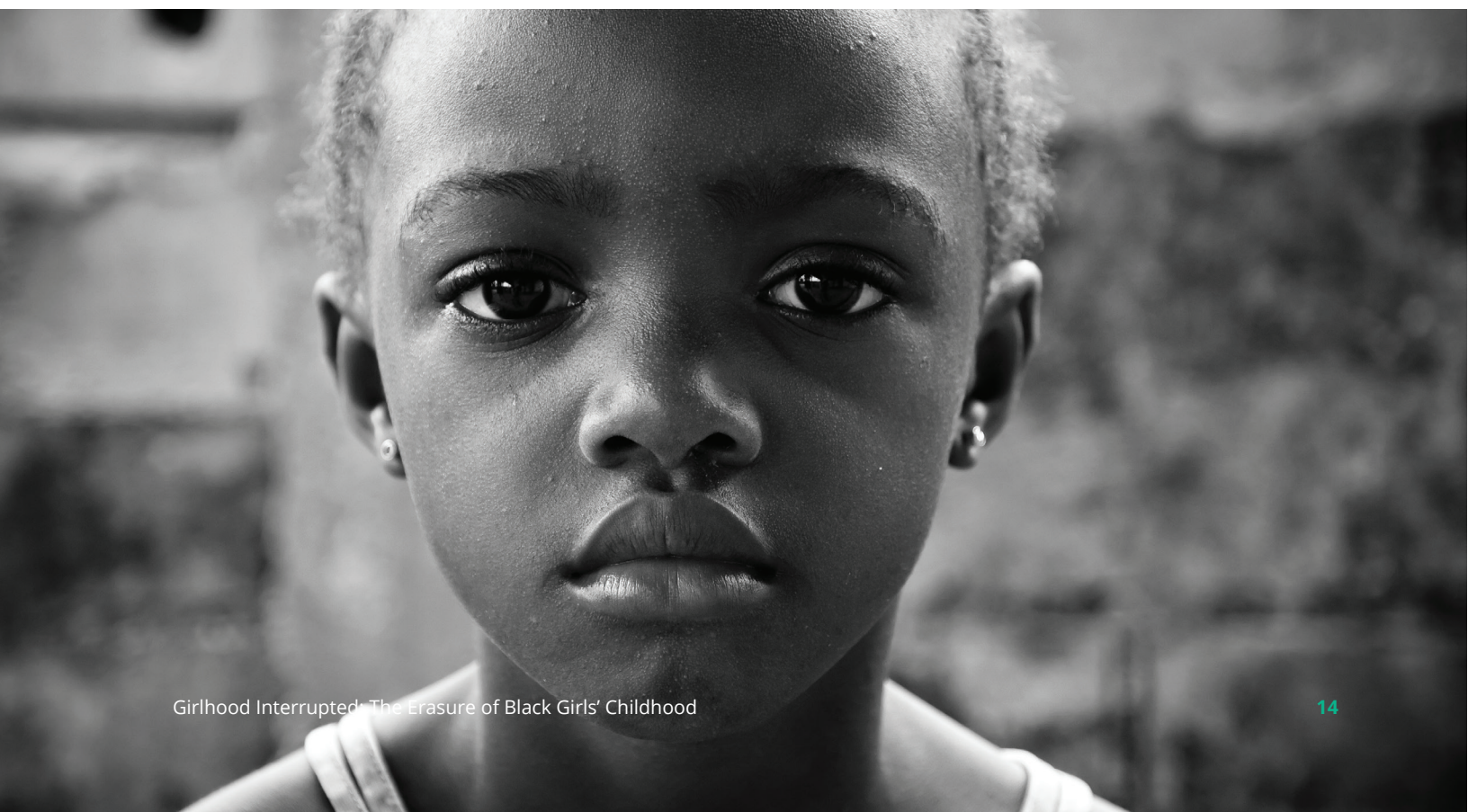
Conclusion

While a full exploration of potential implications of adultification lies beyond the scope of this report, consequences may be found in other public sectors as well. For example, adultification may play a role in the child welfare system, which is based on the foundational principle of serving to nurture and protect youth. Authorities in this system who view Black girls as more independent and less needing of nurture and protection may assign them different placement or treatment plans from white girls. Regardless of the specific context, all Black girls are entitled to, and deserve, equal treatment, including equal access to the protections that are accepted as necessary and appropriate for children. Recognizing the bias underlying the adultification of Black girls is an important step toward that goal.

New studies are needed to determine the causal links between adultification of Black girls and punitive treatment in child-serving public sectors

and to investigate differences in results among the various age brackets. Future research should also examine whether the same or similar forms of bias is manifested against other girls of color. The results of such research could help inform the development of trainings and shape the contours of policy and practice reform.

The results of our research suggest that Black girls bear the brunt of a double bind: viewed as more adult than their white peers, they may be more likely to be disciplined for their actions, and yet they are also more vulnerable to the discretionary authority of teachers and law enforcement than their adult counterparts. As Ocen writes, “[L]iminal children ... are viewed as dependent, limited rights-bearing subjects while at the same time imbued with adult characteristics such a sexual maturity, individual agency and criminal responsibility. Thus, they are directed into rather than out of the juvenile justice system.”⁷⁹ Only by recognizing the phenomenon of adultification can we overcome the perception that “[i]nnocence, like freedom, is a privilege.”⁸⁰



Research Citations

- ¹ Phillip Atiba Goff et al., *The Essence of Innocence: Consequences of Dehumanizing Black Children*, 106 J. OF PERSONALITY & SOC. PSYCHOL. 526 (2014).
- ² For a discussion of the evolution of child development theories, see, for example, SPENCER A. RATHUS, *CHILDHOOD & ADOLESCENCE: VOYAGES IN DEVELOPMENT* (5th ed. 2013).
- ³ The MacArthur Foundation's Network on Adolescent Development and Juvenile Justice website lists several resources on this topic, including research finding that psychosocial maturity is delayed for several years beyond 16, when adolescents reach cognitive maturity, affecting adolescents' impulsivity, susceptibility to peer pressure, sensation seeking and ability to assess risk at least until the age of 18 and in some cases for years thereafter. See Laurence Steinberg et al., *Are Adolescents Less Mature Than Adults? Minors' Access to Abortion, the Juv. Death Penalty, & the Alleged APA "Flip-Flop"*, 64 AM. PSYCHOL. 583 (2009).
- ⁴ These principles led to the establishment of the juvenile justice system. Steven M. Cox et al., *Juvenile Justice in Historical Perspective*, in *JUVENILE JUSTICE IN PERSPECTIVE: A GUIDE TO THEORY, POLICY, & PRACTICE* 8-9 (6th ed. 2008) ("The delinquent child had ceased to be a criminal and had the status of a child in need of care, protection, and discipline directed toward rehabilitation.") (internal citation omitted).
- ⁵ See *Roper v. Simmons*, 543 U.S. 551, 602 (2005).
- ⁶ *Id.* at 568.
- ⁷ See *id.* at 569-70.
- ⁸ See *Graham v. Florida*, 130 S. Ct. 2011, 2030 (2010) (establishing that life sentences without possibility of parole are inappropriate for juveniles convicted of non-homicide crimes); *Miller v. Alabama*, 567 U.S. 460, 465 (2012) (holding that mandatory life-without-parole sentences for juveniles violate Eighth Amendment's prohibition on cruel and unusual punishment); see also Goff, *supra* note 1.
- ⁹ *Miller*, 567 U.S. at 471.
- ¹⁰ See Priscilla A. Ocen, *(E)racing Childhood: Examining the Racialized Construction of Childhood & Innocence in the Treatment of Sexually Exploited Minors*, 2 UCLA L. REV. 1586, 1600 (2015); Goff, *supra* note 1, at 527.
- ¹¹ *Id.* The topic of adultification of girls of other races has been even less explored, and should be pursued.
- ¹² See Goff, *supra* note 1. Note that the term "adultification" is sometimes used to refer to a distinct phenomenon in which children who are assigned adult responsibilities behave in ways that are more adult-like than their peers. For purposes of this report, adultification refers to adults' generalized perception of Black girls as more adult, without reference to their individual behaviors.
- ¹³ See, e.g., Jamilia Blake et al., *Unmasking the Inequitable Discipline Experiences of Urb. Black Girls: Implications for Urb. Educ. Stakeholders*, 43 URB. REV. 90 (2011) ("[L]ess is known about the types of behavioral infractions Black female students exhibit and the discipline sanctions imposed for Black girls for such fractions"); Jyoti Nanda, *Blind Discretion: Girls of Color & Delinquency in the Juv. Just. Sys.*, 59 UCLA L. REV. 1502, 1521 (2012) ("While numerous studies over the past decade have examined and documented that at every state of the juvenile justice system youth of color 'are more likely [than white youth] to be arrested, charged, detained, sentenced severely, and tried as adults,' very few studies have examined the

- intersections of race and gender.”) (internal citations omitted); Lori Guevara, *Gender & Juv. Just. Decision Making: What Role Does Race Play?*, 1 FEMINIST CRIMINOLOGY 258, 264 (2006) (“To date, only a few studies examine the influence of both race and gender on juvenile court outcomes.”).
- ¹⁴ See Jamilia J. Blake et al., *The Role of Colorism in Explaining Afr. Am. Females’ Suspension Risk*, 32 SCH. PSYCHOL. Q. 118 (2017).
- ¹⁵ See Ocen, *supra* note 10, at 1600.
- ¹⁶ WILMA KING, AFRICAN AMERICAN CHILDHOODS: HISTORICAL PERSPECTIVES FROM SLAVERY TO CIVIL RIGHTS (2005).
- ¹⁷ Michael J. Dumas & Joseph Derrick Nelson, *(Re)Imagining Black Boyhood: Toward a Critical Framework for Educ. Res.*, 86 HARV. EDUC. REV. 27, 33 (2016).
- ¹⁸ See Sandra Graham & Brian S. Lowery, *Priming Unconscious Racial Stereotypes about Adolescent Offenders*, 28 L. & HUM. BEHAV. 483, 493, 496 (2004); Aneeta Rattan et al., *Race & the Fragility of the Legal Distinction between Juveniles & Adults*, 7 PLoS ONE e36680 (2012).
- ¹⁹ Goff, *supra* note 1.
- ²⁰ See *id.*
- ²¹ See *id.* at 535-39.
- ²² See *id.* at 539-40. See also WALTER S. GILLIAM ET AL., YALE UNIV. CHILD STUDY CTR., A RESEARCH STUDY BRIEF: DO EARLY EDUCATORS’ IMPLICIT BIASES REGARDING SEX & RACE RELATE TO BEHAVIOR EXPECTATIONS & RECOMMENDATIONS OF PRESCHOOL EXPULSIONS & SUSPENSIONS? (Sept. 28, 2016) (finding that when expecting challenging behaviors from preschool students, teachers gazed longer at Black children, especially Black boys”).
- ²³ See Linda Burton, *Childhood Adultification in Economically Disadvantaged Families: A Conceptual Model*, 56 FAMILY REL. 329 (2007).
- ²⁴ See Blake et al., *supra* note 14, at 119.
- ²⁵ See *id.*
- ²⁶ Jamilia J. Blake, Bettie Ray Butler & Danielle Smith, *Challenging Middle-Class Notions of Femininity: The Cause of Black Females’ Disproportionate Suspension Rates*, in CLOSING THE SCHOOL DISCIPLINE GAP: EQUITABLE REMEDIES FOR EXCESSIVE EXCLUSION 75, 76 (Daniel J. Losen ed., 2015).
- ²⁷ *Id.*
- ²⁸ Blake et al., *supra* note 13, at 93.
- ²⁹ Edward W. Morris, “Ladies” or “Loudies”? Perceptions & Experiences of Black Girls in Classrooms, 38 YOUTH & SOC’Y 490, 511 (2007).
- ³⁰ MONIQUE W. MORRIS, PUSHOUT: THE CRIMINALIZATION OF BLACK GIRLS IN SCHOOLS 34 (2016).
- ³¹ Morris, *supra* note 29, at 502 (emphasis added).
- ³² *Id.*
- ³³ *Id.* at 502-03.
- ³⁴ See *id.* at 503.
- ³⁵ Nanda, *supra* note 13, at 1520-21 n.88.
- ³⁶ Morris, *supra* note 29, at 502-03; MORRIS, *supra* note 30, at 129 (discussing critiques of media representations of Black girls, which “reflect fantasy, which often reduces Black femininity to the size of her backside—and how fast or forcefully she can make it gyrate”).
- ³⁷ Sika Dagbovie-Mullins, *Pigtails, Ponytails, & Getting Tail: The Infantilization & Hyper-Sexualization of Af. Am. Females in Popular Culture*, 46 J. OF POPULAR CULTURE 745 (2013). Muhammed and McArthur define the hypersexualization of Black women and girls “as others in society’s attribution of sex as a part of the ‘natural’ role of Black women and girls.” Gholnecsar E. Muhammad & Sherell A. McArthur, “Styled by Their Perceptions”: Black Adolescent Girls Interpret Representations of Black Females in Popular Culture, 17 MULTICULTURAL PERSP. 133, 138 (2015).

- ³⁸ MORRIS, *supra* note 30, at 34. One girl interviewed by Morris summarized the more general issue this way: “No matter what her age, and no matter how small or big she is, a man is going to always look at [a Black girl] sexually.”
- ³⁹ Morris, *supra* note 29, at 499.
- ⁴⁰ Blake et al., *supra* note 13.
- ⁴¹ See Connie Wun, *Against Captivity: Black Girls & Sch. Discipline Policies in the Afterlife of Slavery*, 30 EDUC. POL’Y 171, 183 (2015); Morris, *supra* note 29, at 501-03; see also, e.g., Blake et al., *supra* note 13; Subini A. Annamma, *Black Girls & School Discipline: The Complexities of Being Overrepresented & Understudied*, 22 URB. EDUC. 1, 19-20 (2016).
- ⁴² See Blake et al., *supra* note 13.
- ⁴³ Annamma et al., *supra* note 41 (citing Monique W. Morris, *Race, Gender, & the School-to-Prison Pipeline: Expanding Our Discussion to Include Black Girls*, AFRICAN-AM. POL’Y FORUM (2012)), https://www.academia.edu/7871609/the_school-to_prison_pipeline_expanding_our_discussion_to_include_black_girls. See also Blake et al., *supra* note 13.
- ⁴⁴ Morris, *supra* note 29, at 492 (discussing the tenets of reproductive theory).
- ⁴⁵ Ocen, *supra* note 10, at 1600.
- ⁴⁶ See Goff, *supra* note 1, at 534.
- ⁴⁷ Rocco Paraschandola, *Teen: Cop Cuffed Me Wrong*, N.Y. DAILY NEWS (Aug. 4, 2012 3:10 AM), <http://www.nydailynews.com/new-york/harlem-teen-cuffed-held-metrocard-flap-article-1.1126674>.
- ⁴⁸ Blake et al., *supra* note 13, at 119. See Blake’s discussion of adultification as a social stereotype, *id.*; see also Graham & Lowery, *supra* note 18 (noting that juvenile probation officers are more likely to view Black youth as older).
- ⁴⁹ See generally Dionne P. Stephens & Layli D. Phillips, *Freaks, Gold Diggers, Divas, & Dykes: The Sociohistorical Dev. of Adolescent Afr. Am. Women’s Sexual Scripts*, 7 SEXUALITY & CULTURE 3, 3-49 (2003); Carolyn M. West, *Mammy, Sapphire, & Jezebel: Hist. Images of Black Women & Their Implications for Psychotherapy*, 32 PSYCHOTHERAPY: THEORY, RES., PRAC., TRAINING 458, 458-466 (1995).
- ⁵⁰ This online platform, Amazon Mturk, is increasingly used in social science research to enable researchers to recruit community samples. We used a community sample of typical adults, as research shows that survey results may differ from a sample of adults from the larger community than from a college-enrolled sample – the sample which most psychological research is based. See Robert A. Peterson, *On The Use Of College Students In Soc. Sci. Res.: Insights From A Second-Order Meta-Analysis*, 28 J. CONSUMER RES. 450 (2001).
- ⁵¹ A more detailed breakdown of the race of participants follows:
74% White or European American,
11% Black or African American,
7% Hispanic or Latino/a,
4% Asian American,
4% Native American or Other.
Although this was not a nationally representative sample, the racial demographic of the sample closely mirror the US population. *United States QuickFacts*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/table/PST045216/00> (last accessed May 24, 2017).
- ⁵² Philipp Müller & Svenja Schäfer, *Latent Mean (Comparison)*, in THE INTERNATIONAL ENCYCLOPEDIA OF COMMUNICATION RESEARCH METHODS (Jörg Matthes, Robert F. Potter & Christine S. Davis eds., 2018).

- ⁵³ Annamma, et al. *supra* note 41, at 3-4. (citing OFF. FOR CIV. RTS., U.S. DEP'T OF EDUC., CIVIL RIGHTS DATA COLLECTION DATA SNAPSHOT: SCHOOL DISCIPLINE 1, 3 (2014)); Blake et al., *supra* note 13; KIMBERLÉ WILLIAMS CRENSHAW ET AL., BLACK GIRLS MATTER: PUSHED OUT, OVERPOLICED, & UNDERPROTECTED (2015). For more on subjective infractions, see Blake, Butler & Smith, *supra* note 26; Edward W. Morris & Brea L. Perry, *The Punishment Gap: Sch. Suspension & Racial Disparities in Achievement*, 63 SOC. PROBLEMS 68, 70-71 (2016).
- ⁵⁴ Annamma et al., *supra* note 41, at 22. In determining third-degree assault, the actor must be found to meet the legal standard of "recklessness." *Id.* at 19-20. Because recklessness is defined by the actor knowing the consequences of her actions, it entails a subjective determination that may be vulnerable to the consequences of adultification bias. *Id.*
- ⁵⁵ *Id.*
- ⁵⁶ See Kathryn C. Monahan et al., *From the Sch. Yard to the Squad Car: Sch. Discipline, Truancy, & Arrest*, J. YOUTH & ADOLESCENCE (2014); DANIEL J. LOSEN ET AL., THE CIVIL RIGHTS PROJECT, OUT OF SCHOOL & OFF TRACK: THE OVERUSE OF SUSPENSIONS IN AMERICAN MIDDLE & HIGH SCHOOLS 20 (Apr. 8, 2013).
- ⁵⁷ Blake et al., *supra* note 13, at 91.
- ⁵⁸ Monahan et al., *supra* note 56, at 19-20.
- ⁵⁹ Annamma et al., *supra* note 41, at 23.
- ⁶⁰ Morris, *supra* note 29.
- ⁶¹ CRENSHAW ET AL., *supra* note 53.
- ⁶² MORRIS, *supra* note 30, at 40.
- ⁶³ Although defense attorneys are often left out of analyses of potential bias in the juvenile justice system, they are not immune from making assumptions and stereotypes about their clients' likely guilt or innocence, and should be a part of any conversation about equitable treatment of juveniles. See, e.g., Kristin Henning, Director, Georgetown Juv. Just. Clinic & Initiative, Address at The Right to Remain Children Conference: The Reasonable Black Child (May 16, 2017), <http://apps.law.georgetown.edu/webcasts/eventDetail.cfm?eventID=3127>.
- ⁶⁴ In addition, nationally, "Black girls represent 31% of girls referred to law enforcement by school officials and 43% of those arrested on school grounds, yet only constitute 17% of the overall student population." NAT'L WOMEN'S LAW CTR. & NAACP LEGAL DEF. & EDUC. FUND, UNLOCKING OPPORTUNITY FOR AFR. AM. GIRLS 19 (2014).
- ⁶⁵ Kim Taylor Thompson, *Girl Talk—Examining Racial & Gender Justice in Juv. Just.*, 6 NEV. L. J. 1137 (2006) (citing American Bar Association & National Bar Association, Justice by Gender: The Lack of Appropriate Prevention, Diversion and Treatment Alternatives for Girls in the Justice System, 9 WM. & MARY J. WOMEN & L. 73, 79 (2002)).
- ⁶⁶ See *Performance Measures*, OFF. OF JUV. JUST. & DELINQ. PREVENTION, U.S. DEP'T. OF JUST., <https://www.ojjdp.gov/grantees/pm/glossary.html> (last accessed May 24, 2017).
- ⁶⁷ Ocen, *supra* note 10, at 1634 (citing Meda Chesney-Lind, *Jailing "Bad" Girls: Girls' Violence & Trends in Female Incarceration*, in FIGHTING FOR GIRLS: NEW PERSPS. ON GENDER & VIOLENCE 62-63 (Meda Chesney-Lind & Nikki Jones eds., 2010)).
- ⁶⁸ Residential placements can include secure (locked) confinement, non-secure (less restrictive) confinement, group homes, foster care, shelter care, etc.

⁶⁹ NAT'L COUNCIL ON CRIME & DELINQ. CTR. FOR GIRLS & YOUNG WOMEN, GETTING THE FACTS STRAIGHT ABOUT GIRLS IN THE JUV. JUST. SYS. 7 (2009).

⁷⁰ See Nanda, *supra* note 13, at 1527-28 (citing Lori D. Moore & Irene Padavic, *Racial & Ethnic Disparities in Girls' Sentencing in the Juv. Just. Sys.*, 5 FEMINIST CRIMINOLOGY 263 (2010)). See also Taylor-Thompson, *supra* note 65, at 1142 (in a study of girls' delinquency cases in Los Angeles during 1992 and 1993, a review of the probation investigation reports, which juvenile court judges use in determining the appropriate sentence and placement for juvenile offenders, revealed the influence of race and ethnicity. Specifically, the study found a significant effect of race and ethnicity on the depiction of the girls' conduct and in the recommended disposition of their cases); CRENSHAW ET AL., *supra* note 53.

⁷¹ See Nanda, *supra* note 13, at 1530-31.

⁷² See Goff, *supra* note 1.

⁷³ Nanda, *supra* note 13, at 1520-21.

⁷⁴ Zeba Blay, *For Black Women, Police Brutality & Sexual Harrassment Go Hand in Hand*, HUFFINGTON POST (June 8, 2015), http://www.huffingtonpost.com/2015/06/08/black-women-police-brutality_n_7536896.html.

⁷⁵ *Id.*

⁷⁶ See MALIKA SAADA SAAR, REBECCA EPSTEIN & LINDSAY ROSENTHAL, SEXUAL ABUSE TO PRISON PIPELINE 5, 9 (2015).

⁷⁷ Ocen, *supra* note 10, at 1591.

⁷⁸ See, e.g., Mark McKechnie, *The 'Adultification' of Underage Lawbreakers*, THE OREGONIAN (May 17, 2014), http://www.oregonlive.com/opinion/index.ssf/2014/05/the_adultification_of_underage.html (describing how an investigation determined that taking a 9-year-old girl into custody, placing her in handcuffs, and transporting her downtown for fingerprinting and photographing violated no existing policies or statutes).

⁷⁹ Ocen, *supra* note 10, at 1594.

⁸⁰ Nicole Dennis-Benn, *Innocence Is a Privilege: Black Children Are Not Allowed to Be Innocent in America*, ELECTRIC LITERATURE (July 12, 2016), <https://electricliterature.com/innocence-is-a-privilege-black-children-are-not-allowed-to-be-innocent-in-america-2c7ba2b005b3>.

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