

EXECUTIVE SUMMARY

FORGING PARTNERSHIPS WITH LAW ENFORCEMENT

A Guide to Juvenile Detention Reform

In virtually every successful Juvenile Detention Alternatives Initiative® (JDAI) site, the local collaborative can count on the committed involvement of one or more juvenile court judges, and usually the juvenile prosecutor, public defender and probation chief as well. Most often, leaders from several community organizations, service providers and advocacy organizations also step up as active detention reform champions.

In many participating sites, local law enforcement leaders have also been deeply engaged in JDAI. Their involvement has benefited not only detention reform, but also related efforts to improve justice systems' responses to troubled and delinquent youth. As detailed in this report, many law enforcement leaders have embraced JDAI's core principles and now advocate reforms to ensure that youth are arrested and detained only when essential to protect public safety. Many have become active partners in efforts to divert young people accused of minor offenses away from the justice system and to connect youth whose delinquent conduct is rooted in personal or family problems with needed services and resources.

Yet, in too many sites, law enforcement leaders are less involved in the local JDAI effort, less aware of its underlying philosophy and less committed to JDAI's success. Patrol officers and their supervisors may be completely unaware of, or uninvolved in, JDAI. They may lack any relevant training about JDAI's core principles, the negative impact of detention on youth outcomes or the promise of diversion or detention alternatives.

In part, these tenuous connections can be explained by the intense pressures facing law enforcement agencies (LEAs) and by their lack of authority and limited participation in the juvenile court process. But these dynamics are only part of the equation. In many JDAI sites nationwide, forging close ties with local law enforcement has not been given priority attention.

This lack of consistent engagement with law enforcement is troubling, both because JDAI works a lot better when LEAs are active partners and because law enforcement is the key actor at the first—and arguably the most important—stage of the juvenile justice process: arrest. It is also the stage where racial and ethnic disparities are most glaring. Police and sheriff's departments also benefit from partnering with JDAI.

Doing so can ease their frustrations, and reduce inefficiencies experienced by officers in their dealings with the juvenile justice system.

“The beauty of [the JDAI] collaborative is that we had all the right people in the room,” says Kevin Bethel, one-time deputy police commissioner in Philadelphia, the fifth largest city in the United States.

Thanks to JDAI, he added, “everyone was on the same page, and there was already an environment of trust.”¹

Simply put, enormous opportunities remain for most JDAI sites to substantially improve their outcomes through strategic and energetic outreach to local law enforcement. This practice guide is designed to assist JDAI sites in filling this gap and seizing these important opportunities.

In May 2016, Nate Balis, director of the Annie E. Casey Foundation’s Juvenile Justice Strategy Group, laid out three priorities for JDAI in the coming years: **doing better, innovating and implementing sustainability strategies**.

The priorities did not single out law enforcement, but the challenge facing JDAI sites to strengthen their partnerships with law enforcement leaders and front-line officers dovetails perfectly with Balis’s overall message. For example, closer connections to law enforcement can help JDAI sites **do better** by reducing unnecessary arrests and ensuring smoother implementation of objective screening for detention. Stronger

partnerships with law enforcement can help JDAI sites **innovate** by crafting creative approaches to serving youth involved in domestic disputes or reducing arrests at school for disruptive but non-dangerous behaviors. More solid partnerships with law enforcement can also be invaluable for efforts to **implement sustainability strategies** by cementing JDAI’s central place in a local youth justice system and integrating JDAI concepts into officer training and law enforcement policy manuals. These are just a few examples of the system enhancements available to JDAI sites through closer cooperation with law enforcement.

These opportunities are especially timely in light of the heightened public attention to police-community relations sparked by high-profile policing controversies in recent years. The deaths of unarmed George Floyd, Breonna Taylor, Ahmoud Arbery, and Rayshard Brooks at the hands of police, along with the shooting of Jacob Blake; all taking place within a few short months this year, have re-galvanized the nation and set off some of the largest protests against police brutality in decades. Several incidents in which police officers employed aggressive tactics against youth, some pre-teens, have also captured widespread media attention, as when a school resource officer threw a female student to the floor in South Carolina, when officers in Irving, Texas, arrested a Muslim student for bringing a homemade clock to school and when a school resource officer slammed an 11-year old against the wall for taking too many milks in the cafeteria. Though their conclusions have been questioned by some critics,² recent federal investigations have described pervasive problems with excessive and inappropriate use of force in many LEAs nationwide.³ In Baltimore⁴ and Chicago,⁵ these investigations found that abusive treatment of youth was widespread. In July, the US Department of Justice concluded that the Springfield, MA Police Department had engaged in a “pattern or practice of excessive force in violation of the Fourth Amendment.” The report described a 17-year old, “punched” as he rode a motorbike past police officers, potentially causing a crash that could have killed him.⁶

THE SURVEY

“ The survey found that law enforcement academies nationwide devote just 1 percent of their training time—about six hours—to youth issues, and most of that is focused solely on juvenile law. ”

— STRATEGIES FOR YOUTH

Three priorities for JDAI

DOING BETTER by more fully and faithfully implementing detention reform strategies.

INNOVATING by addressing aspects of detention reform that have been weaker across the initiative and by expanding the overall detention reform toolbox.

Being intentional about **SUSTAINING** individual reforms and the collaborative, data-driven approach that has been at the heart of JDAI's success.

The saturation media coverage surrounding these incidents has pushed policing issues to the top of the public agenda, and it has sparked an encouraging wave of reflection among leading law enforcement authorities.⁷ Yet the coverage has often obscured the very difficult bind facing LEAs charged with keeping the peace and enforcing laws in neighborhoods suffering the effects of endemic poverty—and in a society where glaring racial disparities remain commonplace and mistrust between communities of color and the justice system remains pervasive.

For those advancing JDAI, however, the media spotlight has had one clearly beneficial result. More than ever before, law enforcement leaders are seeking new ways to build trust by partnering with community organizations and other public agencies and by adopting strategies that promote goodwill in low-income communities and communities of color.⁸ In this atmosphere, law enforcement leaders may be more inclined than ever to work with JDAI partners and pursue strategies to steer lower-risk youth away from locked detention.

As Patrick Flannely, police chief of Lafayette, Indiana, told a U.S. Congressional subcommittee in February

2017: “For far too many young people, their first arrest is only the beginning of their run-ins with the law....This cycle damages public safety, drains law enforcement resources and does not help put those young people back on a better path.

“[Confinement] may be necessary for some juveniles with a very high risk assessment or due to the severity of the offense,” added Flannely, whose department has been deeply involved in JDAI. “For the majority of juvenile offenders, however, the more just and effective approach involves community-based alternatives.”⁹

This practice guide provides information and tools that JDAI leaders can use to better understand LEAs and to target their outreach to law enforcement more strategically.

The discussion draws from a wide variety of sources, including available academic research, surveys and policy reports; extensive interviews with law enforcement leaders in JDAI jurisdictions; and the firsthand observations of co-author Lisa Thureau, who has conducted interviews and training sessions with hundreds of law enforcement personnel across the country over the past dozen years.

PART ONE

The first two sections (Part One) provide background information to help JDAI stakeholders understand the challenges associated with engaging law enforcement constructively in detention reform. The first chapter offers four anecdotes that illustrate the importance of forging close connections with law enforcement to the success of JDAI. Some hypothetical, some real, these stories show how the juvenile justice system can go awry when law enforcement, courts and other system participants don't communicate and work together, and how much better it can function in a spirit of partnership. The second chapter offers a primer for JDAI leaders on law enforcement culture and the demands and incentives facing law enforcement personnel.

PART TWO

Part Two describes strategies that JDAI collaboratives can pursue with law enforcement to advance their core goals while also serving the interests of police leaders and/or patrol officers. Each of its four chapters focuses on a particular stage of the partnership-building process. The first provides recommendations for JDAI site personnel on how best to engage law enforcement in JDAI initiatives, highlighting the importance of strategic outreach, effective messaging and—most important—close attention to the concerns voiced by law enforcement personnel. The second chapter offers guidance on how best to gain law enforcement support for the objective detention screening process. The third chapter describes innovative approaches through which JDAI stakeholders can work with law enforcement to improve outcomes for high-need, low-risk youth by steering them away from detention and into needed treatment services. The fourth chapter looks at opportunities for JDAI stakeholders to help and encourage LEAs to adopt effective strategies for youth that limit arrests for low-level lawbreaking, reduce racial and ethnic disparities and enhance diversion programming. Each chapter offers clear descriptions and how-to suggestions for implementing the suggested strategies, as well as examples and guidance from one or more JDAI sites (or in some cases non-JDAI jurisdictions) that have implemented these approaches successfully.

PART THREE

The final section (Part Three) focuses on training for patrol officers, which emerges in the practice guide as a critical unmet need. It offers guidance for JDAI stakeholders and their law enforcement partners on key elements and effective strategies for training, as well as links to additional resources and training providers. Whether the goal is to advance detention reform, enhance system responses to youth with deep social service needs or promote more constructive practices toward youth generally, law enforcement officers must

grasp the differences between adolescents and adults, learn how to interact effectively with youth and clearly understand the policies, practices and underlying rationale for JDAI.

COMPANION CHECKLISTS

Finally, the practice guide's companion checklists provide practical training tools that JDAI leaders can use in their efforts to engage law enforcement personnel and advance detention reform in partnership with law enforcement. The checklists include tools to:

- brief law enforcement personnel on JDAI (its rationale, structure, core strategies and accomplishments);
- guide JDAI leaders on how best to approach and forge strong connections with law enforcement;
- explain the promising strategies that JDAI sites can pursue in partnership with law enforcement; and
- structure in-service training to inform officers and their supervisors about both the latest adolescent development research and the goals and strategies of JDAI, including reducing racial and ethnic disparities.

Strategies for Youth hopes this guide offers valuable resources and tools that can help JDAI sites in their efforts to engage law enforcement as partners in reforming detention practices and improving the broader juvenile justice system.

For sources and footnotes references, refer to Endnotes section (page 71) of full report.