

# Statement in support of the agenda for change: reforming youth policing practices & policies

Statement Supporting an Agenda for Reforming Youth Policing Practices, Policies & Partnerships, based on our experiences training law enforcement officers, working with youth, and studying law enforcement policies in agencies in 20 states across the U.S. For more than 10 years, staff have worked with communities, youth, youth advocates, juvenile justice system stakeholders, and law enforcement in many environments to improve police/youth interactions and reduce disproportionate minority contact.

## Why reforms are needed for policing youth

### **Police are the gatekeepers of the juvenile justice system.**

If we hope to reduce the numbers of youth entering the system, we must create structures and policies to ensure that arrest is employed as an action of last resort, undertaken only when essential to preserve community safety.

In the U.S., youth of color in America—particularly Black, Latino and Native American boys—are disproportionately arrested, detained, and incarcerated. America has the distinction of arresting and incarcerating more youth than any other country, including Bolivia, Botswana and South Africa.

For too long, too many communities of color experience law enforcement officers who consider themselves to be “warriors” occupying hostile and dangerous territory. Studies show that young people who have been on the receiving end of racist, aggressive and intrusive policing display higher levels of anxiety, trauma and even post-traumatic stress disorder associated with these experiences. They are also more likely to offend in the future, meaning abusive policing actually creates crime.

The US public demonstrates mixed emotions regarding treatment of youth by law enforcement. On one hand, we act shocked and dismayed when we see videos of youth being violently arrested or abused by police.

Yet, few in power have been disturbed enough to make comprehensive reforms to make the legal, humane and equitable treatment of youth a priority.

For the last 40 years, the US has steadily defunded its social safety net. Police have become *de-facto* first responders, expected to serve as mental health and substance abuse counselors,

mediate domestic disputes, sometimes act in *loco parentis*, and address non-criminal arguments between neighbors and community incidents using law enforcement approaches and criminalization as their main tool.

America's law enforcement agencies have been provided with military gear and technological gadgets, and trained to use force as a first, not last, strategy. The results of this mismatch between training and actual responsibilities have been tragic. Law enforcement has demonstrated over and over again that leadership, for reasons including lack of vision, legal constraints, political concerns, union agreements, and other reasons, to change the culture to address society's failures to care for its most vulnerable citizens.

We propose that police be asked and expected to do far less, and to receive far more rigorous training, oversight, and supervision over what they do. We envision a transformed law enforcement function operating within a larger and broader understanding of public safety systems. Under this transformation, a smaller and more highly trained police force operates as a collaborative partner with other community organizations to provide an expanded network of support for vulnerable youth. This will require a wholesale relinquishing of the "warrior" approach and adoption of the guardian mantle for all people, not just those privileged by race and class.

### For Youth

Too many youth express fear and despair about what they have seen, heard and experienced in police/youth interactions. They have watched Michael Brown shot in the street, and lay there, unattended, for three hours. They then witnessed military vehicles obtained through the federal 1033 program rolling in the streets to squash protests against his treatment. In rapid succession, they learned about a police officer shooting and killing 12-year-old Tamir Rice in a Cleveland playground, about a police officer pointing his gun at a group of black teenagers about to enter a public pool and pinning down a young teenaged girl.

**"I feel like I have a target on my back."**

In schools, they have seen, heard and experienced school resource officers cuffing 6, 7 and 8-year olds and using force against older students for possessing a cell phone or making a comment they deem "disrespectful." The FBI reported that American officers arrested over 30,000 children under the age of 10 between 2013 and 2017.

This spring, with many children forced inside due to the COVID-19, they watched and read about the murders, at the hands of police and white vigilantes, Ahmaud Arbery, Breonna Taylor, Dreasjohn Reed, and George Floyd, all Black, all unarmed, in the space of three months.

**"Sometimes we just need someone to lean on, to get help."**

It is no wonder that some youth enter into interactions with law enforcement officers in a traumatized frame of mind. It is absolutely critical that America's law enforcement agencies and officers respond accordingly.

*The image of police developed by children has long-lasting effects on their overall views of law enforcement's legitimacy, as well as their future willingness to cooperate with police and to abide with the law*

## Consider these Facts

In view of the fact that:

- The vast majority of arrests for youth are non-violent and misdemeanor-level offenses, America must find alternatives to the use of arrest as a first respond to youth conduct;
- it is at the point of arrest that the greatest racial disparities exist among children and young people who have contact with the juvenile justice system, even though Black and white youth offend at similar [rates](#);
- Youth of color are arrested at 2.3 times the rate of white youth;
- Youth of color in the nation's public schools are arrested at twice the rate of white youth;
- Youth of color are detained at 4 times the rate of white youth;
- Youth of color are incarcerated at 5 times the rate of white youth;
- 30,000 children, disproportionately black, under the age of 10 were arrested between 2013 and 2017 according to the [FBI](#).

**Law enforcement officers are not trained and equipped** to interact with youth using developmentally appropriate, trauma-informed, racially equitable practices:

- [Police academies](#) spend on average 1% of learning time, or 4 hours in total, preparing officers to learn about juvenile law;
- No state law requires police officers to attend in-service trainings focusing on best practices for interacting with youth;
- No state law encourages much less requires alternatives to arrest for youth;
- No state has passed laws requiring police receive specialized training to work with youth experiencing mental health crises.

**Law enforcement is disproportionately deployed to:**

- Communities of color and socioeconomically vulnerable communities
- Schools in urban areas which predominantly serve youth of color
- Predictive policing locations.

[School resource officers](#) in 24 states are now required to attend some form of training before working in a school, but the content and topics of the trainings are limited; only 7 states require officers to recognize and address signs of mental health issues; and only 5 address trauma-informed approaches to interacting with youth; only 9 require SROs to learn about special education students' needs and legal protections. None include all of the elements that are required in the [model curriculum](#) SFY has recommended, much less systems of evaluation, oversight and cross-training with school officials.

**Schools and law enforcement agencies** are permitted to routinely refuse to disclose to parents:

- The policies that regulate school police officers' conduct, use of force, and restraints.
- Parents often must sue to learn what these policies are;
- Data on rates of school-based arrests---how many, for what and of whom.

**State governments have abrogated their duty** to ensure that police/youth interactions are guided by constitutional, developmentally-appropriate [policies](#):

- No state has developed or implemented a set of model policies for police-youth interactions, including use of force, chemical sprays and tasers.
- None of the 46 states which have a Police Officer Standards & Training Commission (P.O.S.T) has a standard for guiding or enforcing law enforcement treatment of youth.

**Federal government policies** have made youth more vulnerable to police abuse by:

- Effectively ending the oversight role of the Office of Juvenile Justice and Delinquency Prevention's role in ensuring that states address racial disparities in policing and other parts of the juvenile justice system;
- Giving the Office of Community Oriented Policing Services (COPS), among others, over \$1 billion for law enforcement salaries in the public schools, with little to no oversight (An additional \$400,000,000 allocation was announced in May to increase hiring police in schools without any analysis of the impact of such deployment of officers on arrest rates;
- Failing to include investigation into the treatment of youth when conducting Department of Justice investigations of law enforcement agency practices.

**Taking action now is critical to slow the arrest of youth.**

**The *Agenda for Reforming the Policing of American Youth* proposes a series of legislative, policy, and other recommendations for youth, families, advocates, and leaders to immediately reduce the most damaging impacts of American policing on our most vulnerable youth.**