

Appendix A.3

Background Information on Girls of Color, Juvenile Delinquency and HIV

HIV/AIDS in Young people

Young people are at a greater risk for HIV infection than any other group. According to the UNAIDS epidemic 2009 report, 2.1 million of children under the age of 15 accounted for people living with HIV worldwide in 2008.¹ Young women between the ages of 15 and 24 make up over 60 percent of young people that are living with HIV and AIDS worldwide.² In the United States, an estimated 40,059 young people have received a diagnosis of AIDS since the beginning of the epidemic.³ Of this estimate, 28% were females between the ages of 13-24 years old.⁴ Some risk factors for girls contracting HIV/STD include early onset of sexual initiation, heterosexual intercourse, substance abuse, lack of awareness, poverty, non-attendance of school, and HIV perinatal transmission.⁵ Even though young people are at a higher rate of getting infected, the risk is especially notable for minority girls.⁶

HIV/AIDS in Young Women of Color

In the United States, minorities make up 71 percent of AIDS cases but only comprise 33 percent of the population.⁷ In 2005, 80 percent of women living with HIV/AIDS were women of color.⁸ Women of color, particularly Black women account for 66% of infection, and Latinas account for 15% for ages 13 and older. Despite the high percentage of infection, these two populations represent only 12% (Blacks) and 13% (Latinas) of the U.S. population of women.⁹ They are at a disproportionately higher risk for HIV infection than their white/Caucasian counterparts.

Women are particularly vulnerable to heterosexual transmission of HIV due to substantial mucosal exposure to seminal fluids. This biological fact amplifies the risk of HIV transmission when coupled with the high prevalence of non-consensual sex, sex

¹ UNAIDS Epidemic update (2009) Joint United Nations Programme on HIV/AIDS and World Health Organization (WHO). http://data.unaids.org/pub/Report/2009/JC1700_Epi_Update_2009_en.pdf

² UNAIDS/UNFPA/UNIFEM (2004). "Women and HIV/AIDS: Confronting the Crisis"

³ CDC (2008). CDC HIV/AIDS Fact Sheet:HIV/AIDS Among Youth. Retrieved February 2010 from the CDC website: <http://www.cdc.gov/hiv/resources/factsheets/youth.htm>

⁴ The Henry K. Kaiser Family Foundation (2008). HIV/AIDS Policy Fact Sheet: Black Americans and HIV/AIDS. Retrieved February 2010 from the Henry Kaiser Family Foundation website: http://www.kff.org/womenshealth/upload/3040_04.pdf

⁵ CDC (2008). CDC HIV/AIDS Fact Sheet:HIV/AIDS Among Youth. Retrieved February 2010 from the CDC website: <http://www.cdc.gov/hiv/resources/factsheets/youth.htm>

⁶ CDC (2008). CDC HIV/AIDS Fact Sheet:HIV/AIDS Among Youth. Retrieved February 2010 from the CDC website: <http://www.cdc.gov/hiv/resources/factsheets/youth.htm>

⁷ The Henry K. Kaiser Family Foundation (2007). HIV/AIDS Policy Fact Sheet: Black Americans and HIV/AIDS. Retrieved March 2008 from the Henry Kaiser Family Foundation website: <http://www.kff.org/hivaids/upload/6089-04.pdf>

⁸ CDC (2007). CDC HIV/AIDS Fact Sheet: HIV/AIDS among African Americans. Retrieved March 2008 from the CDC website: <http://www.cdc.gov/hiv/topics/aa/resources/factsheets/pdf/aa.pdf>

⁹The Henry K. Kaiser Family Foundation (2009). HIV/AIDS Policy Fact Sheet: Women and HIV/AIDS in the United States. Retrieved February 2010 from the Henry Kaiser Family Foundation website: <http://www.kff.org/hivaids/upload/6092-07.pdf>

without condom use, and the unknown and/or high-risk behaviors of their partners”.¹⁰ Heterosexual contact accounts for the majority of HIV/AIDS transmission for women (74% of African American cases, 69% of Hispanic cases, and 68% of American Indian cases) and injection drug use accounts for most of the difference (“Other” accounts for 2% of transmission for each of the three groups mentioned).¹¹ Furthermore, although perinatal infections have declined immensely over the year they continue to occur each year and the majority of those are among Black Americans.

Girls of color and Juvenile Delinquency

Due to the long time misconception that males were more violent than women, the majority of research on youth violence was conducted with male populations. However, the high arrest rates for violent crimes among females, which appear to be growing at a faster rate than incidents among boys, have challenged that assumption.¹² Factors such as poverty, negative peer relations, substance abuse, risky sexual behavior, physical and sexual abuse, and depression contribute to female juvenile delinquency.¹³ In 2004, the Federal Bureau of Investigation reported that girls accounted for 30 percent of juvenile arrests.¹⁴ A report published in 2006 by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) revealed that the female proportion of juvenile arrests rose significantly between 1980 and 2002 for a number of crimes, including aggravated assault, simple assault, burglary, larceny-theft, motor vehicle theft, vandalism, weapons law violations, liquor law violations, and curfew and loitering law violations.¹⁵ In 2008, girls were more likely to be arrested for more violent crimes, more likely to be detained or committed to residential facilities, and served more time than girls in years past.¹⁶ Furthermore, girls of color disproportionately represent the majority of delinquent girls.¹⁷ African American girls accounted for nearly 50% and Latinas, 13% of girls in secure detention. Although white comprise 34% of girls in detention, they account for 69% of the entire US population in comparison to blacks (12%) and Latinos (14%). Furthermore, seven of every 10 cases involving white girls are dismissed while only three of every 10 cases are dismissed for black girls.¹⁸

¹⁰ NIAID (2006). “HIV Infection in Women”. Retrieved March 2008 from the NIAID website: <http://www.niaid.nih.gov/factsheets/womenhiv.htm>

¹¹ CDC (2007). CDC HIV/AIDS Fact Sheet: HIV/AIDS among Women. Retrieved March 2008 from the CDC website: <http://www.cdc.gov/hiv/topics/women/resources/factsheets/pdf/women.pdf>

¹² Graves, Kelly N., *Not Always Sugar and Spice: Expanding theoretical and functional explanations for why female aggress*. *Aggression and Violent Behavior* 12 (2007)131-140

¹³ Graves, Kelly N., *Not Always Sugar and Spice: Expanding theoretical and functional explanations for why female aggress*. *Aggression and Violent Behavior* 12 (2007)131-

¹⁴ Office of Justice Programs. Office of Justice Programs *Office of Juvenile Justice and Delinquency Prevention (2008)*. Retrieved February 2010. <http://www.ncjrs.gov/pdffiles1/ojjdp/225036.pdf>

¹⁵ Snyder, Howard N., and Sickmund, Melissa. 2006. *Juvenile Offenders and Victims: 2006 National Report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

¹⁶ Chesney-Lind, M., & Irwin, K. (2008). *Beyond bad girls: Gender, violence and hype*. New York: Routledge.

¹⁷ Hartney, C., & Silva, F. (2007). *And Justice for some: Differential treatment of youth of color in the justice system*. Oakland, CA: National Council on Crime and Delinquency.

¹⁸ Poe-Yamagata, E. & Jones, M. (2000). *And justice for some: Differential treatment of minority youth in the justice system*. Building Blocks for Youth.

Juvenile Delinquency and HIV/AIDS Among Girls of Color

Racial and ethnic minorities have been disproportionately affected by HIV/AIDS since the beginning of the epidemic and this impact has become more pronounced over time. Although African Americans represent 12% of the U.S. population, they accounted for 50% percent of new AIDS cases and “half of estimated new AIDS diagnoses.”¹⁹ Latinos accounted for 19% of the new HIV/AIDS diagnoses while accounting for only 14% of the population.²⁰ Together, Asian/Pacific Islanders and American Indian/Alaska Natives represent 1–2% of estimated new AIDS diagnoses while representing 5% of the entire population.²¹ Risk factors such as substance abuse, risky sexual behavior, physical and sexual abuse, that contribute to juvenile delinquency put girls of color at a much higher risk for HIV infection.

According to the CDC HIV/AIDS fact sheets among youth, “causal and chronic substance users are more likely to engage in high risk behaviors such as unprotected sex, when they are under the influence of drugs or alcohol.” Some runaway juvenile delinquents are also at a higher risk if they exchange sex for drugs or money.²² African Americans are disproportionately affected by HIV infection, accounting for 55% of all HIV infections reported among persons aged 13-24 and for juvenile delinquents, the percentage is greater. According to the CDC’s Youth Risk Behavioral Survey, the rate of sexual intercourse and early sexual initiation, defined as intercourse before the age of 13, was found to be higher for African Americans and Hispanics than any other racial group.²³ As a result, researchers “argue that effective programs address physical and sexual violence, the risk of HIV/AIDS, pregnancy and motherhood, substance abuse, family problems, and stress; include support regarding safe housing, employment training, and unemployment; and develop empowerment and self efficacy.”²⁴

¹⁹ The Henry K Kaiser Family Foundation (2004). The Minority AIDS Initiative. Retrieved March 2010. <http://www.kff.org/hivaids/upload/Minority-AIDS-Initiative-Policy-Brief.pdf>

²⁰ Loue, S., Cooper, M., Traore, F. and Fiedler, J. (2004). Locus of Control and HIV Risk Among a Sample of Mexican and Puerto Rican Women. *Journal of Immigrant Health*, 6(4), 155-165.

²¹ The Henry K Kaiser Family Foundation (2004). The Minority AIDS Initiative. Retrieved March 2010. <http://www.kff.org/hivaids/upload/Minority-AIDS-Initiative-Policy-Brief.pdf>

²² HIV/AIDS among Youth fact sheet.

²³ CDC’s Youth Risk Behavioral Surveillance- United States, 2003. *MMWR* 2004;53(SS-2):1-29

²⁴ Wolf, Angela M., Graziano, Juliette, Hartney, Christopher (2009). *The Provision and Completion of Gender-Specific Services for Girls on Probation*. *Journal of Crime and Delinquency*. Vol 55. No.2 pg.294-312