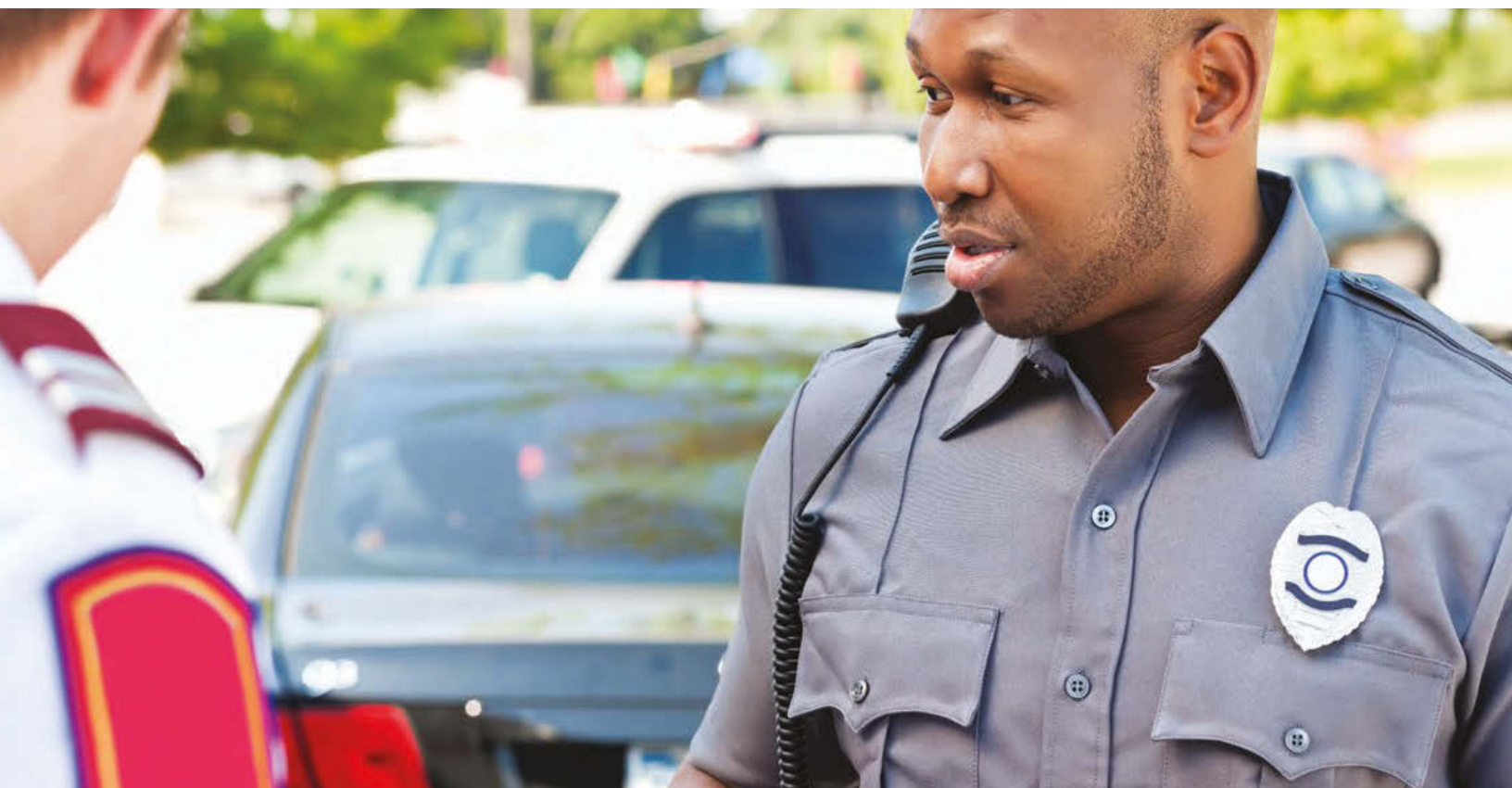


April 2021

# FORGING PARTNERSHIPS WITH LAW ENFORCEMENT

**A Guide to Juvenile Detention Reform**



**Strategies**forYouth  
CONNECTING COPS & KIDS®

## Acknowledgements

Strategies for Youth (SFY) is a national non-profit policy and training organization dedicated to improving police/youth interactions and reducing disproportionate minority contact.

SFY actively engages law enforcement, youth, and youth-serving community-based organizations in an interdisciplinary approach to addressing several problems: the proliferation of contentious encounters between law enforcement and youth, unnecessary arrests of youth for minor offenses, and disproportionate contact with youth of color.

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# INTRODUCTION

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.”<sup>1</sup>

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,<sup>2</sup> recent federal investigations have described pervasive problems with excessive and inappropriate use of force in many LEAs nationwide.<sup>3</sup> In Baltimore<sup>4</sup> and Chicago,<sup>5</sup> 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.<sup>6</sup>

## 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.<sup>7</sup> 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.<sup>8</sup> 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 Flannelly, 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 Flannelly, 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.”<sup>9</sup>

***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.

# PART ONE

## Understanding the Challenge

### Why Better Connections With Law Enforcement Matter: Four Anecdotes

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#### SCENARIO ONE

Imagine this all-too typical scenario:

*A police officer is called to a local store and finds himself dealing with a particular youth for the third time. In the previous episodes—a curfew violation and an incident involving making noise in the street with friends—the officer has let the young man off with a warning. But this time he decides to make an arrest and bring the boy to detention on charges of criminal trespassing and shoplifting. At the detention center, however, a probation intake worker tells the officer that there is no way the boy will be detained because the “point system” forbids it. The officer has never heard of this point system and hasn’t been informed about the related policies that would prohibit the youth’s detention.*

*After spending 20 minutes filling out the necessary paperwork, the officer walks back to his patrol car. As he’s sitting down behind the wheel, he sees the young man he arrested walk out the door and stroll freely through the parking lot. The officer is outraged. He wonders whether the arrest made any impact at all on this youth. How would this boy now perceive the repercussions of arrest and the power of the officer?*

*In the subsequent days and weeks, the officer never learns whether the prosecutor will file charges against the youth. In fact, he doesn’t learn anything about the disposition of the case—nothing about any treatment plans or services offered, nothing about restitution or community service. The officer will never hear anything at all about the case and will never know whether the youth faced any consequences whatsoever for the trespass and theft.*

What conclusions will the officer draw from this interaction? He might infer any of the following:

- It isn’t worth his time to make an arrest if the youth suffers no consequences.
- It may be worth his while to learn more about what charges would be necessary to trigger the necessary “points” that would result in the detention of the youth.

- The juvenile justice system is too lenient with youths.
- The changes ushered in by JDAI appear to be making a bad situation worse—further eroding young people’s respect for police authority.
- Nobody gets locked up anymore, no matter how many times they break the law.

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## SCENARIO TWO

Or consider this real-life scenario, which occurred recently in Cleveland, Ohio:

*A 16-year old, J., had gotten into a fight with his brother, leading his mother to call for help. Cleveland police officers responded, and, once on the scene, contacted screening officers at the Cuyahoga County Detention Home to see if J. was eligible for admission. Though he had no history of serious offending, J. was immediately brought to detention. Neither the boy nor his family were seen by a counselor or social worker before J. was taken into custody, and they received no immediate support or assistance to address the cause of the conflict and minimize the odds of future domestic violence incidents.*

*This situation arose due to a policy in Cuyahoga County directing staff to detain all youth charged with domestic violence, regardless of the severity of the incident or the youth’s offending history. This policy was adopted to protect families from a family member who appeared to be out of control and put the family at risk. The unintended consequence, however, was that youth posing little risk to public safety were often detained on domestic violence charges, a traumatic and potentially hazardous experience that heightens the chances they will drop out of school and suffer further contact with the justice system. Meanwhile, this practice sometimes led to overcrowding within the detention facility, which can undermine safety and interfere with education and other programming.*

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## SCENARIO THREE

Now, imagine a third scenario:

*A high school student is walking down the hallway between classes, wearing a baseball cap in violation of school rules. He crosses paths with a school resource officer who, unfortunately, has little or no training in adolescent development in a school district where educators have abdicated responsibility for school discipline to law enforcement*

*Despite the fact that the student is not violating any laws, only a school rule, the officer orders the youth to take off his hat. The student ignores him. The officer then grabs the arm of the student and, in a more vehement tone, orders him again to remove the hat. In response, the student jerks his arm away from the officer and curses him. Soon, the student finds himself in handcuffs, arrested for disorderly conduct and resisting a lawful command from a law enforcement officer, confined in the back seat of a squad car on his way to the police precinct for booking.*

*The student will now have an arrest record, possibly a stint in detention and will likely be suspended from school for 10 days or more, greatly increasing the odds that he will both drop out of school and become further involved in the justice system in future years.*

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## SCENARIO FOUR

Finally, imagine a fourth scenario:

*On the same afternoon, two adolescent girls—one in Orange County (Orlando), Florida, and another in Miami-Dade County—are caught shoplifting. Because shoplifting is a low-level offense and neither girl has had previous involvement in the justice system, both are eligible for a “civil citation”—an alternative to arrest that requires youth to write letters of apology and perform community service while avoiding the stigma of a delinquency record.*

*Despite their similarities, the girls' fates quickly diverge. The girl in Orange County, where police use citations sparingly (17 percent of eligible cases), is arrested. Her counterpart in Miami-Dade receives a citation (as do 91 percent of eligible youth).<sup>10</sup> As a result, the Orange County girl will find herself at a significant disadvantage. Residents in Orange County will suffer as well. Research on the citation program shows that the recidivism rate for youth offered citations is less than half that of similar youth who get arrested for citation-eligible offenses, and justice system costs are far lower when citations are issued than when comparable youth face arrest followed by diversion.<sup>11</sup>*

The details and circumstances of these scenarios vary widely, yet they have two things in common. First, all lead to bad or unjust outcomes for youth. Decisions about which young people to arrest and detain are made inappropriately or inconsistently, harming young people, eroding public safety and damaging perceptions of the justice system's legitimacy. Law enforcement officers find themselves exasperated, or worse, having wasted long stretches of their time only to see outcomes they find unjust, unsatisfying or downright puzzling.

Second, the problems described in these scenarios are solvable. But in every instance, the solution requires close partnership and cooperation between law enforcement, the courts, probation and other public and private agencies in the community. In some cases, these solutions may require law enforcement agencies to adopt new strategies or practices in their interactions with youth. Other situations may require courts or probation agencies to revise their procedures. Sometimes, changes will be required by both law enforcement and juvenile justice system partners, or the solutions may require all system players to work together—with input from families, community leaders, advocates, neighborhood organizations and youth themselves—to devise entirely new programs. In all cases, the solutions will require open lines of communication and an active partnership between law enforcement and JDAI stakeholders.

As noted in the introduction, however, stakeholders in JDAI sites across the nation rarely form partnerships with law enforcement.

“Law enforcement doesn’t usually sit at the table, and if they do sit at the table their participation is limited,” reflects Marcia Rincon-Gallardo, Pima County’s former DMC/JDAI coordinator who now works with multiple JDAI sites as a technical assistance provider. “When law enforcement does participate actively,” she adds, “it makes a big, big difference.”

## HOW BIG A DIFFERENCE CAN LAW ENFORCEMENT MAKE IN JDAI? ASK PIMA COUNTY

Longtime JDAI champion Marcia Rincon-Gallardo points to Pima County, Arizona, as a site where law enforcement has played a central role in advancing detention reform. Rincon-Gallardo, who was hired as Pima County’s Disproportionate Minority Contact (DMC)/JDAI coordinator in 2005, recalls that the Tucson Police Department played a central role in launching the local JDAI effort from 2004 to 2008 under then-Police Chief Richard Miranda.

“Chief Miranda didn’t come to the meetings himself, but he sent top people to sit on the key committees like DMC and Risk Assessment,” recalls Rincon-Gallardo. “He sent people who could make decisions. When we had a steering committee meeting, we could make decisions on the spot. We didn’t need to wait weeks and weeks for decisions to get made.”

### PARTICIPATION MAKES A BIG DIFFERENCE

“Law enforcement doesn’t usually sit at the table, and if they do sit at the table their participation is limited. When law enforcement does participate actively, it makes a big, big difference.”

— MARCIA RINCON-GALLARDO  
PIMA COUNTY’S FORMER DMC/JDAI COORDINATOR

The police department also shared its arrest data freely, allowing the JDAI steering committee to conduct an in-depth analysis to identify points of racial and ethnic disparity at the front end of the county's juvenile system. Through participation on the steering committee, Rincon-Gallardo explains, "law enforcement was able to know what the Latino community was concerned about, what the African-American community was concerned about, what the Native American community was concerned about."

"If it wasn't for the chief," concludes Rincon-Gallardo, "I don't know how long it could have been sustained."

## Getting Acquainted: What JDAI Leaders Should Know About Law Enforcement

As the anecdotes in the previous chapter make clear, close partnerships with LEAs can be critical to ensuring consistent, equitable and effective treatment of young people in the justice system. But how can local JDAI collaboratives reach out successfully to law enforcement and forge strong and productive partnerships?

This chapter provides a primer on law enforcement culture for JDAI leaders. This information is critically important because JDAI stakeholders are unlikely to form successful partnerships unless they clearly understand the common characteristics of law enforcement agencies, the widely held beliefs and attitudes among law enforcement personnel and the institutional incentives facing law enforcement leaders and line staff. Specifically, the first half of this chapter highlights four dynamics that are central to understanding how law enforcement agencies handle their interactions with young people and how they view the juvenile justice system.

**1 Limited attention to youth issues and juvenile justice.** Due to the pressures they face to control crime and make arrests, law enforcement leaders typically do not set clear expectations for officers'

interactions with youth or treat juvenile justice as a high priority.

**2 A lack of training.** Patrol officers, community policing officers, precinct or district commanders and other law enforcement personnel typically receive little or no training on youth development, adolescent behavior or other issues related to juvenile justice.

**3 Frequent frustration for officers in cases involving youth.** Law enforcement personnel often report being dissatisfied with their experiences with the juvenile justice system due to time lost handling youth cases after arrest, failure to connect troubled youth with needed services and a perceived lack of consequences for youth referred to juvenile court. This frustration intensifies when officers are repeatedly called to deal with the same young person.

**4 Friction with youth in low-income communities of color.** Tensions are common between law enforcement and youth of color in high-poverty neighborhoods. In the wake of recent policing controversies, law enforcement leaders are increasingly interested in exploring new strategies to build trust and improve community relations.

In addition to these issues specifically related to youth, this chapter will describe some of the key organizational characteristics of LEAs more generally. These include: a hierarchical command structure (and deference to authority); unpredictability fueled by frequent leadership turnover and command rotation; and the influence of community characteristics such as size, wealth and civic culture.

## Limited Attention To Youth Issues And Juvenile Justice

When the International Association of Chiefs of Police (IACP) surveyed top executives from nearly 1,000 LEAs nationwide in 2013, 88 percent said they agreed with the ideals of juvenile justice and 76 percent

believed that public safety is well served by efforts to divert lower-risk youth from the formal justice system. Nearly four in five (79 percent) said that law enforcement leaders have a significant role to play in juvenile justice. However, despite these beliefs, fewer than one-fourth said they participate in a juvenile justice advisory group, and just one of every six LEA officers said that juvenile justice agencies or community organizations often consult them about youth-related issues.<sup>12</sup>

This lack of focus on youth and juvenile justice issues is best understood in light of the extreme demands faced by law enforcement leaders, which are unpredictable and often intense. For most law enforcement leaders, the primary focus is on apprehending offenders and disrupting criminal activity today. Adjusting policing practices to improve the prospects for young people's long-term well-being is nowhere near the front burner, if it is a priority at all.<sup>13</sup>

Especially in large urban departments or those employing data-driven management tools such as CompStat, first introduced in the New York City Police Department in 1994, commanders are heavily focused on crime rates and clearance rates (the share of reported crimes for which suspects have been arrested). Even as communities throughout the United States reevaluate the proper role of law enforcement—including renewed calls for “community policing”—research indicates that most LEA leaders and officers have difficulty moving beyond a heavy (or exclusive) focus on enforcement.<sup>14</sup>

In this environment, law enforcement leaders often find it difficult to devote significant time or thought to juvenile justice issues. While some see working with young people and transforming agency approaches to youth as core components of their vision and sense of legacy, these are a decided minority. Few chiefs have or make time to keep track of the details of complex initiatives like JDAI or to consistently attend inter-agency committee meetings.

For instance, every law enforcement agency has a written set of policies detailing the procedures and practices officers should follow in the course of their work and providing the standards against which officers will be judged in any disciplinary action. As the IACP noted in 2014, developing “well-defined policies and procedures that outline the specific responses leadership expects when officers encounter young people” are key to improving law enforcement practices toward youth.<sup>15</sup> Yet few LEAs have comprehensive policy statements on how officers should approach their duties in incidents involving youth.<sup>16</sup> And even in law enforcement agencies that do have written standards for policing youth, officers and their supervisors are frequently unaware of them. Meanwhile, it is rare for law enforcement leaders or high-level commanders to articulate clear expectations for how officers should interact with youth. In the absence of explicit policies or clear guidance from command staff on developmentally appropriate, trauma-informed handling of youth, officers may see no important differences in how they should police young people, as opposed to adults.<sup>17</sup>

## A Lack Of Training

Law enforcement officers represent the first point of contact—and often the only point of contact—for youth with the justice system. As detailed in the next chapter, a growing body of evidence shows that young people's interactions with law enforcement, the choices officers make regarding arrest and young people's perceptions of the fairness demonstrated by officers have powerful consequences for youths' long-term well-being and for their likelihood of committing offenses in the future. Yet law enforcement officers in most jurisdictions receive little or no training on adolescent behavior and brain development, the impact of arrest and detention on young people, racial and ethnic disparities in juvenile justice or research about what works (and doesn't work) in combating delinquency. In other words, most law enforce-

ment personnel go about their jobs having received no information whatsoever regarding the critical differences between youth and adults or the implications of those differences for how law enforcement should interact with youth.

“My officers receive so much firearms training, and yet they rarely fire a shot,” Chief William Weitzel of the Riverside (Illinois) Police Department told his colleagues in 2013 at a summit on youth issues convened by the IACP. “Meanwhile, they have multiple contacts each day with juveniles.”<sup>18</sup>

## TRAINING IS CRUCIAL

“ Training for law enforcement on differences between youth and adults and appropriate strategies to respond to those differences is crucial to enable better understanding and more constructive interactions between police and youth. ”

— INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

In 2013, *Strategies for Youth* reported results from a nationwide survey on training for new law enforcement recruits across the nation. 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. Only two states provide any training on adolescent development and psychology, the survey found, and just eight states provide any training on best practices for law enforcement personnel on how to communicate and intervene with youth. Also, only eight states provide police academy trainees with any information about racial and ethnic disparities in the juvenile justice system.<sup>19</sup> A 2011 survey of LEAs

nationwide found that training was also lacking for officers on the job. More than three-fourths of states (76 percent) do not require any in-service training for officers on youth and juvenile justice issues, the survey found. Survey respondents cited a wide range of reasons why their department personnel receive little or no follow-up training on issues related to juvenile justice.<sup>20</sup>

When the IACP convened a summit in 2013 to explore law enforcement’s role in improving juvenile justice, many of the recommendations involved enhanced training for officers. “Training for law enforcement on differences between youth and adults and appropriate strategies to respond to those differences is crucial to enable better understanding and more constructive interactions between police and youth,” the IACP noted in its report from the summit. It also acknowledged that “in some jurisdictions, officers still receive little or no training beyond juvenile code provisions and other legal considerations regarding the handling of youth.”<sup>21</sup>

Many law enforcement personnel intuitively grasp the wisdom of the JDAI model and support its goals to keep youth at home and out of the justice system whenever possible. Yet it should be no surprise that—without any training on these issues—many other officers do not.

Even in jurisdictions where JDAI is operating, the underlying rationale for detention reform and JDAI’s core principles may be unknown to patrol officers or even many command personnel. Or these officials may have received only cursory briefings about JDAI—being instructed on new rules or procedures stemming from JDAI, without being fully informed of the evidence behind JDAI, the problems it is designed to solve and the results it has achieved in other jurisdictions. Without this information, many efforts to initiate or intensify JDAI may be met by skepticism from rank-and-file law enforcement personnel.

## Frequent Frustration For Officers In Cases Involving Youth

Both in informal surveys and during training sessions, many patrol officers<sup>22</sup>—even those who might be most open to supporting diversion from court and alternatives to detention—report deep frustration in their personal experiences with local juvenile justice and child protection institutions.

Officers regularly describe feeling irritated, even burned out, when they perceive that juvenile arrests do not have any impact (the youth is returned to the street and reoffends, for example), or when youth-serving agencies do not respond robustly to youth who officers have identified as in need of protection and assistance. Also, law enforcement leaders often report that local system stakeholders make little effort to reach out and include them in discussions around juvenile justice issues.

### LOST TIME IN SERVICE

For law enforcement personnel at the patrol level, time is of the essence. Officers are continually under pressure to maximize their time in service (available to respond to any call) as distinct from times when they are out of service (busy addressing an incident). Given these pressures, patrol staff may be discouraged by juvenile court processes that require them to spend long stretches of time supervising youth while juvenile court or probation staff conduct intake or searching for parents or other adults to whom they can release youth they have taken into custody.

LEAs rarely incentivize or evaluate officers based on their performance in diverting youth from arrest, employing mediation and restorative justice practices or referring children and families to appropriate community services. Without such recognition and incentive, the time officers spend on these alternative approaches can diminish their performance in the eyes of superiors and provoke hostility from colleagues who must address unanswered calls for service while the officer is occupied on a young person's case.

### “FREQUENT-FLYER” CASES

An even greater concern for many law enforcement officers is troubled youth who pose minimal threat to public safety but generate repeated calls for service due to acute but unmet psychological or human service needs or to problems in their families. Incidents involving these youth can consume a disproportionate share of officers' time. As described more fully in Stage Three, these cases can be especially exasperating for officers when they must deal for the second, third or seventh time with young people due to repeated failure by the human service, education or juvenile justice systems to connect them (or their parents and families) to the mental health, substance abuse, emergency shelter or other services they so clearly need.

### PERCEIVED LACK OF CONSEQUENCES

Officers may also be frustrated by situations in which they do not see youth they apprehend facing any meaningful consequences for their misbehavior. This perception can arise for several reasons. Officers may be justifiably disturbed if, due to delays in court processing, youth receive no consequences for weeks or months following arrest. In the absence of training, they may believe that detention is the only consequence available to address lawbreaking behavior and may become annoyed when young people are released to a parent following arrest.

Or, due to breakdown in communication between courts and law enforcement, they may simply be unaware of the consequences and interventions provided to youth following arrest through diversion programs or court processing. “[Officers] don't know if a kid was sent to placement or has received any specific services. They don't know what has happened between then and next time they see the kid on the street,” says Riley Shaw, chief juvenile prosecutor in Tarrant County, Texas. “Police are the initial point of contact on 99 percent of those system touches, so information needs to flow back to them.”<sup>23</sup> Riley's observation echoed findings in IACP's survey of law enforcement executives. Just 25 percent of executives said their agency

receives information on the outcomes of youth they divert or refer to services.<sup>24</sup>

For these reasons, many law enforcement personnel—at both the command and patrol levels—harbor a negative view of the juvenile justice system’s effectiveness. In the 2013 survey of law enforcement leaders, just 23 percent believed that their local juvenile justice system enhances public safety, and just 29 percent believed that their local juvenile justice system promotes rehabilitation.<sup>25</sup>

## Friction With Youth In Low-Income Communities Of Color

Since long before the death of Michael Brown in Ferguson, Missouri, and the emergence of the Black Lives Matter movement, youth in low-income neighborhoods—and youth of color particularly—have reported negative views of law enforcement and a widespread perception that law enforcement officers frequently treat young people in disrespectful and abusive ways.

For instance, in a survey of 891 youth enrolled in Chicago high schools in 2000, just 17 percent agreed or strongly agreed that, “The police care about what is good for my neighborhood,” and less than one-fifth (18 percent) agreed or strongly agreed that, “The police treat most individuals fairly.”<sup>26</sup> Similar perceptions emerged from youth surveys in several other U.S. cities as well, including St. Louis,<sup>27</sup> Cincinnati,<sup>28</sup> Philadelphia<sup>29</sup> and New York.<sup>30</sup>

In these studies, young people’s negative attitudes were motivated in significant part by their own personal interactions with law enforcement officers or by interactions they witnessed involving other youth. For instance, 47 percent of black and white teens surveyed in three distressed St. Louis neighborhoods reported that they had personally been harassed or mistreated by law enforcement officers, and 60 percent reported knowing someone who had been harassed or mistreated.<sup>31</sup> In Chicago, 40 percent of the youth reported that they had observed other youth stopped by police and treated disrespectfully. By con-



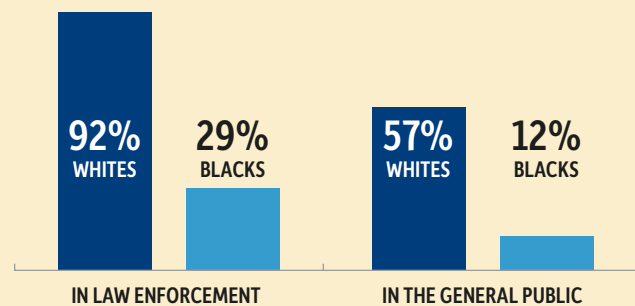
## Both in Backgrounds and Beliefs, a Racial Divide

Nationally, a significant gap persists between the racial and ethnic composition of local law enforcement agencies and that of the communities they serve: As of 2013, racial and ethnic minorities were underrepresented in nearly all law enforcement agencies in the nation serving at least 100,000 residents, reports *Governing* magazine. African Americans, Hispanics and other minority groups are underrepresented by a combined 24 percent.<sup>32</sup>

This continuing gap is especially important in light of a nationwide survey of law enforcement personnel published in January 2017 by the Pew Research Center, which found vast differences between white officers and black officers in their beliefs and attitudes regarding race relations. For instance, 60 percent of white officers, but only 29 percent of black officers, said that police have good relations with African Americans in the communities they serve. Remarkably, 92 percent of white officers said they believe that our country has made the changes needed to assure equal rights for blacks. By contrast, just

29 percent of black officers, 57 percent of whites in the general public and 12 percent of blacks in the general public share this rosy outlook of the progress in U.S. race relations.<sup>33</sup>

### Americans That Believe The U.S. Has Made Sufficient Change To Assure Equal Rights For Blacks



trast, surveys of youth in rural areas and in more affluent communities show more positive views toward law enforcement.<sup>34</sup>

Nonetheless, based on recent U.S. Department of Justice investigations in cities such as Baltimore, Chicago, Cleveland, New Orleans, Newark, Phoenix and Portland, among others, there is little doubt that young people's perceptions of unfair treatment at the hands of local law enforcement officers have basis in fact.<sup>35</sup> And there is no denying that race plays a central role in the tensions between youth and law enforcement. In part, mistrust is fueled by a continuing demographic and attitudinal divide between law enforcement personnel and residents of low-income neighborhoods. (See sidebar below.)

"Numerous studies [have] demonstrated that the relationship between police officers and youths is highly strained and antagonistic...in urban areas with large

minority populations," the scholars who conducted the recent Chicago survey explained. "Juveniles' negative attitudes toward the police increase the tension between the two groups, leading inexorably to confrontational encounters."<sup>36</sup> Other research has found that police contact actually increases young people's propensity for offending.<sup>37</sup>

While the roots of this antagonism are complex and multifaceted, often stemming from longstanding societal injustices, law enforcement leaders are increasingly recognizing that improving relations with youth and other community residents is crucial to their public safety mission. As one recent study explained, community residents' perceptions of the honesty, good will and procedural fairness by law enforcement officers are "essential to public safety since citizens' views about police legitimacy predict compliance with legal rules and cooperation with police."<sup>38</sup> Or, as

another study put it, “the chasm between officers and community residents presents a serious obstacle to crime reduction.”<sup>39</sup>

In 2014, the Police Executive Leadership Forum declared that “the goals of building community cohesion and trust in the police clearly depend on the extent to which the public believes that police actions are legitimate and procedurally just. And other goals—such as high success rates for investigating crimes and preventing crime—depend on the willingness of the public to cooperate with police, to provide information to the police and to willingly obey the law, all of which can be affected by the department’s reputation for legitimacy.”<sup>40</sup>

This new emphasis on trust building may create opportunities for JDAI leaders in their efforts to engage law enforcement. Given the meaningful participation of community organizations and advocates on JDAI steering committees, JDAI stakeholders may find that they have both the connections and credibility to facilitate new relationships between law enforcement and leaders of marginalized communities, and to foster frank and open discussions of racial and ethnic disparities and other community issues.

**JDAI STAKEHOLDERS** will frequently find it useful to involve judges and other respected leaders as they reach out to law enforcement.

## Law Enforcement Culture

While every profession has its own character and idiosyncrasies, the culture of law enforcement has long been recognized as uniquely opaque—a complex puzzle for outsiders to understand and navigate. Indeed, as one scholar observed:

*Police administrators and the law specify the broad parameters within which officers operate, but the police subculture tells them how to go about their*

*tasks, how hard to work, what kinds of relationships to have with their fellow officers and other categories of people with whom they interact and how they should feel about police administrators, judges, laws and the requirements and restrictions they impose.*<sup>41</sup>

**PATROL OFFICERS** are likely to refer youth and coordinate only when their interactions with community-based organizations are brief, responsive and personalized.

As a result, it is unsurprising that local JDAI leaders often have a hard time when they seek to forge close partnerships with law enforcement. However, the challenge of connecting with law enforcement can be significantly eased if stakeholders keep in mind a handful of key realities—facets of law enforcement culture that either encourage or constrain officers in their interactions with other agencies.

### HIERARCHY AND DEFERENCE TO AUTHORITY

Dozens of training sessions conducted by Strategies for Youth over the past dozen years involving thousands of officers have revealed that—in keeping with their status as command-and-control organizations, like the military—law enforcement agencies have a tendency to reward compliance in the ranks and, at times, to discourage individual initiative. Every new idea must be vetted and permission granted prior to implementation. As a result, when confronted with a new idea or initiative, law enforcement officials are likely to focus first on constraints and risks, rather than opportunities and possibilities. The hierarchical nature of LEAs can also limit information flows, or stop them entirely.

Given the central role of hierarchy in their culture, law enforcement personnel tend to defer to authority and to individuals in positions of higher rank or status. This includes not only commanders within the law enforcement hierarchy, but also leaders outside the chain of

command, such as judges. Therefore, JDAI stakeholders will frequently find it useful to involve judges and other respected leaders as they reach out to law enforcement. Even when a particular judge is seen by some law enforcement personnel as too “soft” on youth, involving that judge in outreach to a local LEA can provide the justification a commander may need to take on new initiatives that might otherwise appear to put the agency at risk of inviting political controversy. Likewise, district attorneys are typically regarded favorably by law enforcement personnel. Their presence or endorsement will often prove beneficial in building connections with law enforcement and boosting acceptance of proposed new strategies.

## ORGANIZATIONAL CHANGE AND UNPREDICTABILITY

JDAI stakeholders should assume that the way things look today in their local LEA is not the way they will look tomorrow. Unpredictability is in the nature of law enforcement. As one officer observed, policing is “boredom interrupted by chaos.”

Beyond the cyclical, sporadic nature of crime in any given community, LEAs also experience frequent personnel changes. Most law enforcement leaders serve at the pleasure of the mayor or county executive. Sheriffs are elected. Electoral changes thus add a major source of pressure to leadership. The average tenure for top positions in a law enforcement agency is now

estimated at three years.<sup>42</sup> Nor is change limited to the top commander: Within LEAs, senior leaders are rotated frequently from one assignment or post to the next.

These disruptions can greatly affect the ability and willingness of law enforcement agencies to engage in multidimensional community-wide initiatives like JDAI. Therefore, JDAI stakeholders should be aware of the ever-changing nature of LEAs, and they should work proactively to transcend this institutional unpredictability by building relationships with many officials in all levels of the local law enforcement agency. In that way, continued progress on the JDAI-law enforcement partnership will not depend too heavily on the continued presence of any one or handful of individual commanders.

## UNEVEN OPENNESS TO COMMUNITY PARTNERSHIPS

In some jurisdictions, partnering and meeting with institutional members of the juvenile justice community—such as probation, judges and detention officials—is a matter of course for law enforcement personnel. In other jurisdictions, these partnerships are rare. The first step, convening a meeting, is typically easy and often initiated by juvenile court judges or probation officials. But, as JDAI stakeholders know too well, the harder challenge lies in maintaining sustained interest in and commitment to the meetings on the part of LEA staff.



Some LEAs prize their partnerships with neighborhood-based organizations and advocacy groups. Others are extremely cautious, for fear of trusting and relying on people and organizations who may be unknown to them—or who may be perceived in a negative light by some law enforcement personnel.

Community partnerships are often easiest for LEAs to forge with domestic violence advocates because both typically are committed to the prosecution of abusers. By contrast, some other JDAI stakeholders may be perceived by law enforcement personnel as taking an oppositional role, due to their efforts to limit the use of detention and confinement.<sup>43</sup> As noted above, JDAI stakeholders can often play a valuable role in bridging the divide between law enforcement and community organizations in jurisdictions where these connections have previously been weak.

Importance of department size and community characteristics. JDAI stakeholders should match their strategies to the size of local LEAs and to the demographics and political environments of the communities they serve. When presenting, planning and implementing JDAI, the size of an LEA can have positive and negative effects at both ends of the scale. In smaller departments, information offered in JDAI training sessions is likely to be shared systematically and quickly. In a large department, information flows often bog down making this penetration more difficult to achieve. On the other hand, it is generally easier in larger departments for administrative staff to attend meetings with JDAI stakeholders, incorporate a focus on JDAI into their workflow and join in developing the infrastructure to support implementation. In smaller departments, administrators typically carry a greater variety of responsibilities, so pressures on time and attention can slow or halt implementation.

The readiness and capacity of LEAs to participate in JDAI are also influenced by the relative wealth of the communities they serve, the political and funding climate and the character of the LEA and its leadership. For JDAI stakeholders seeking to forge stronger ties with law enforcement, it is useful to look at two sets of factors:

- **Internal resources.** In a well-resourced LEA, commanders can typically call on uniformed or civilian staff to assist in partnering with other agencies and community organizations. The LEA will find it easier to carve out time for officer training and follow-through and may have skilled staff available to help perform data analyses and prepare funding proposals. In poorly resourced agencies, staff time is far more scarce, often causing resistance to any new intervention that intensifies demands on commanders or increases time out of service for patrol officers.
- **External resources.** Few LEAs train officers about services available from youth-serving organizations in their communities. Instead, officers usually rely on two main resources when dealing with youth: detention or lock-up facilities and the hospital. Even when they are aware of youth-serving community-based organizations, patrol officers are likely to refer youth and coordinate only when their interactions with these agencies are brief, responsive and personalized.<sup>44</sup> In addition, many communities suffer a shortage of well-resourced and well-organized social service providers for troubled children and families. Even in locales where services are available, providers often operate only during restricted hours (limited on nights and weekends), leaving officers with nowhere to turn other than detention or the hospital when dealing with wayward or troubled youth in off hours.

# PART TWO

## Forging Successful JDAI-Law Enforcement Partnerships—A Four-Stage How-To Guide

### STAGE ONE: Making or Restoring the Initial Connection

How can JDAI stakeholders forge strong and sustained partnerships with law enforcement agencies? The beginning of the answer, the subject of this chapter, involves effective engagement with law enforcement leaders, supervisors and patrol officers. Interviews with law enforcement leaders and JDAI stakeholders around the nation suggest three key priorities for how JDAI leaders should go about their initial outreach in order to maximize the likelihood of a successful and sustainable partnership. The same advice applies to leaders in existing sites seeking to reinvigorate their partnerships with law enforcement.

**1 Strategic outreach.** From the initial outreach to the ongoing recruitment of potential JDAI champions up and down the LEA chain of command, JDAI stakeholders must keep in mind the organizational culture of law enforcement, and they must be strategic in how they approach LEA personnel and work with them over time.

**2 Effective messages.** JDAI stakeholders must recognize which information and arguments will be most persuasive to LEA leaders considering whether and how much they want to support JDAI. Stakeholders must prepare and deliver concise, fact-filled presentations to show LEA leaders that JDAI is consistent with public safety, good for youth and the community and beneficial for their agencies—and to help patrol officers and commanders understand JDAI and the principles behind it.

**3 Attention to law enforcement concerns.** JDAI stakeholders' ultimate success in building strong and sustainable partnerships with law enforcement will depend as much on listening as on delivering effective arguments. Partnerships between JDAI and law enforcement will thrive far more when discussions address law enforcement leaders' concerns about current juvenile justice procedures and when local JDAI steering committees solicit LEA input on issues that directly affect officers.

As stakeholders implement the practices and strategies recommended in this practice guide, they should take maximum advantage of the knowledge and experiences of peers throughout the JDAI network. Local

stakeholders can use the JDAIconnect<sup>45</sup> online community to ask questions of thousands of JDAI practitioners as well as to download resources. With the support of Technical Assistance Team Leaders and through JDAIconnect, local stakeholders can identify and reach out to comparable sites across the country that have forged effective law enforcement partnerships. They can put leaders of their local LEAs in touch with chiefs in other jurisdictions who have become strong champions of JDAI and who can describe the advantages of partnering with JDAI from a law enforcement perspective.

## STRATEGIC OUTREACH

JDAI stakeholders will be most effective in forging connections with law enforcement if they employ a deliberate approach. Specifically, success will be more likely if stakeholders make the first contact count, involve the LEA leader on the JDAI steering committee, identify a strong point person and other potential JDAI champions within the LEA's command staff, find opportunities to introduce and explain JDAI to rank-and-file patrol officers, provide relevant information in concise presentations, emphasize and promote detention alternatives and make timely and strategic use of data.

### Make the first contact count

When leaders in existing JDAI sites strive to engage previously uninvolved law enforcement agencies, or at the outset when jurisdictions first launch their JDAI initiatives, the initial outreach is critical. The first contact sets the tone for future interactions, and it sends a signal regarding the importance of JDAI and the value that JDAI stakeholders place on law enforcement's involvement. Based on interviews conducted in the development of this practice guide, several key lessons emerged about who should invite LEA leadership to the table and how the JDAI stakeholders should cultivate their relationships with law enforcement over time.

### Have a respected leader with significant authority initiate the conversation

Many law enforcement leaders interviewed for this publication suggested that the most effective way to grab the attention of a police chief or sheriff is for the jurisdiction's presiding juvenile court judge (not someone on the judge's staff ) to initiate contact with the top official in the jurisdiction's leading law enforcement agency (or agencies). As one observer put it, involving the judge "changes the entire dynamic." Law enforcement commanders recognize judges as something close to the "final authority." They also know that most judges are as risk averse as they are and as determined to avoid the label "soft on crime." Also, law enforcement leaders generally trust that judges share their respect for law and order and for protecting the public. Thus, judges and law enforcement chiefs can agree on principles before they begin the complicated discussions on joint efforts to limit the use of detention in juvenile cases.

If not the presiding judge, JDAI stakeholder groups should consider having the jurisdiction's chief juvenile prosecutor or the chief probation officer make the first outreach. The key is to have the outreach come from a leader of high standing who has the respect of local law enforcement leaders and a clear commitment to optimizing the justice system for youth.

### Emphasize the right messages

In preparing for the initial meeting with the local law enforcement chief(s), the juvenile judge—and any staff and/or colleagues attending the meeting—should be prepared to wow their audience with a compelling case explaining why a partnership is good for youth, consistent with public safety and beneficial for law enforcement.

The choice of which messages to emphasize in the initial meeting will differ between brand new sites (where the LEA leader has no knowledge of or experience with JDAI) versus existing sites (where JDAI is more of a known quantity for law enforcement). And

in either new or existing sites, the messages will vary based on the unique circumstances of the locality and the philosophy of the LEA commander(s). Therefore, even before initiating contact, JDAI stakeholders should speak with leaders and officers in the agency to learn about the LEA's existing youth programs and policies and about the agency chief's level of interest in improving police practices toward youth.

Over time, JDAI stakeholders will need to inform law enforcement leaders and their staffs about the rationale and evidence behind JDAI, JDAI's operational details and track record of success and other related issues. However, the conversation cannot even begin unless LEA leaders understand and accept the overwhelming evidence showing that youth are developmentally different than adults and require a different and less punitive form of justice. Therefore, JDAI stakeholders will need to make sure that their local LEA leaders are fully aware of this evidence—especially the research showing that arrest and detention are wasteful and counterproductive for youth involved in routine adolescent misbehaviors who do not pose significant risks to public safety.

Beyond this core research on adolescent development and behavior, the initial presentation will be most effective if it focuses more narrowly on four messages of likely concern for LEA leaders. First, **JDAI is safe**—the risk screening process categorizes youth who pose a significant threat to public safety, and JDAI sites have accumulated a strong overall track record on public safety. Second, **JDAI is a community-wide, multiagency partnership**, and therefore no single stakeholder would shoulder the political and public relations burden if a high-profile crime is committed by a youth allowed to remain in the community due to JDAI. Third, **JDAI offers important benefits for law enforcement**, with potential for lowering overtime costs and increasing officers' time in service, simplifying the processing of juvenile cases for patrol officers and reducing the number of frequent-flyer cases. Fourth, as demonstrated by the numerous quotes and

examples in this practice guide, **a substantial number of law enforcement leaders around the country are deeply engaged in JDAI**, supportive of its mission and committed to its success.

### Broaden and deepen the connection

Employing the strategies and messages above, JDAI site teams are likely to succeed in engaging the chief of the key local law enforcement agency or agencies and in securing a commitment to explore a new or strengthened partnership. To capitalize on this initial success, JDAI stakeholders must work promptly and systematically to broaden and deepen their relationships with law enforcement by solidifying the involvement of the local LEA leader(s), identifying a point person and other allies within the local LEA(s) and beginning to seek out opportunities to inform both mid-level command and patrol officers about JDAI and address their questions and concerns.

### Engage the LEA leader(s) on the JDAI steering committee

JDAI stakeholders routinely and appropriately request that the chief(s) or sheriff(s) of the jurisdiction's largest LEAs participate in the steering committee—and preferably take a leadership role. This is important both to demonstrate the chiefs' commitment to JDAI and to ensure that law enforcement is involved in pivotal discussions about key components of the local JDAI effort, including the metrics of the jurisdiction's detention screening instrument and the procedures for its use; the process used and paperwork required following arrest to transfer custody of youth from law enforcement to the courts, probation or intake/reception centers; the protocols for the handling of youth involved in domestic disputes; and the steering committee's plans regarding how to respond if a serious and high-profile crime is committed by youth diverted from detention via JDAI.

### Identify a capable and well-positioned point person in the LEA (or more than one)

In many JDAI sites, the law enforcement chief will designate the head of the agency's juvenile division to

serve as point person for JDAI and represent the agency in working group meetings and other interagency discussions. In some cases, particularly when the juvenile officer is savvy and committed, this approach proves successful. For instance, Kurt Wolf headed the juvenile division of the largest law enforcement agency in Tippecanoe County, Indiana (Lafayette Police Department), in 2008 when the county joined JDAI. Wolf became heavily involved in the local JDAI steering committee and also on a working committee formed in the county to assess the possibility of building a new detention center. When the proposed detention center was rejected, Wolf also played a key role in planning a new juvenile intake center where all juvenile cases are now handled following arrest. Wolf has been repeatedly promoted and transferred within his department since 2008, but he remained active in JDAI and in efforts to train officers on how to better handle their interactions with youth. In 2019, he officially retired.

**BY VISITING** and touring a detention alternative program, officers will see that youth are closely supervised and often engaged in rigorous programming.

Particularly in larger departments, however, the juvenile division representative may not be the best choice for the JDAI point person. Instead, several law enforcement leaders surveyed for this publication said that JDAI stakeholders in their jurisdictions had erred by relying too much on leaders in the juvenile service unit. Noting that patrol officers—not juvenile officers—have the greatest engagement with youth, these leaders suggested that sites should look to appoint a commander in the patrol division as the JDAI point person. One chief recommended that JDAI stakeholders seek out “lane crossers”—respected officers with a track record of working with other public agencies and with community organizations on compli-

cated challenges such as domestic violence cases or treatment of offenders with mental health challenges—to become internal advocates for JDAI within their departments. Fortunately, it is never too late to seek out lane crossers and other concerned and respected officers in the local LEA(s) and to involve them in JDAI and related reform efforts.

### **Find opportunities to introduce JDAI to rank-and-file patrol officers**

Even if JDAI stakeholders forge strong relationships with the LEA leader and with the appointed JDAI point person, and even if stakeholders identify and build relationships with other allies on the command staff, the long-term success of the JDAI-LEA partnership will rise or fall based on the attitudes and beliefs of officers in the community. If officers understand and support detention reform, they are far more likely to embrace detention screening and alternatives to detention programming and to adopt age-appropriate and trauma-informed tactics in their interactions with youth. If not, they may reject JDAI and approach youth no differently than adults.

Therefore, JDAI stakeholders should seek out opportunities to interact with patrol officers. JDAI stakeholders can and should work with LEA leaders to organize formal in-service training sessions, focused either on the specifics of JDAI or on adolescent development research and its implications for police, or both. Stakeholders can visit police stations and precinct houses to deliver briefings and answer questions during daily roll-call sessions. They can distribute summary sheets or pocket-sized cards with information on detention screening procedures and non-court service providers in the community (see page 40 for an example). And they can invite officers to visit and tour alternatives to detention programs. In all these interactions, JDAI stakeholders should invite questions and respond to concerns raised by officers, thereby building goodwill and potentially identifying opportunities to increase JDAI’s efficiency and enhance its effectiveness.

## Prepare concise presentations

As JDAI stakeholders reach out to law enforcement personnel up and down the chain of command, they will need to develop an array of presentations on important themes related to adolescent development, juvenile justice and JDAI. However, law enforcement commanders inhabit an extremely time-pressured environment. **Therefore, the most effective presentations will be fact packed, succinct and well organized.**

At this stage, the JDAI stakeholder team should consider developing a series of **brief documents** to address specific concerns LEA leaders commonly harbor about the JDAI model or about how JDAI will affect officers in their duties. As outlined in the tools that accompany this report, these documents should have the question or concern clearly stated at the top and then offer a series of clear and compelling bullet points with evidence to assuage these concerns and/or clarify operational procedures. (How does JDAI

ensure that dangerous youth are not released and able to commit additional offenses? How will officers know whether to take youth to detention, and—if not—where to take them? What paperwork will be required of officers for youth not placed in detention? What happens in cases where the officer feels a youth should be detained, but the detention screening score is low?)

Information should be provided succinctly, by way of graphs and tables, when data are available. Whenever possible, the documents should include quotes and testimonials from law enforcement leaders in other JDAI sites. Presenters should provide (or at least be ready to provide) sources for all claims.

## Promote detention alternatives

Many law enforcement personnel perceive detention as the only appropriate way to address youth law-breaking. JDAI necessarily challenges that view, and as a result, many law enforcement officers have a negative reaction to JDAI when first told of its goal to reduce the use of detention. “Youth need to face consequences for their behavior,” they may say, “and they need to know that the system is not a ‘joke.’” Absent these consequences, as when youth are released from a detention center directly after an arrest, officers may perceive that their authority is undermined and that youth learn not to take the law or law enforcement personnel seriously.

Showcasing alternatives to detention programs can provide an antidote to this problematic dynamic. By visiting and touring a detention alternative program, officers will see that youth placed in alternatives are closely supervised and are often engaged in rigorous programming and/or connected to needed services. It can be especially helpful if youth-serving community organizations operating detention alternative programs invite law enforcement leaders and patrol staff regularly to meet with staff and learn about the obligations participating youth must meet as a consequence of an arrest or citation.

Make timely and effective use of data. As they build relationships with law enforcement personnel, JDAI



stakeholders should emphasize JDAI's data-driven approaches and demonstrate how data can and should be used to inform major decisions.

In recent times, many or most law enforcement agencies have become increasingly data driven, and patrol commanders are familiar with the use of statistics to measure and document progress in making arrests, clearing cases and reducing reported crime rates. Yet few LEAs have extensive system feedback loops to inform officers whether arrests lead to court referrals and adjudications. Few examine crime or arrest data specifically for youth, and even fewer systematically analyze their juvenile arrest data to identify racial and ethnic disparities in arrests or geographic concentration of arrests in particular neighborhoods. Likewise, few departments carefully examine the incidence of school arrests to determine whether youth are routinely being arrested for low-level misbehaviors (like fighting, disorderly conduct, trespassing and petty theft) that are better addressed outside the justice system.

As will be detailed in Stage Four on page 56, in some jurisdictions, new data analyses conducted or inspired by JDAI have sparked encouraging changes in law enforcement practices toward youth. Data showing high numbers of school arrests for low-level offenses, or substantial racial and ethnic disparities in these arrests, can provide the impetus for new efforts to slow the so-called school-to-prison pipeline. Data showing that large numbers of low-risk youth are being detained for domestic abuse can prompt the development of new practices to connect youth and families to needed social services, rather than exposing youth to arrest and detention.

However, JDAI stakeholders should be strategic in conducting new data analyses and discussing data trends on sensitive issues, especially regarding racial and ethnic disparities. Given the tensions law enforcement have faced in recent times with many communities of color, law enforcement commanders may be hesitant to accept any suggestion that their practices are ineq-

uitable. Rather than quickly compiling data and confronting law enforcement personnel with evidence of problems or disparities in arrests, JDAI stakeholders should seek first to develop a working relationship with law enforcement leaders. Also, these conversations will be more likely to succeed if other agencies in the JDAI collaborative (courts, probation, detention) demonstrate by example their willingness to acknowledge continuing racial disparities at other system decision points and take concerted action to address them.

## EFFECTIVE MESSAGES

Through strategic outreach, JDAI stakeholders can create an opportunity for meaningful partnership with law enforcement and foster a favorable climate. But tactics alone are insufficient. Rather, the strength and viability of the law enforcement connection hinge on LEA leaders' assessment of JDAI and their judgement regarding how much of the LEA's staff time and resources to invest. Over time, the fate of the LEA-JDAI partnership will also hinge on the willingness of rank-and-file officers and their supervisors to support detention reform and related efforts to improve the handling of youth in the justice system.

To win this support, JDAI stakeholders will need to help law enforcement leaders and line officers appreciate five key realities:

- **Youth are different** from adults and require a different approach to policing and court processing.
- **JDAI is safe** and consistent with public safety.
- **JDAI works**—and is good for the community's long-term health.
- **Embracing JDAI is good for law enforcement**, reducing officer frustration through improved handling of juvenile cases and saving resources by increasing officers' time on patrol.
- **Racial and ethnic disparities are rampant in juvenile justice**, and embracing JDAI can provide law enforcement agencies a constructive avenue for addressing community concerns about them.

The following pages provide a framework for JDAI stakeholders seeking to explain these realities to law enforcement personnel in a clear, compelling and fact-filled way. Outlines for suggested one- and two-page write-ups on these issues are available in this practice guide's companion checklists.

### Youth are different

The first communications challenge is to show law enforcement leaders, and patrol officers as well, that youth differ from adults in fundamental ways and therefore require a different approach to policing and different responses from the justice system. In explaining this reality, JDAI stakeholders should present the evidence from adolescent development and brain research showing that because human beings do not fully mature until their mid-20s, ***lawbreaking and other risky behaviors are common, even normal, during adolescence.*** Adolescents are influenced heavily by their peers, and much juvenile crime takes place in a peer group context. However, ***in the vast majority of cases, youth will grow out of their law-breaking even without any intervention*** from the justice or mental health systems.<sup>46</sup> Research also finds that ***arresting and prosecuting low-risk youth for low-level offenses harms youth and undermines***

***public safety.*** Controlling for conduct and a wide range of background factors, getting arrested nearly doubles the odds that a young person will drop out of school, and being formally charged and appearing in court quadruples these odds.<sup>47</sup> In addition, a 2013 review of all relevant research found that diversion programs “are significantly more effective in reducing recidivism than the traditional justice system.”<sup>48</sup> Getting arrested and adjudicated as a juvenile can have lasting collateral consequences, interfering with future opportunities for higher education, employment and military service.<sup>49</sup> Finally, research makes clear that detention harms youth and increases the odds of reoffending. A recent study involving tens of thousands of youths in Chicago found that, controlling for offending history and a wide range of background variables, ***being placed in detention during adolescence “results in large decreases in the likelihood of high school completion and large increases in the likelihood of adult incarceration.”***<sup>50</sup>

### There have been sustained and growing reductions in juvenile crime where JDAI is active<sup>51</sup>

Many in law enforcement have a hard time accepting the proposition that detention can be harmful. Detention has long been the go-to tool following arrest, a



way to “teach kids a lesson.” Even officers who intuitively understand that youth require and deserve a different and less punitive form of justice than adults may be troubled by new limits on the use of detention. To assuage these concerns, JDAI stakeholders should be clear that JDAI does not seek to eliminate the use of detention. Rather, JDAI’s objective decision making creates a fairer and more efficient process to ensure that detention is used only for youth who pose a significant threat to commit crimes or are more likely to miss their court dates, basing the detention decision on objective facts rather than subjective judgment. Meanwhile, JDAI creates a continuum of safe, constructive and proven alternatives that provide meaningful supervision for youth who are not detained, leading to better outcomes at lower cost.

**A GROWING BODY OF EVIDENCE** finds that youth of color are often treated more harshly by justice system officials (including prosecutors, judges, probation staff and police officers) due to unconscious bias.

### JDAI works, and it is good for the community

While demonstrating that JDAI promotes public safety can help overcome initial skepticism, the JDAI-law enforcement partnership cannot fully flourish unless LEA leaders, commanders and officers come to understand and accept the underlying logic of JDAI. In briefing their law enforcement peers on JDAI, stakeholders should concentrate on the following themes:

- **Without JDAI, detention practices are frequently problematic.** Specifically, the use of detention is often: *excessive*, with more youth detained than necessary or beneficial for public safety or youth success; *inappropriate*, used to punish youth or teach them a lesson, which conflicts with the legal purposes of pre-trial detention; *inconsistent*, with subjective decisions leading to different treatment

of youth with similar offending histories; *counter-productive*, disrupting young people’s schooling, damaging their long-term success and increasing their odds of further offending and involvement in the justice system; *inequitable*, with youth of color (especially African-American youth) far more likely to be detained than white youth, even when they have similar backgrounds and offending histories; and *wasteful*, given the high costs of secure confinement.

- **Using a carefully crafted approach rooted in eight core strategies, JDAI has achieved impressive outcomes.** These include: *sharp drops in detention*, with both detention admissions and average populations in detention down more than 40 percent in participating jurisdictions since entering JDAI;<sup>52</sup> *fewer commitments to state custody*, down 57 percent<sup>53</sup> in participating sites; and a *strong public safety record*, with total arrests down 57 percent in sites that track them, total delinquency petitions down 47 percent and felony petitions down 39 percent.<sup>54</sup> These results help explain JDAI’s *expansive replication nationwide*, growing from five pilot sites in the early 1990s to more than 300 counties in 39 states nationwide today, home to 30 percent of the nation’s youth population.<sup>55</sup>
- **JDAI helps keep youth on track for success.** By ensuring that youth are confined only when necessary to protect public safety, JDAI prevents unneeded and counterproductive disruption and trauma in young people’s lives and makes it more likely that *they will remain in school and on track* toward productive adulthood. In addition, JDAI sites often *connect troubled youth (and their families) with needed services and constructive activities* in their communities, reducing the odds that youth will require police contact in the future.

### JDAI is good for law enforcement—reducing frustration for officers and saving money for LEAs

In addition to its advantages for youth and the community, joining JDAI can benefit law enforcement

agencies by allowing officers to return to service quickly secure in the knowledge that young people are receiving appropriate care and attention. JDAI typically saves money for LEAs by reducing the time officers spend bringing youth to detention or supervising them while searching for parents or other responsible adults to whom the youth can be released. These changes can reduce the need for overtime, leading to substantial savings.

### **Racial and ethnic disparities in juvenile arrests are glaring, but JDAI can help LEAs address them**

Although adolescent offending rates do not vary widely by race or ethnicity, youth of color—especially African-American youth—are arrested at far greater rates than white youth. Yet many law enforcement personnel remain unaware of these disparities or the reasons behind them, which include:

- 1 “hot spot” policing and heavier patrols in communities of color generally;
- 2 heightened enforcement in communities of color where the street-level drug trade is concentrated;
- 3 gang suppression tactics, which can make youth of color a focus for surveillance and enforcement.

Also, a growing body of evidence finds that youth of color are often treated more harshly by justice system officials (including prosecutors, judges, probation staff and police officers) due to unconscious bias—negative stereotypes that can influence decision-makers’ perceptions and actions even when they strive to be race neutral.<sup>56</sup> According to the 2011 survey cited earlier, however, only eight states include information about racial and ethnic disparities in the curricula of the law enforcement training academies.<sup>57</sup>

For some law enforcement personnel, merely learning about racial and ethnic disparities can motivate participation in JDAI. These data can be especially persuasive when analyses show disparities in school arrests, for instance, or arrest rates by neighborhood—particularly when glaring gaps appear in arrests for minor misbehavior like disorderly conduct, schoolyard fights, resisting law enforcement and marijuana possession.

In the wake of recent widely publicized policing controversies across the country, LEAs face heightened tensions with residents in many low-income neighborhoods and increased scrutiny over their practices toward people of color. In this atmosphere, in many sites, *JDAI offers law enforcement leaders an avenue to forge relationships with local organizations and advocates in communities of color as well as an ongoing forum for purposeful conversations about racial and ethnic equity.*

### **DETENTION IS BAD**

“It’s important that everyone knows that detention is bad, not good, for youth. It’s important for them to know that [JDAI] isn’t just rhetoric. It’s actually improving the numbers, bringing better outcomes.”

— CAPTAIN KURT WOLF  
LAFAYETTE POLICE DEPARTMENT

### **ATTENTION TO LAW ENFORCEMENT CONCERNS**

The preceding pages offer many strong reasons why law enforcement agencies can benefit from participating in JDAI. However, promoting these advantages to law enforcement personnel is only half of the partnership-building challenge for JDAI stakeholders. The other half is to demonstrate a willingness to listen and to recognize the expertise accumulated by law enforcement officers through their daily interactions with youth, plus an openness to tailoring local JDAI programs and strategies to the interests, concerns and opinions of law enforcement.

Asking law enforcement about their concerns with current juvenile justice processes and soliciting their input on issues that directly affect officers can provide a starting point for fruitful dialogue. In existing sites where the leader(s) of the largest local department(s) are not currently active on, or never joined, the JDAI steering committee, the best strategy

for JDAI stakeholders to build or revive connections is to initiate discussion about an issue of particular interest to law enforcement.

In Cuyahoga County, Ohio, for example, soon after taking over as the administrative judge of the Juvenile Court in 2014, Judge Kristin Sweeney convened a meeting of law enforcement leaders from the Cleveland Division of Police and other departments in surrounding suburban communities. At the meeting, Sweeney solicited the chiefs' input about the county's detention screening instrument, then five years old, and particularly the use of mandatory holds for all youth arrested on domestic violence charges, which was swelling the county's detention population. Specifically, Sweeney asked the chiefs if they would be open to a new alternative to detention for lower-risk youth involved in domestic disputes, which was being piloted in one Cleveland police district. The model has since expanded to all five of Cleveland's police districts, but it has not yet been adopted by any other LEA in the county, due to a lack of funds. However, Court Improvement Project Manager Renee Edel reported in early 2017 that this initial meeting has led to an uptick in law enforcement involvement in local JDAI efforts.

For instance, law enforcement leaders and other JDAI stakeholders have begun discussions to create a new citation process officers might use in place of warrants, plus a new notification process for court hearing dates to reduce the need for execution of failure-to-appear warrants.<sup>58</sup>

## STAGE TWO: Building Consensus for the Detention Screening Process

The creation and use of an objective screening tool<sup>59</sup> to guide detention decisions is the bedrock of JDAI, the first and arguably most important step for participating sites on their path to reducing excessive and inconsistent use of detention.

Objective decision-making for detention admissions is also the element of JDAI with the most immediate consequences for law enforcement, with significant implications for patrol officers in their interactions with youth. The adoption of an objective screening process to guide detention decisions will require officers to learn and follow new procedures and protocols whenever they arrest a young person.

It will also alter the relationship between law enforcement and youth by limiting officers' discretion to place youth in detention or to threaten detention as a consequence for continued misconduct. In addition, the introduction of a detention screening tool is often paired with new or expanded detention alternatives programming. These alternatives broaden the array of options available to supervise youth following arrest and to connect them to needed services and supports, but they also require officers to learn about new programs and the procedures and requirements surrounding them.

**OBJECTIVE DECISION-MAKING** for detention admissions is also the element of JDAI with the most immediate consequences for law enforcement, with significant implications for patrol officers in their dealings with youth.

It is best practice in JDAI sites for one top law enforcement leader (or a handful if possible) to be included in discussions to craft (or revise) the detention screening instrument. However, experience shows that JDAI is most successful when leaders and personnel working at every level of the LEA understand the detention screening process as well as the logic and evidence behind it. It is especially critical to dispel any misperceptions about the objective screening process (and about JDAI generally) that might lead officers to oppose or undermine the detention reform efforts.

To address this imperative, JDAI sites should focus on three priorities:

- 1 Provide orientation and training for law enforcement personnel.** Law enforcement officers at all levels require training to understand the site's detention screening instrument (including the evidence behind its use), as well as the processes that will be followed for making and implementing the detention decision.
- 2 Solicit (and respond to) input from patrol officers on detention screening implementation issues.** Law enforcement personnel will be more likely to accept and support the detention screening process if stakeholders listen to their views and make changes when appropriate.
- 3 Provide officers with predictable and timely detention determinations and guidance.** For patrol officers, how the objective detention admissions process is implemented is as important as the formula used in the screening tool. Officers will be far more supportive if the risk screening process is consistent and expeditious.

## PROVIDE ORIENTATION AND TRAINING FOR LAW ENFORCEMENT PERSONNEL

In many JDAI sites, particularly those in suburban counties, responsibility for law enforcement is divided among many departments—sometimes dozens within a single county. Meanwhile, sites in major urban centers are often home to large LEAs with hundreds or, in some cases, thousands of patrol officers. As a result, while including law enforcement personnel in the process of creating or revising the detention screening instrument is helpful, approval from one department representative, or even a handful of representatives, does not readily translate to support among precinct and patrol officers.

Many law enforcement officers recognize the benefits of diverting youth from the legal system whenever possible, and many appreciate the advantages of a clear, standardized and rational process for making

detention decisions. Yet even in law enforcement agencies where command staff have participated in developing the screening tool and support its use (and JDAI more generally), patrol officers and their supervisors may have little understanding of JDAI, and some may actively oppose it. For some officers, the very notion of determining detention through objective risk assessment and limiting the use of detention can be a hard sell. Officers in many jurisdictions may historically have had influence, and perhaps even discretion, on which youth were detained. Officers may also resist the objective detention screening process based on the longstanding and widespread (but unfounded) belief that some time in detention will teach young people a valuable lesson. In other cases, antipathy toward the detention screening process can result from discrete elements of the screening instrument or from snags in the process through which it is administered.

The best strategy for local JDAI collaboratives to minimize this resistance and maximize support involves timely and strategic training for law enforcement personnel.

“When we rolled out the risk screening tool, we did a training for our officers, and it really brought the officers on board,” recalls Jim Domville, deputy chief of the Cresskill Police Department in Bergen County, New Jersey, and a member of New Jersey’s statewide JDAI steering committee. “They liked the clear policies and procedures, and they appreciated that law enforcement had a say in formulating the tool.”

In planning detention screening orientation and training, JDAI stakeholders should be mindful of several considerations.

### Credible and compelling messengers

Whenever possible, orientation and training sessions should be convened by leaders whom law enforcement personnel deem credible, such as the local prosecutor or juvenile judge, with explicit support of law enforcement commanders. The training itself should

be presented by individuals who understand the perspective of law enforcement officers and can earn their respect, preferably members of the law enforcement community itself.

“Peer-to-peer instruction is always the best,” says Domville, who has conducted many training sessions on JDAI for law enforcement officers throughout New Jersey. “When someone who has walked in their shoes comes to talk with them, it tends to stick.”

Conveners and presenters should be deeply knowledgeable and fully supportive of JDAI, the concept of objective admissions and the detention screening process. Ideally, they will be members of the committee that developed the detention screening instrument.

### Targeted messages, clearly stated

Law enforcement officers are most likely to support JDAI and the detention screening process when they understand several key ideas. JDAI stakeholders should:

- *Brief officers thoroughly on the legitimate purposes of detention in juvenile cases*, which are typically limited by law to protecting the public (if youth pose a significant threat to public safety) and ensuring their appearance at court (if youth pose a documented flight risk). Detention should never be used as a form of punishment following arrest or to

teach kids a lesson, both because at this stage youth have not yet been convicted of any wrongdoing and detention causes demonstrable long-term harm to youth, including increased risk of re-offending. It should be used only when necessary to protect the public and ensure appearance in court.

- Show officers evidence proving that employing objective screening tools and *limiting the use of detention do not endanger the public*. JDAI’s public safety outcomes are excellent; new offenses and failures to appear are rare among youth placed in detention alternatives.<sup>60</sup> As Domville explains, “When they learn about alternatives and see that there are positive actions taken for the young people they arrest, officers are encouraged.”
- Explain why *objective screening is beneficial and important* to help rein in the unconscious biases that perpetuate racial and ethnic disparities in the treatment of youth and to improve accuracy in determining risk.
- Present officers with the evidence showing that *adopting a detention screening tool and related JDAI reforms can enhance young people’s long-term success and thereby make communities safer*. Show officers the research confirming that



detention harms young people and increases reoffending behavior and that arrest and formal adjudication are associated with worse outcomes for young people compared with alternatives such as pre-arrest diversion and warning or court diversion.<sup>61, 62, 63, 64</sup>

- Reassure law enforcement personnel that the new practices and procedures associated with objective detention screening *will not create additional headaches and paperwork burdens*, but will streamline their interactions with youth and reduce their time out of service handling cases.

When JDAI was first rolled out in Tippecanoe County, Indiana, Lafayette Police Department's then- Captain of Patrol Kurt Wolf did not focus much on training his patrol officers. "I didn't handle that well," Wolf admits. "I spoke with lieutenants about it, but it wasn't filtering down."

"Now I say that you need to educate everyone," continues Wolf, who currently serves as captain of detectives. "It's important that everyone knows that detention is bad, not good, for youth. It's important for them to know that [JDAI] isn't just rhetoric. It's actually improving the numbers, bringing better outcomes."

### Repeated training in multiple forums

Given the frequent staff turnover in law enforcement agencies, uneven participation in training and the evolution of local JDAI efforts over time, orienting law enforcement personnel on the basics of JDAI cannot be a one-time endeavor. Rather, training should be provided in multiple forums at multiple points in time. Specifically, aspiring officers should receive a thorough orientation to JDAI and juvenile justice in law enforcement training academies prior to joining the force, and then they should receive regular refreshers and updates over time.

These trainings should provide officers with detailed information on operational procedures associated with the detention screening instrument, including how police will find out whether a young person is an appropriate candidate for detention; paperwork

requirements in cases involving detention or the use of detention alternatives; and procedures and permissible grounds for officers to request overrides (in cases where they believe a young person poses a threat and should be detained despite a low or moderate score on the screening instrument). The training should include background information to ensure that patrol officers understand JDAI and the underlying logic and evidence behind it, plus a flow chart clearly explaining each step in the juvenile intake and detention determination process.

The trainings should also serve as a feedback loop for JDAI stakeholders: Officers participating in training should be invited to describe their experiences with JDAI with detention alternative providers and to explain how JDAI has affected their interactions with youth.

In Camden County, New Jersey, for instance, Timothy Chatten, section chief of the Juvenile Unit in the county prosecutor's office, has offered training on JDAI and juvenile justice to every police academy class in the county for many years, including sessions on adolescent brain development and behavior and juvenile law, plus more specific training on the nuts and bolts of JDAI operations and the procedures for police to issue "station house adjustments" in lieu of arrest. Chatten also conducts a condensed version of this training in an annual in-service workshop. This session is attended by 100 to 200 law enforcement personnel, including at least one representative from each of the 27 municipal police departments throughout the county. Chatten reports that he has been giving this training for more than a decade, and that "by now the majority of officers in the county have gone through the training." Finally, Chatten's office circulates a 200-page training manual to every training participant, both in hard copy and computer disk, so every department in the county has access to all relevant documents.

In addition to classroom training, patrol officers should be exposed to available detention alternatives in their communities, if at all possible. The opportunity to tour the programs (or meet with providers during training sessions) often helps to satisfy any concerns officers

may harbor that youth diverted from detention will receive appropriate supervision and support. In Multnomah County, Oregon, newly hired officers are invited to participate in the three-day Community Partnership Training Program, which combines training on all phases of the juvenile court process with shadowing opportunities to see the workings of JDAI and the juvenile justice system firsthand. Participants in this training spend time observing the work of probation officers as well as the community partners responsible for the county's reception center and other detention alternative programs.

### **SOLICIT (AND RESPOND TO) INPUT FROM PATROL OFFICERS ON DETENTION SCREENING IMPLEMENTATION ISSUES**

Given the significant impact that objective detention screening has for patrol officers, JDAI stakeholder groups should welcome and even solicit input from patrol officers about its use. For instance, when New Jersey was first piloting the use of its statewide detention screening instrument in 2008, the head of the state's juvenile officers association, Robert Sarnacki, conducted a series of focus groups with officers in four pilot counties. Sarnacki, who had been active on the planning team that devised the state's detention screening instrument, discovered that while most officers were satisfied with the instrument, appreciated its objectivity and were pleased with the availability of new alternatives to detention, officers in one county complained about the lack of alternatives during the late-night hours. As a result, the focus group led to a decision that would allow youth to be placed directly on electronic monitoring, rather than spending a night in detention before receiving the monitor and being released to their families.

In New Jersey's Camden County, juvenile prosecutor Chatten reports that maintaining a two-way dialogue with patrol officers is critical to winning their acceptance and support over time. "I got some pushback from some officers initially," Chatten recalls. "But I told them to try it, and then come back to me and tell me

how it went." Resistance from officers dissipated quickly. "Once they see that it works," Chatten adds, "they buy in."

### **MAINTAINING A TWO-WAY DIALOGUE**

with patrol officers is critical to winning their acceptance and support over time.

### **PROVIDE OFFICERS WITH PREDICTABLE AND TIMELY DETENTION DETERMINATIONS AND GUIDANCE**

As noted previously, a top priority for patrol officers within law enforcement agencies is to maximize their time in service (available to respond to new incidents), rather than out of service (tied up on a current incident). Therefore, providing patrol officers with prompt detention determinations and creating a clear and quick process for transferring custody of youth following arrest are key to earning their support for detention reform.

Indeed, smoothing out the detention decision-making process and minimizing the time required of law enforcement officers on juvenile cases were the primary motives for leaders in Multnomah County as they devised the nation's first reception center in the 1990s. As detailed more fully in the next chapter, the Multnomah reception center—a new venue designed to handle the cases of lower-risk youth who are not candidates for detention—was crafted initially to help authorities process and support the large numbers of homeless and runaway youth who were arrested each year in the Portland central business district, as well as other low-risk youth.

Prior to JDAI, the standard procedure for officers following a juvenile arrest was to take the young person to the detention center for processing, and then wait for a detention determination. Then, if the young person was not detained, the officers had to locate a parent or guardian who could take custody of the child

and drive the youth home—a process that could take hours. Even after a risk screening instrument was instituted in 1995, officers still brought youth to the detention center for screening, even those clearly inappropriate for detention, and were required to supervise non-detained youth until they could be transferred to a parent or guardian. As Multnomah opened

the reception center, local leaders created a new simple screening criteria, summarized on a small pocket card (pictured above) that officers began carrying on patrol. The card explained which youth were appropriate to even be considered for detention admission (detention screening) and which should be brought to the new reception center for assessment and referral to appropriate services and diversion programming.

As youth entered the reception center, center staff took over responsibility, allowing officers to quickly return to their patrols. This reception model has been replicated in multiple JDAI jurisdictions, where—among other benefits—it enables patrol officers to return to the field quickly in cases involving low-risk youth.


In Tippecanoe County, Indiana, local leaders have created an intake center where law enforcement officers bring all youth they take into custody, even before a detention determination is made. Before this intake center opened in 2010, officers would spend hours out of service when they arrested a young person. “If the child was going to be detained, the officers had to sit with the kid until the detention order was written,” says Wolf. “If the child was going to be released, the officer had to track down the parents and wait for them to come pick the child up. And sometimes it could take hours. Now all of that is probation’s responsibility.”

In Calcasieu Parish, local law enforcement leaders have been vocal supporters of a new Multi-Agency Resource Center (MARC) that opened in 2011 to serve youth arrested on status offenses and low-level misdemeanors (as well as other youth in need). In 2014, Lake Charles Chief of Police Don Dixon called the MARC “a godsend” for law enforcement. “Instead of us sitting here and babysitting someone for two or three hours trying to get hold of a parent or guardian, it gets our officers back on the road,” Dixon says. Indeed, MARC’s goal is to get officers back out on the road in just 12 minutes. “It’s also a cost saver for law enforcement,” Dixon adds. “I can’t even begin to imagine how much money we save by the MARC being open.”<sup>65</sup>

## Portland Police Bureau—Screening Resource Card To Guide Police Officers In Cases Involving Youth

MULTNOMAH COUNTY JUVENILES **DETAINABLE YOUTH**

Call Multco Detention Intake **503.988.3475**




**ELIGIBILITY**

- Up to 18 years of age
- Any felony crime
- Out of state runaway
- Warrant or All Points Bulletin (APB)
- Disorderly conduct in the first degree
- Youth is in violation of condition of release
- Possession of a firearm or destructive device
- Crime involving physical injury to another person
- Probation youth violating a condition of probation
- Required to be detained for the reasonable protection of the victim
- Youth has willfully failed to appear at 1+ juvenile court proceedings by disobeying summons/citation/ subpoena

MULTNOMAH COUNTY JUVENILES **NON-DETAINABLE YOUTH**

Call JANUS Youth Program Intake **503.233.8111**



**ELIGIBILITY**

- 11 through 17 years of age
- Status offense, Misdemeanors, Prostitution & City Ordinance Violators** such as curfew, runaway, MIP, non-person to person misdemeanors, theft III, criminal trespass III, criminal mischief II and III
- Youth whose **parents/guardians cannot be reached**
- Sexually exploited children** in need of safe shelter (both short & long term housing), counseling, support and advocacy
- Preventable measures** such as for safety, counseling, family crisis intervention services, mediation, cooling off period between child and parent. Youth can be taken to Harry's Mother, 783 NE Davis – if a safe place is required aside home

Most JDAI sites do not offer patrol officers the convenience of centralized reception intake or resource centers. However, in many JDAI sites, intake staff are available around the clock to access the records of youth taken into custody, apply the detention risk screening instrument and quickly inform officers whether the youth is eligible for detention. By providing quick and consistent detention determinations, and by creating an expeditious process for officers to complete necessary paperwork and transfer custody of youth they arrest, sites can earn good will with the officers and their superiors.

“Police, they want to get back out on the street, back to their jobs,” says Chatten.

From the very beginning of the initiative, JDAI sites have been exploring new approaches for **MEETING THE NEEDS** of youth who suffer with serious personal or family problems but pose minimal risk to public safety.

## STAGE THREE: Strengthening the Process for Connecting Youth to Appropriate Services (and Keeping Them Out of the Justice System)

Among law enforcement officials and other close observers interviewed for this publication, perhaps the most common complaint about juvenile justice involves the handling of so-called “frequent-flyer” cases—youth who repeatedly come into contact with law enforcement due to troubling circumstances in their lives such as mental health conditions, addiction, child abuse or neglect or other family crises.

“Cops are problem solvers,” says Paul Sayre, Lieutenant of the Tucson Police Department, who has been involved with JDAI since it came to Arizona’s Pima County in 2004. “They hate going back again and again to the same problem.”

“The perception about police is that they just want to arrest people,” explains Anthony Pierro, the juvenile prosecutor in Ocean County, New Jersey. “But that’s simply not true. They are really happy to be part of solving these situations ... [especially if ] it saves officers’ time and allows them to focus on addressing serious crime. Police don’t want to go back to that house 100 times.”

From the very beginning of the initiative, JDAI sites have been exploring new approaches for meeting the needs of youth who suffer with serious personal or family problems but pose minimal risk to public safety. Local LEAs—the initial point of contact for these youth—have often been crucial partners

in these efforts. Rather than returning to the same homes repeatedly to address domestic disputes, or arrest the same troubled youths over and over again for petty crimes, most officers are grateful for new procedures that steer low-risk youth with high needs to effective services.

This chapter will review several strategies that have proven successful in JDAI jurisdictions and identify the critical factors that made them effective. Specifically, the chapter will:

- 1 Review principles regarding the proper role for juvenile justice in assisting youth with serious human service needs.** These principles emphasize that the juvenile justice system was not designed and is not well equipped to meet these service needs and that detention facilities should not be used as a gateway to services.
- 2 Examine how JDAI sites have used reception centers and similar innovations, coupled with effective diversion practices, to quickly assess**

**low-risk youth and their families and connect those with significant needs to relevant service providers.**

**3 Describe innovative practices to avoid unnecessary arrest and detention of youth involved in domestic disturbances.**

## **THE ROLE OF JUVENILE JUSTICE IN MEETING HUMAN SERVICE NEEDS**

Some youth with high needs encounter law enforcement after running away from their families or foster homes, violating curfew or skipping school, all status offenses. Under the federal Juvenile Justice and Delinquency Prevention Act (JJDP) and many state laws, youth may not be detained for status offenses.<sup>66</sup> Yet handling status offenses can consume a substantial amount of officers' time. These cases can cause frustration for officers when court and social service agencies fail to provide needed support and assistance and when they receive repeated service calls for the same youth.

In other situations, low-risk youth with high needs are arrested for minor offenses such as shoplifting, disorderly conduct or trespassing. Or they may be arrested on domestic violence charges after getting caught up in disputes stemming from chaotic or abusive family situations, which in turn may be fueled by mental illness, addiction, trauma, abuse, abandonment or material deprivation.

Too often, these youth are arrested when a warning, citation or referral to services would be more constructive. Sometimes after arrest, these youth enter the juvenile justice system and, on many occasions, get locked in detention, despite the fact that juvenile court processing is clearly counterproductive for them<sup>67</sup>—and detention even more so.<sup>68</sup> Sometimes these youth enter the juvenile justice system because neither law enforcement nor juvenile court intake units have suitable policies for diversion. Sometimes these youth are brought into the juvenile justice system precisely because of their needs—officers are

not aware of other options, or juvenile courts lack appropriate policies or working partnerships with local service providers to ensure that juvenile justice does not serve as the only or easiest access point to needed services.<sup>69</sup>

As discussed earlier in this report, the evidence is overwhelming that being arrested is harmful for young people, reducing their odds of completing high school and increasing the likelihood of future involvement in the justice system. Most studies find that processing low-risk youth in juvenile court further harms their future prospects and placement into a detention center can impose lasting damage.<sup>70</sup> Thus, the lesson should be clear: just as detention should never be used as a consequence, or to teach youth a lesson, ***young people should never be arrested, prosecuted in juvenile court or detained as a means to obtain needed services. Rather, for youth who exhibit low-risk and severe needs, officials in law enforcement and juvenile justice must pursue two goals simultaneously: avoiding justice system involvement and connecting these youth and their families to the services they need.***

## **STEERING LOW-RISK YOUTH TOWARD NEEDED SERVICES (AND AWAY FROM COURT)**

Working together, law enforcement and other JDAI stakeholders can help address the frustrating gaps that often prevent youth with severe needs from connecting with community service providers following interactions with law enforcement.

If these youth have been charged with serious offenses and pose a significant risk to reoffend as measured by a detention screening instrument, they must be detained, and it is up to detention administrators, probation agencies and/or the courts to provide needed services. But for youth who score as moderate risk on the detention screening instrument and get placed in detention alternative programs, and those who score as low risk and get released to their parents or guardians, JDAI stakeholders and their law enforcement

partners have a shared interest in bridging the service gaps and connecting youth and their families to the help they need.

Two elements have been key to the most promising efforts to achieve this goal: (1) reception centers and other locations where lower-risk youth can be diverted from court (or even from arrest), assessed and connected to nearby service providers when necessary; and (2) well-crafted and service-rich diversionary programs that allow law enforcement officers to connect youth directly to needed support and assistance.

### **Reception centers and other assessment and referral locations**

As described at the end of the previous chapter, Multnomah County's reception center has simplified the decision regarding where youth should be taken after arrest and reduced the time officers spend processing cases or supervising youth they take into custody, thereby increasing officers' time in service. Beyond saving time, however, the Multnomah reception center has helped address the recurring failure to connect troubled youth and their families with needed services.

The center opened in 1998 to address a key challenge for Multnomah's emerging JDAI effort: a large population of homeless and runaway youth who congregated in the downtown business district. In those years, about 2,000 of these youth were arrested each year, mostly for charges of truancy, curfew violations, running away, trespassing and other low-level misdemeanors and status offenses. Officers routinely brought the youth to detention, and those who were runaways or had no adult willing to accept responsibility for them were often detained. "By law, these youth cannot be detained," then- JDAI coordinator Rick Jenson explained at the time. "However, in many instances it was the only option available."<sup>71</sup>

In 1995, the county's JDAI team introduced a new detention screening instrument and instituted new rules prohibiting youth arrested on status offenses or

non-serious misdemeanor delinquency charges from being transported to the detention center for screening. The following year, Multnomah County Department of Community Justice granted a leave of absence allowing a key staff person, Stephanie Vetter, to write a grant, develop the operational plan and oversee the initial operations of the reception center on behalf of a local nonprofit social services agency. The reception center offered an alternative venue where trained social workers could screen and assess these youth, identify any urgent needs faced by the youth and their families and link them to a range of needed services. For youth who lacked a safe and stable home, the reception center also offered access to non-secure shelter beds.

Vetter noted recently that a local law enforcement leader, then-Commander Bob Kauffman, played an important role in the center's creation. "Commander Kauffman realized that it's hard for outsiders to penetrate that culture and to work within police [culture]," Vetter says. "So he blazed the trail and used his command position to influence training, budgets and protocols" within the Portland Police Bureau (PPB).

At Commander Kauffman's urging, the reception center was piloted for its first six months inside the central precinct headquarters, allowing easy access as well as a rent-free space for reception center staff. The reception center then moved to a stand-alone site. PPB developed a two-way training program in which reception center staff rode along with patrol officers and attended roll calls in local precincts to brief patrol officers and other personnel on the new reception center program.

Over time, reception centers or similar arrangements have been adopted by more than a dozen other JDAI sites, including jurisdictions in Indiana, Louisiana, Minnesota, Ohio, South Dakota and the state of Washington. As in Multnomah, LEAs have played a central role in developing and supporting these reception centers and shelter beds—and have become key supporters.

### Enhanced station house adjustments

Since 2014, two New Jersey counties (Camden and Ocean) have crafted a new approach to avoid detention and expand services for low-risk youth with serious personal or family issues. In fact, the new approach allows law enforcement to connect youth and their families to services without having to first make an arrest.

Under New Jersey law, law enforcement officers have long been permitted to issue **station house adjustments** in lieu of arrest for first-time youth involved in low-level delinquent behavior. In these cases, youth and their parents sign a contract agreeing to participate in mandated activities (usually community services and/or restitution) and to maintain good behavior. If they fail to complete this contract, they may be returned to court and charged.

Beginning in 2014, first in Camden County and then in Ocean County, local prosecutors have led efforts to employ a new procedure in cases where lower-risk youth face significant personal or family difficulties. Called “enhanced station house adjustments,” this process connects youth and their families to the state’s underutilized network of Family Crisis Intervention Units (FCIUs).

“A lot of juveniles were being charged in court in order to get assessments and services. Courts had become the gateway to therapeutic services for a lot of youth,” explains Chatten. “We were looking for something to stem that tide and narrow that doorway into the juvenile court.”

**ENHANCED** station house adjustments allow law enforcement to connect youth and their families to services without having to first make an arrest.

The enhanced station house adjustments require parents and youth to sign a contract agreeing to participate in FCIU services, and the interagency agreement requires social workers from the FCIU to visit the family within 24 hours and begin the assessment process. Local prosecutors have trained more than 200 officers in the two counties with support from the state corrections agency and made the process user friendly for patrol officers who encounter eligible cases.

“It has to be easier,” says Pierro. “It’s easy to make an arrest. So you can’t make the officer do a 27-page referral [for the diversion alternative] that takes hours to fill out. They don’t have time for that, and they don’t have time to sit around [the intake center] to monitor the kid.”

Combined, Camden and Ocean counties pursued 67 enhanced station house adjustments in 2014, the first year of operation. Of the early participants, 88 percent completed their enhanced station house adjustment contracts, and 97 percent avoided any subsequent delinquency charges referred to court within one year.<sup>72</sup>

In Virginia Beach, Virginia, where law enforcement plays an active role on the JDAI steering committee and where members of the local police department have undertaken extensive training on adolescent behavior and trauma-informed care, local leaders have not developed a formal process to link troubled youth to services. But according to Deputy Chief William Dean, leaders in some local precincts have begun tracking frequent-flyer cases as part of their regular data review process and reaching out to social service providers to advocate for more robust services for these youth. Also, detectives in the department’s run-away unit have been visiting the homes of repeat run-away youth and making referrals for those youth and families who continue to fall through the cracks.

These efforts, Dean says, are rooted in an understanding that “if you take care of the small things effectively with teens, behaviors do not escalate and the big things often take care of themselves.”<sup>73</sup>

## NEW STRATEGIES FOR HANDLING DOMESTIC VIOLENCE CASES

Local justice systems frequently face a difficult challenge in working with youth who come in contact with law enforcement due to domestic disturbances in their homes. Many LEAs are bound by statutes, regulations or practices encouraging the automatic arrest of the predominant aggressor involved in a domestic disturbance, regardless of the severity of the situation or the youth's risk of harming family members.<sup>74</sup> And many courts have rules or practices to detain any young person arrested on a domestic battery charge.

The sentiments behind these rules and practices are understandable. But their effects are often counterproductive—unnecessarily subjecting young people to the trauma and disruption of detention while failing to address the underlying family issues that caused the conflict. Through JDAI, several jurisdictions have forged partnerships with law enforcement, the courts and other agencies to minimize the use of detention (and even arrest or prosecution) and instead steer youth and their families to local service providers.

For many years in Cuyahoga County (Cleveland), Ohio, the established policy was to automatically detain all youth arrested for domestic violence offenses, regardless of the circumstances of the case or the offending history of the young person. As a result, youth posing little risk to public safety were often placed in detention, and the detention center was often crowded, increasing risks inside the facility and causing headaches for court authorities when more dangerous young people were arrested and referred to detention on serious charges.

In 2014, Cuyahoga County Juvenile Court Improvement Project Manager Renee Edel reached out to Commander Deon McCaulley of Cleveland's Fourth Police District, which had the highest number of juvenile domestic violence arrests in the city. Edel, who also serves as JDAI coordinator for Cuyahoga, impressed on McCaulley the research showing that detention in these cases was damaging to young people and counterproductive to public safety.

"She explained how harmful and traumatic detention is and asked us to consider a different approach to kids



we were arresting in these circumstances,” recalls McCaulley, who now serves as Cleveland’s deputy police chief. “I was sold on the idea when I realized that it would reduce the time police officers had to spend on a case AND help get solutions to problems kids were facing.”

Police and court leaders joined forces with a local social service agency to develop and pilot a new approach, Coordinated Approach to Low Risk Misdemeanors (CALM), aimed at providing appropriate guidance and alternatives for youth taken into custody in domestic violence cases. Under the CALM model, which has since expanded to all five Cleveland police districts, officers can refer low-risk youth facing misdemeanor domestic violence charges to the CALM program for screening, rather than automatically transporting them to detention and filing formal charges against them. In these cases, a social worker is dispatched quickly to determine whether the youth is a good candidate for CALM.

“We were able to sell it to our officers and since then it’s been a great success, reducing recidivism as well as getting to the problems that generated the call to the police in the first place,” says McCaulley. “The commanders who have followed me in the Fourth District are big fans and have sustained it.”

## DVAC IS EASIER AND FASTER

“Dropping youth at the DVAC is easier and faster than detention for patrol officers. I can drop a kid off, it’s faster, and I can get back out on the street.”

— CAPTAIN PAUL SAYRE  
TUCSON POLICE DEPARTMENT

Youth deemed eligible for the CALM program are placed in a respite home, and social workers conduct an assessment of both youth and their caregivers and provide the youth and family with up to three days of

crisis intervention, therapeutic foster care and case management support. During this period, the CALM worker helps the youth return home safely and/or connects families to community-based services. A preliminary study indicated that only three of the first 55 youth involved in the program were charged again with domestic violence in the first two years, and two of those cases were minor, with no injuries reported.<sup>75</sup>

“The [CALM] program has successfully kept first-time domestic violence offenders out of the juvenile justice system,” says Edel. “These results speak to the low risk these youth pose to the community and prove that this population can successfully remain outside the justice system.”

In Pima County, Arizona, where intensive work on juvenile justice reform began in 2004 with both the formation of a task force on disproportionate minority contact and the launch of JDAI, stakeholders quickly discovered a serious problem in their local system: More than a thousand youth each year—most of them youth of color—were being arrested in the county on domestic violence charges and hundreds each year were being detained. County data showed that most of these youth were subsequently released and then placed in diversion programs or informal probation supervision. In other words, these were not high-risk youth. Yet assessments showed that three-fourths of them had mental health diagnoses, two-thirds had been involved in the child welfare system and more than half were youth involved in both the delinquency and dependency systems.<sup>76</sup>

“Law enforcement had an in-house policy...that they had to remove someone from the home, either the victim or the offender, in every domestic violence situation,” recalls Marcia Rincon-Gallardo. “So if the incident involved a parent and a kid, they always brought the kid.”

Fortunately, the Tucson Police Department took an active leadership role in the local juvenile justice and detention reform efforts, and department leaders agreed that the treatment of domestic violence was problematic. “A lot of kids were being dragged into

the system unnecessarily,” says Captain Paul Sayre, who played an active role in the work group assigned to study the domestic violence situation and develop solutions.

Aided by a grant from the federal Bureau of Justice Assistance, that work group devised plans for a new Domestic Violence Alternative Center (DVAC) where officers could take lower-risk youth arrested on misdemeanor domestic assault charges. Opened in 2007, this DVAC has greatly reduced the use of detention for this population. In 2011, more than three-fourths of all misdemeanor domestic violence cases were referred directly to the DVAC, and only 42 resulted in detention admissions—down from 415 in 2004.<sup>77</sup> “Dropping youth at the DVAC is easier and faster than detention for patrol officers,” says Sayre. “I can drop a kid off, it’s faster, and I can get back out on the street.”

Since 2011, Pima County has expanded the hours of the DVAC to 24 hours per day, seven days per week. In 2015, the county began allowing patrol officers to bring youth to the DVAC without making any arrest or court referral. Until that time, officers could take youth to the DVAC only after making an arrest and referral on misdemeanor domestic abuse charges. As a result, the DVAC was handling “many youth who should never have been referred at all,” says Pima County JDAI Coordinator Chris Vogler.

From these counties, and from other JDAI sites which have also worked with law enforcement to develop better practices for low-risk youth involved in domestic altercations, several lessons and best practices emerge.



## STAGE FOUR: Promoting More Constructive Law Enforcement Practices Toward Youth

By working more closely with local law enforcement agencies, JDAI collaboratives can significantly improve outcomes at the detention phase of the juvenile justice system—the core of detention reform.

However, the benefits of strong JDAI-law enforcement partnerships need not be limited to this phase. Rather, JDAI stakeholders can also influence law enforcement practices toward youth more generally to help make their local juvenile justice systems more equitable and effective.

### WHY CHANGING LAW ENFORCEMENT PRACTICES IS IMPORTANT

As detailed in Stage One on page 21, the evidence is overwhelming that arresting youth for routine and minor misbehavior is counterproductive—damaging to young people’s futures, harmful to public safety and expensive. Yet every year LEAs arrest hundreds of thousands of youth on charges of disorderly conduct, shoplifting, fighting, marijuana possession, trespassing, curfew and liquor law violations and other minor offenses.<sup>78</sup>

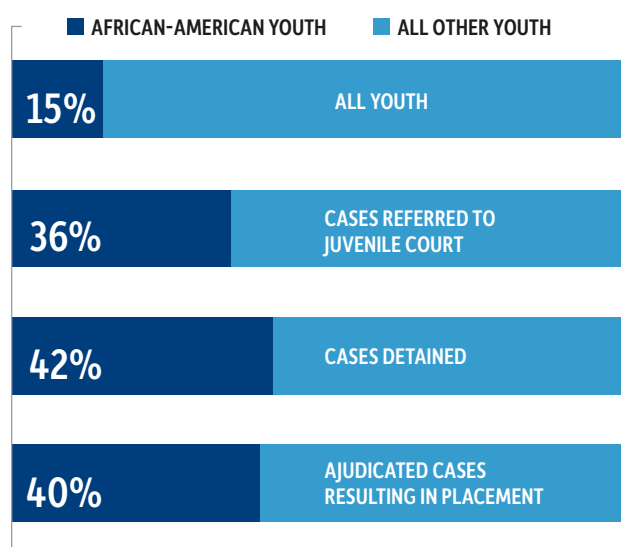
Emerging research in adolescent development and brain science makes clear that young people reason and respond far differently to authority than adults, and there is widespread consensus that these differences have important implications for how law enforcement can best react to incidents involving youth. Yet few LEAs provide detailed training (or any training) for their officers regarding adolescent development.

Meanwhile, the data show clearly that by far the greatest source of racial and ethnic disparity in the juvenile justice system is the point of arrest. Compared with their white peers, black youth are twice as likely to be arrested—and even wider disparities are common for specific offenses, or in particular jurisdictions, not only

for African-American youth but also for Latinos, Native Americans, Pacific Islanders and other youth of color. The differential arrest rates are not fully explained by young people’s behavior. Rather, for most offenses, self-report studies show only modest racial and ethnic differences in youth offending rates. However, due to heightened surveillance in low-income communities of color, stop-and-frisk tactics, implicit bias and other factors, black and brown youth are often treated more aggressively by law enforcement than their white peers. These realities have contributed to a lack of perceived legitimacy for law enforcement among many youth, which can increase young people’s propensity for future lawbreaking.<sup>79</sup> They have also heightened community tensions that can undermine law enforcement’s success in protecting public safety.

In numerous JDAI jurisdictions, conversations and connections triggered by JDAI have raised awareness among law enforcement leaders and sparked constructive changes in law enforcement practices toward youth. In some non-JDAI jurisdictions, law enforcement

### African-American Youth In The Juvenile Justice System 2014 Case Processing Summary



SOURCE: Puzzanchera, C., & Hockenberry, S. (2017). National disproportionate minority contact databook. Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Retrieved from [www.ojjdp.gov/ojstatbb/dmcd](http://www.ojjdp.gov/ojstatbb/dmcd)

leaders have taken it upon themselves to craft new strategies to improve policing practices for youth, thereby advancing goals related to JDAI's mission.

The following pages examine a number of these positive examples to show how law enforcement practices can be improved for youth, and how JDAI stakeholders can and do promote constructive changes in local law enforcement practices. Specifically, the discussion will review efforts aimed to do the following:

- Expand the use of pre-arrest diversion programs.
- Minimize arrests at school for low-level misbehavior.
- Identify and avoid disparities at arrest.
- Develop comprehensive department-wide policies to assure progressive policing for youth.

## EXPANDING ALTERNATIVES TO ARREST FOR NON-SERIOUS MISBEHAVIOR IN THE COMMUNITY

### Civil citations.

Florida issues civil citations in lieu of arrests for low-level juvenile lawbreaking to nearly 10,000 youth per year.<sup>80</sup> This effort began two decades ago in Leon County (Tallahassee), but remained limited until the state's largest county, Miami-Dade, initiated a program in 2007 and issued more than 2,000 civil citations annually in the first five years.<sup>81</sup>

With civil citations, officers are authorized to issue a paper citation rather than arresting youth apprehended for misdemeanor or other low-level law violations. When given a citation, youth and their families must contact a local service provider agency, agree to participate and then abide by the terms of the program. Youth are assessed for risks and needs, and then are required to complete minor sanctions (community service hours, letters of apology, restitution, etc.) and—depending on need—may also be referred to services such as mental health counseling, substance abuse treatment and/or family counseling. If the youth complete the program, their cases are dismissed, leaving the youth with no arrest or court record. If the youth

fails to complete the program, an arrest warrant may be issued and the case may be referred to juvenile court.

In 2010, Miami-Dade Juvenile Services Director Wansley Walters was appointed as secretary of the state's Department of Juvenile Justice (DJJ), and in 2011, the state approved legislation to expand the civil citations model statewide. Since then, continuing under new DJJ leadership, civil citations have spread to nearly every county in the state,<sup>82</sup> and the use of citations has risen steadily. In the 2015–16 fiscal year, Florida's counties issued 9,648 citations, which accounted for 50 percent of all cases eligible for citations statewide.<sup>83</sup>

Available data indicate that the citations have been highly successful:

- **Fewer arrests for low-level offenses.** Since legislation passed in 2011 to spread civil citations statewide, juvenile misdemeanor arrests have fallen 58 percent (through the end of the 2018–19 fiscal year), compared with a 25 percent drop in juvenile felony arrests.<sup>84</sup>
- **Effective tool for reducing racial and ethnic disparities.** In Miami-Dade County, for instance, 93 percent of youth who receive citations are youth of color.<sup>85</sup> Statewide in 2018–19, 63 percent of all eligible black, Hispanic and other youth of color received citations rather than getting arrested, whereas just 61 percent of eligible white youth received citations.<sup>86</sup>
- **Excellent recidivism results.** Youth issued citations recidivate at less than half the rate (4 percent compared with 9 percent) of youth eligible for citations who instead complete court-sponsored diversion programs after being arrested.<sup>87</sup> In other words, because Florida police officers issued over 10,000 civil citations in lieu of arrest in the 2018–19 fiscal year, roughly 500 more youth in the state were able to avoid a subsequent arrest (and the stain of a juvenile record); police made 500 fewer arrests; and the justice system had 500 fewer cases to process.

- **Substantial savings for taxpayers.** One widely cited study estimated that civil citation cases cost taxpayers an average of \$386, compared with an estimated \$5,000 in justice system expenses for each case referred to juvenile court.<sup>88</sup>

All of the JDAI counties in Florida employ civil citations, and JDAI stakeholders have worked with law enforcement to expand the use of pre-arrest diversion in a number of other jurisdictions across the country.

In 2005, New Jersey Attorney General Peter Harvey released new regulations requiring that every law enforcement agency in the state develop standardized procedures to offer station house adjustments in lieu of arrest for youth involved in certain low-level offenses.<sup>89</sup> Like civil citations, station house adjustments typically require youth to take steps toward repairing the harm caused by their misbehavior (often through community service, restitution or apologies), and they steer youth and their families to needed services.

Issued just one year after New Jersey launched its ambitious statewide JDAI replication initiative, the new regulations were influenced by the state's JDAI steering committee, and they aimed to correct an underutilization of station house adjustments in less-affluent, higher-crime neighborhoods where many youth of color reside. In 2006, Detective Sergeant Robert Sarnacki, then president of the New Jersey Juvenile Officers Association and member of the state JDAI steering committee, praised the change, saying: "The station house adjustment program is an important diversionary tool that should be used by all police departments."<sup>90</sup>

In subsequent years, the state has directed federal funds from the JJDPa to support station house adjustment programs in multiple counties. And two New Jersey counties—Camden and Ocean—have pioneered the use of enhanced station house adjustments for youth with serious personal or family difficulties.

Also, like these New Jersey jurisdictions, Arizona's Pima County has created a new paper referral process for domestic violence cases that allows law enforce-

ment officers to connect youth and families with needed social services without making a court referral. "Until 2015, officers needed to make a misdemeanor referral," explained Pima County JDAI Coordinator Chris Vogler. "The new option gives officers an opportunity to diffuse that situation—get that kid out of the house—without making a referral."

In Maui, Hawaii, a JDAI site since 2007, the local police department operates its own diversion program, POI (Positive Outreach Interventions). Launched initially in 1999 as a court diversion option following arrest, POI is a voluntary program allowing youth to avoid court processing if they write an apology letter, participate with a parent in a life-skills class and perform community service. POI is overseen by the Maui Police Department's Juvenile Crime Prevention Division, which employs a team of juvenile counselors in addition to investigators and school resource officers. The program graduated more than 850 youth in its first 15 years.<sup>91</sup> In 2015, local leaders created a new pre-arrest option allowing Maui police officers, as well as school administrators, to refer youth into the POI program without an arrest.<sup>92</sup>

## REDUCING SCHOOL ARRESTS

JDAI collaboratives can also play an important role in reducing school arrests and in interrupting the school-to-prison pipeline. Indeed, two JDAI sites have become national leaders in the growing movement to rethink "zero tolerance" and keep children in school and out of court.

### Clayton County, Georgia

From 1994 to 2003, the number of Clayton County students arrested at school ballooned from 67 to 1,347. Nearly all of these arrests were for misdemeanor offenses, most involving routine misbehavior, such as fighting or disorderly conduct, that in previous times had been handled as school discipline issues, not crimes. Soon after Clayton County became a JDAI site in 2003, a local juvenile court judge, Steven Teske, initiated a community-wide planning process to explore alternatives and reduce this epidemic of school arrests.

The first step in the process was to craft a multiagency memorandum of agreement identifying a set of specific behaviors for which students would no longer be subject to arrest on their first or second offense, along with a list of appropriate non-court disciplinary responses for youth who engage in these behaviors. Over time, Clayton County leaders also developed a coordinated system of care to assist the small but problematic population of persistently disruptive but low-risk youth who repeatedly committed low-level violations, many of whom suffered with unmet mental health needs and family issues. Importantly, the county's police department crafted a new approach for its school resource officers, called the "Positive Student Engagement Model," and retrained these officers to focus on relationship building and community safety, rather than enforcing school discipline rules and making arrests.

Through these strategies, Clayton County has achieved noteworthy results. Since 2003, school arrests have dropped more than 90 percent, school graduation rates have climbed substantially and countywide juvenile arrest rates have plummeted for both misdemeanor and felony offenses, as have probation caseloads. Judge Teske has become a national leader on school-to-prison pipeline issues, testifying repeatedly in the U.S. Congress, traveling and providing assistance to dozens of jurisdictions nationwide interested in replicating the Clayton County model and helping lead a national effort on behalf of the National Council of Juvenile and Family Court Judges to reduce overreliance on arrests in schools.

### Philadelphia, Pennsylvania

Like many other jurisdictions, Philadelphia's initiative to reduce school arrests was influenced by the Clayton County model. However, Philadelphia's efforts have been driven primarily by the police. The key leader in Philadelphia has been Kevin Bethel, who served as the city's deputy police commissioner until November 2015. Kevin Bethel is now the Special Advisor on School Safety at the School District of Philadelphia, where he oversees the implementation of the district school safety.<sup>93</sup>

Bethel launched the reform effort in early 2014, the year after he was put in charge of Philadelphia's school police. Data analysis revealed that nearly 1,600 students were being arrested at school each year, and most of the arrests were for misdemeanor offenses. Bethel also noted that 85 percent of the youth arrested in schools were being diverted from court following arrest and referred to a community-based youth aid panel. "If they are going to be diverted to a youth aid panel anyway," he asked, "why do we need to arrest them?" Based on these data, Bethel decided that school police should no longer arrest students for several types of misdemeanor offenses—fighting (provided no injury occurred), disorderly conduct, marijuana possession and possession of non-lethal weapons such as mace, lipstick tasers or scissors—provided they had no prior arrest record. Student arrests fell 54 percent in the program's first year and they have continued to fall ever since. By 2018-19, only 251 student arrests were recorded in Philadelphia schools—just one-sixth the number five years prior.<sup>94, 95</sup>



While Bethel made all the initial decisions unilaterally in his role as a law enforcement commander, he recognized that crafting an effective diversion program would require outside partners. Bethel quickly realized that the JDAI subcommittee on disproportionate minority contact, on which he served, offered a perfect forum.

“The beauty of [the JDAI] collaborative is that we had all the right people in the room,” Bethel says. Thanks to JDAI, he adds, “everyone was on the same page, and there was already an environment of trust.”

Within a month of initiating the project in the spring of 2014, Bethel and his partners had negotiated a memorandum of understanding signed by seven agencies—including police, public schools, the district attorney and public defender and the Philadelphia Department of Human Services—which agreed to connect students referred through the diversion with one of its existing providers for high-risk youth and families. Unlike other diversion programs, Philadelphia does not require youth or families to participate or threaten to file arrest or court referral papers if youth fail to complete assigned tasks. “There is no hammer,” Bethel says. Nonetheless, about 90 percent of families have chosen to take part in the services offered, and the recidivism rate for diversion participants remains low.<sup>96</sup>

## COMBATING RACIAL AND ETHNIC DISPARITIES AND ADDRESSING COMMUNITY CONCERNS

Local JDAI collaboratives can also influence law enforcement by exposing commanders to data on racial and ethnic disparities in youth arrests and by supporting and encouraging new law enforcement strategies to address disparities. Indeed, local stakeholders have sparked constructive efforts to combat disparities in arrests in several JDAI sites. In many sites, JDAI has also created a forum—and sometimes provided targeted training—to foster constructive dialogue between law enforcement and community advocates.

In both Clayton County and Philadelphia, for instance, evidence of widespread racial disparities was a motivating factor behind the efforts to reduce school arrests. Racial equity was also a motivating factor in the expansion of civil citations in Florida.

In Tippecanoe County, Indiana, data revealed that youth of color were being arrested in disproportionate numbers for resisting law enforcement, disorderly conduct and battery against a public safety officer—all of which involved significant discretion on the part of the arresting officer.

“I could not believe that our policies were having the impacts,” recalls Captain Wolf of the Lafayette Police Department, the county’s largest law enforcement agency. “The data collected by JDAI made us realize we had to change how we responded to kids.”

Since learning of these trends in 2013, Tippecanoe County has taken several ambitious steps to limit arrests and reduce disparities for these offenses. It has begun providing training on *Policing the Teen Brain*<sup>TM</sup> and implicit bias to law enforcement officers, and it has made arrests for the identified offenses a standing topic in JDAI collaborative meetings. By 2017, arrests for these offenses had declined 43 percent, including a 45 percent drop among youth of color.<sup>97</sup>

Law enforcement leaders in other JDAI jurisdictions also credit JDAI for providing a wake-up call regarding racial and ethnic disparities in juvenile arrests. For instance, Robert Stewart, the assistant public safety director in Columbus, Ohio, admits that prior to JDAI, “we had no idea what our arrests looked like in the detention center.”

As he took command of the Youth Service Section of the St. Paul Police Department in Ramsey County, Minnesota, in 2008, Commander Gene Polyak initially believed that his department was upholding the law in a race-neutral fashion. “I felt the system was fair,” Polyak says.<sup>98</sup>

However, Polyak soon joined the DMC subcommittee of Ramsey County’s JDAI steering committee. Polyak’s

boss, St. Paul Police Chief Thomas Smith, was a co-chair of the local JDAI steering committee. Together, they volunteered that the police department would be the first stakeholder in the county to complete a “decision point analysis” to identify points of disparity, explore underlying causes and work toward solutions.

“When I began looking at the data, I began to see unfairness,” Polyak recalls. Specifically, the data showed that 74 percent of juvenile arrests for disorderly conduct involved black youth, even though the city’s youth population was just 29 percent black. Many of these arrests were occurring at school.<sup>99</sup> The analysis also showed that youth of color were less likely to be referred to diversion than white youth, due in large part to admissions criteria that, while well intentioned, were systematically excluding many youth of color who could have benefited.

Based on the assessment, the St. Paul Police Department narrowed its definitions of disorderly conduct and partnered with the St. Paul public school district to conduct a series of trainings for teachers, school counselors and vice principals to reduce the schools’ reliance on school resource officers to address school discipline matters. Since the decision point analysis was completed in 2011, Ramsey County has seen a more than 50 percent drop in arrests for disorderly conduct and terroristic threats.<sup>100</sup>

Captain Sayre of the Tucson Police Department in Pima County, Arizona, also praised JDAI’s role in raising awareness of disparities in juvenile arrests, and he was grateful that JDAI stakeholders did not raise the disparities problem in a judgmental or accusatory fashion.

In some non-JDAI jurisdictions, farsighted law enforcement leaders have taken concerted action to combat disparities and reduce overreliance on arrests for age-typical misbehavior by youth. In 2012, for instance, Gainesville (Florida) Police Chief Tony Jones analyzed his department’s arrest data and determined that African-American youth were being arrested at four times the rate of white youth. Drilling down deeper into the

data, Jones noticed that his officers were regularly arresting black youth who were eligible for civil citations, while white youth in identical situations were typically offered the citations. In response, Chief Jones crafted a new directive requiring officers to contact a superior and gain authorization any time they wished to arrest a young person eligible for a civil citation. In 2014, student arrests dropped 31 percent in three targeted schools,<sup>101</sup> and in 2015, juvenile arrests fell nearly 50 percent citywide.<sup>102</sup>

## **CRAFTING A COMPREHENSIVE APPROACH TO POLICING YOUTH**

For the most part, JDAI stakeholder efforts to engage and partner with law enforcement will concentrate on evolutionary change: assuring law enforcement participation in critical elements of detention reform (the detention screening process, improved practices for domestic violence cases involving youth, alternative programming for high-need, low-risk youth); promoting policing practices that minimize arrests for low-level misbehavior of low-risk youth at school and in the community; and addressing racial and ethnic disparities in arrests.

However, two police departments in JDAI jurisdictions have demonstrated that, ultimately, law enforcement can aspire to a greater goal in their dealings with young people—a comprehensive practice model that avoids unnecessary arrests, keeps youth out of court and instead promotes worthwhile prevention activities and steers more youth (and their families) to targeted services in the community.

Since 2010, when Harry Earle became the chief of the Gloucester Township Police Department, this southern New Jersey suburb has embraced a wide variety of community policing initiatives, including what the Vera Institute has described as a “community-wide collaborative response to youth violence.”<sup>103</sup> Under Chief Earle, formerly a member of the department’s juvenile unit, the department has opened a family resource center, staffed with a licensed social worker.

Youth who come into contact with police are often sent to this center, where a social worker assesses their individual and family needs and may either enroll the youth in services provided at the center (youth and family counseling, youth peer support groups) or refer them to community partners. The police department also operates a diversion program—directed jointly by a social worker and a police officer—that provides a six-week life-skills workshop in lieu of court processing for many youth.<sup>104</sup> According to Earle, the recidivism rate among youth completing the program from 2011–17 was 21 percent, compared with a 30 percent rate among similar youth arrested in 2008–11 before the diversion program was launched.<sup>105</sup> Earle’s department has also developed new procedures for all domestic violence cases involving children and youth and all cases involving runaways, in order to steer youth and families into needed services.<sup>106</sup>

In Cambridge, Massachusetts, police have partnered with the public schools, area youth centers and mental health experts from the Cambridge Health Alliance and Harvard University to develop an ambitious new approach to policing youth that aims to minimize arrests, keep youth out of court and instead to divert youth whenever possible into positive activities in the community and needed counseling and mental health services. Called “Safety First,” the effort began in 2007 when Robert Haas, previously Massachusetts’s secretary of public safety, took over as the Cambridge Police Commissioner.<sup>107</sup> Haas soon formed a Youth and Family Services Unit, assigning a team of “youth resource officers” to work exclusively with youth, with a focus on prevention, early intervention and diversion. Lt. Leonard DiPietro, commander of the department’s Youth and Family Services Unit, summed up the philosophy in 2015 with a question: “Why arrest when you don’t have to?” he asks. “What is a better way for us to handle this problem as a community?”<sup>108</sup>

Cambridge youth resource officers receive extensive training on adolescent development and conflict resolution, and they spend most of their time visiting area

schools and community centers, building relationships with young people. When youth resource officers are called to handle situations involving youth, they follow a detailed process chart (see next page) that focuses first on assessing the young person and identifying any risks and needs, then developing an intervention plan involving either police diversion with a focus on restorative justice or an individualized intervention connecting the young person to youth programs, mental health services, mentoring and family support.

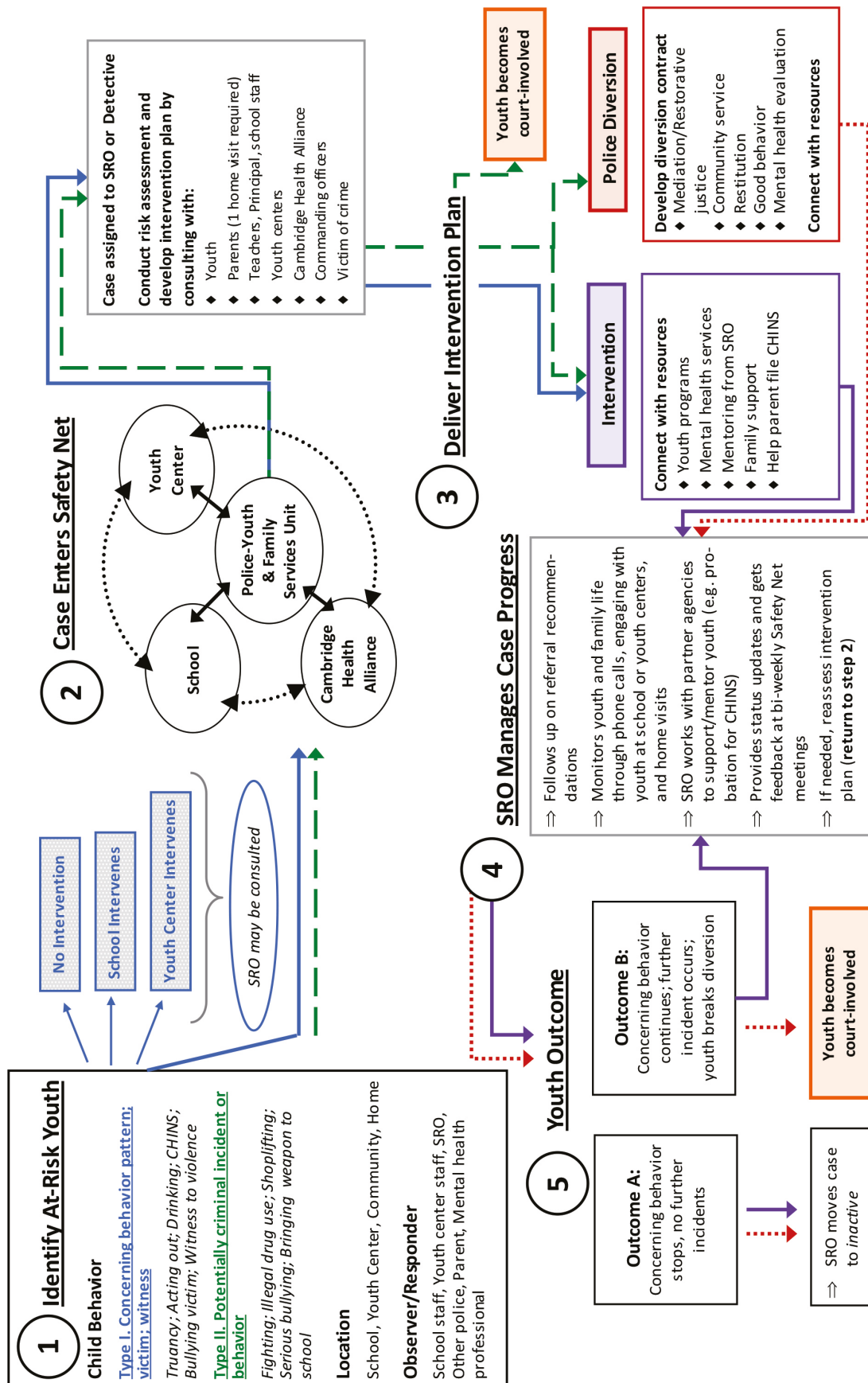
## YOUTH RESOURCE OFFICERS

“are trained to carry out the mentor/counselor role of a resource officer, and ask what’s going on in the life of a student.”

Under the program, arrests have fallen sharply in Cambridge. The city averaged 46 youth arrests per year from 2005–07, before the program began. In the first three years of the program (2008–10), the city averaged 32 youth arrests per year, and in the subsequent four years (2011–14) the average fell to 21.<sup>109</sup>

Youth resource officers “are trained to carry out the mentor/counselor role of a resource officer, and ask what’s going on in the life of a student,” explained a 2015 story in *School Safety* about the Cambridge effort. “Officers ask a lot of questions to try to get to the bottom of a student’s behavior...(Youth resource officers) are trained to assume case management responsibilities for troubled students they encounter. By following the cases of different students, officers can close the loop and help make sure the youth are connected to services, and not fall through the cracks.”<sup>110</sup>

## Safety Net: Intervention & Police Diversion Models



# Practical Advice: Low-Risk Youth With High Needs

*Lessons for Jurisdictions Seeking to Improve Access to Services for Low-Risk Youth With High Needs.*

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Consider opening a reception center or other comparable facility to assess and process lower-risk youth apprehended by law enforcement.

## CREATE A SERVICE-RICH ENVIRONMENT

Create a service-rich environment in the facility capable of identifying and addressing young people's needs in developmentally appropriate ways.

- Conduct thorough risk and needs assessments for all youth who enter the reception center.
- Determine which system, if any, is most appropriate for the young person—child welfare, mental health or delinquency court.
- As resources allow, provide an array of on-site services at the reception center, so that youth and families can be connected immediately. (However, don't make availability of on-site services a precondition to opening a new reception center. The reception center in Multnomah County began with two social workers operating in the chaplain's office of a local police precinct.)
- Develop a network of providers offering more specialized or in-depth services, with reception center staff assigned to provide encouragement and case management support for youth and families to access recommended services.
- Provide access to non-secure shelter beds. Too often, hospitals or lock-up facilities are the only options for youth whose parents can't or won't provide a safe home, leading youth to be labeled

as mentally ill or delinquent. Shelter beds can avoid labeling and give respite to both youth and families.

## DEVELOP CLEAR CRITERIA

Develop clear criteria to distinguish which youth should be brought to the reception center for screening and intake, and which should be taken to the detention center or juvenile court intake.

- Clearly designate which offenses require youth to be screened for detention and which might be eligible for transport to the reception center.
- Spell out clearly the additional requirements that make a youth eligible for detention, in terms of offending history, outstanding warrants, probation status, etc.

## MAKE IT EASY FOR OFFICERS

Make it easy for officers to determine where to take the youth they apprehend—detention screening vs. reception center.

- Make intake staff available to law enforcement officers by phone 24/7 to access case files, apply the detention screening instrument and inform officers whether youth they apprehend are appropriate for reception center processing.
- Direct officers to follow the instructions given over the phone by juvenile intake officers.
- Provide in-service training and regular refresher sessions for officers to review criteria and procedures associated with the reception center.
- Print and regularly update written reference materials to guide officers in using and working with the reception center.

- Consider printing a small and simple card, as in Multnomah County, that officers can carry with them and reference when deciding whether youth are appropriate for the reception center.

## STREAMLINE THE PROCESS

Streamline the process for officers to transfer custody of youth brought to the reception center.

- Minimize paperwork requirements.
- If possible, assign court or reception center intake staff to begin filling in necessary forms while the officer and youth are in transit.
- Expedite the transfer of custody so that officers can return to service in the shortest possible time.

## ESTABLISH A FEEDBACK LOOP

Establish a feedback loop to keep officers informed about the progress and status of youth they transport to the reception center.

*If the jurisdiction does not establish a reception center or similar facility, pursue alternatives that allow officers to issue citations or summons for low-risk non-detainable youth, rather than taking them to detention or juvenile court intake for detention screening.*

## CONSIDER ISSUING CIVIL CITATIONS

Consider granting officers the authority to issue civil citations or station house adjustments (pre-arrest diversion alternatives) for low-risk youth apprehended for low-level offenses.

## CREATE A PAPER REFERRAL PROCESS

Consider creating a paper referral process in which—rather than being taken into custody—the youth receives a paper summons requiring him or her and a parent or guardian to contact or appear at an appropriate venue to meet with a magistrate or diversion program staff.

- In a magistrate process, the goals are to: 1) determine if the case warrants informal processing

(usually if the youth takes responsibility for the offense and shows remorse); 2) determine if the young person's home is safe and provides proper supervision and support; and 3) if the case will be handled informally, assign terms of behavioral contract (usually a limited community service assignment and/or informal probationary period in which the youth must avoid reoffending). Ideally, youth who complete the magistrate's requirements have no record of arrest or court involvement from the incident.

- In a diversion process, program staff undertake an assessment, discuss the offense and formulate a diversion contract. The diversion program can be operated by the court, probation, the police department or a private youth agency. The important feature of this approach is that diversion does not involve court processing, create a juvenile record or place youth at risk of being detained.

## WORK WITH SOCIAL SERVICE PROVIDERS

Work with social service providers in the community to create a comprehensive referral network to address identified needs of youth and their families.

- Services should include mental health and substance abuse treatment, emergency shelter, crisis intervention and respite care, wraparound care and learning disability specialists, as well as local youth organizations, mentor programs and other providers of positive youth development opportunities.
- Stakeholders should seek to ensure that all providers offer culturally competent, trauma-informed support to participating youth and families.

# Practical Advice: Domestic Violence Cases

*Lessons for Jurisdictions Seeking to Improve Handling of Youth in Domestic Violence Cases*

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## REVIEW THE DATA

Scrutinize the available data to determine if large numbers of low-risk youth are being arrested and detained for misdemeanor domestic violence charges, and if there are significant racial and ethnic disparities in arrest and detention for misdemeanor domestic violence offenses.

## EXAMINE EXISTING COURT RULES

Examine existing court rules, customs and policies to determine if they frequently result in low-risk youth being needlessly (and counterproductively) detained.

## CONSIDER CREATING A NEW PROCESS

If the analysis reveals that current practices for juvenile domestic violence cases are problematic, consider creating a new facility, program and/or process for handling low-risk domestic violence cases.

- One option (as modeled by Pima County, Arizona) is to create a new facility where low-risk youth involved in domestic disputes can be taken in lieu of detention.
- A second option (as modeled in Cleveland, Ohio) creates a new referral process in which low-risk youth and their families involved in domestic disputes are referred to social service providers, promptly assessed, connected to services and—when necessary—offered a few days of respite care away from the home.

## ASSESS YOUTH PROMPTLY

Regardless of the model used (new facility or new referral process), assess youth and their families promptly.

- In Cleveland’s CALM program, social workers are dispatched within 45 minutes of receiving a referral to assess the youth and family and determine whether youth are appropriate for detention or respite care in a non-secure shelter.
- In Camden and Ocean counties in New Jersey, social workers must contact and begin working with youth and families who agree to participate in the enhanced station house adjustment program within 24 hours.

## CONNECT YOUTH AND FAMILIES QUICKLY

Connect youth and families as quickly as possible to needed services and supports in the community.

- When young people are arrested for domestic violence, detained and processed through juvenile court in a conventional fashion, weeks or months may go by before their cases are heard. Meanwhile, they and their families may never receive in-depth assessments, case management support or access to needed services. In some circumstances, the youth’s behavior can escalate for failure to address underlying issues.
- A key advantage of creating a new facility or process for youth in domestic violence cases is that interventions can begin promptly and address the constellation of family issues that may explain the youth’s behaviors.

## MAKE THE PROCESS EASY

Make the process quick and user friendly for patrol officers.

- Create clear guidelines about which youth are eligible for the alternative site or process and under which circumstances.
- Minimize paperwork and expedite the steps officers must take to connect youth and families to the alternative site or process and to transfer custody.
- Provide in-service training and regular refresher sessions for officers to review criteria and procedures for domestic violence cases.

## EXPLORE OPTIONS

Explore options that allow law enforcement officers to connect youth with the new service-rich detention alternative sites or programs without making an arrest or court referral.

Reconsider any rules or practices that make eligibility for programs or services contingent on arrest or formal court processing.

If none exists, create an administrative process (station house adjustment, civil citation, summons, etc.) for officers to connect youth and families to needed services without an arrest.

## PROVIDE TRAINING

Provide training for frontline law enforcement personnel.

- Make officers aware of the detention alternative programs.
- Make sure officers understand the programs' benefits for youth, their families and the greater community.
- Explain the advantages for law enforcement agencies and for officers themselves.



# Practical Advice: Expanding Pre-Arrest Diversion

*Lessons for JDAI Stakeholders on How to Work With Law Enforcement to Expand Pre-Arrest Diversion in the Community*

## ENGAGE LAW ENFORCEMENT AND RAISE AWARENESS

According to the International Association of Chiefs of Police, most law enforcement leaders believe that diverting lower-risk youth from the formal justice system benefits public safety. Especially if they are part of an active JDAI collaborative, many or most sheriffs and police chiefs will likely be open to considering alternatives to arrest in situations where low-risk young people are involved in typical adolescent misbehavior.

However, given the pressures and competing priorities they face, law enforcement leaders are less likely to focus on civil citation and other pre-arrest diversion initiatives without active encouragement from other stakeholders in the justice system and from the community. Law enforcement leaders will be most open to considering new or expanded pre-arrest diversion efforts if the recommendation comes from a key official in the local justice system (judge or prosecutor) and if the idea has wide support throughout the local stakeholder group.

## BUILD CONSENSUS ON TARGET POPULATION

An important first step will be to specifically define the population of youth who will be invited to participate in the pre-arrest diversion alternatives. To make this choice, local stakeholders should begin by collecting and analyzing recent juvenile arrest data to identify less-serious offenses for which local youth are being arrested in large numbers; the juvenile court is unlikely to process these charges formally; and stakeholders believe the cases are inappropriate for

arrest and justice system involvement. Top charges often include: disorderly conduct and other public order offenses, shoplifting, simple assault/fighting/affray (in cases where no injury occurs), marijuana possession, trespassing, disorderly conduct or resisting arrest. Stakeholders should focus on offenses for which local youth of color are arrested disproportionately.

Stakeholders must also determine whether the pre-arrest diversion program will be made available only to youth with no prior arrest history, or if the program will also be eligible to youth with one or two prior arrests for minor offenses, provided they have a low likelihood to reoffend as measured by an objective risk assessment instrument.

## DEVELOP A STRONG PROGRAMMING MODEL

Effective diversion models typically include three key components:

- **immediate connection** with a counselor or case manager who will engage the youth and his or her family, conduct a rigorous risk and needs assessment and develop an individually tailored plan spelling out the activities and services the youth and family will take part in;
- **referral to** appropriate services in the community—mental health or substance abuse treatment, mentor or advocate, family counseling, academic support, employment, recreational or learning opportunities, etc.; and
- **a list of** appropriate sanctions or restorative justice activities the youth will be required or recommended to complete—such as letters of apology, restitution, community conferencing, community service—to make amends and restore any harm caused by their offense.

In addition to these core program elements, planners will need to work out the logistical details of the process and the consequences for youth if they and their families fail to complete the identified activities.

## **IDENTIFY CHANGES NEEDED AT STATE AND LOCAL LEVEL**

Identify and pursue any needed changes in state or local law and policy.

In some cases, expanded use of pre-arrest diversion will require or benefit greatly from changes in state law or in longstanding law enforcement practices or legal customs.

For instance, law enforcement leaders may be prohibited or feel uneasy proceeding without a state law specifically authorizing the use of civil citations or station house adjustments. Likewise, they may be hesitant to participate in a new pre-arrest diversion effort without a funding stream to support the staff necessary to provide screening, assessment, counseling and programming for diverted youth. In other cases, longstanding practices requiring arrest for certain offenses (such as domestic violence or drug possession on school grounds) may need to be revisited—as do rules making arrest a condition for accessing needed services. Thus, an early challenge for the local stakeholder group will be to identify law and policy changes that may be required and to develop strategies to see the needed changes are enacted.

### **Make the program understandable and easy to use for patrol officers.**

Given the time pressures facing patrol officers, their willingness to employ diversion in lieu of arrest will depend in part on how smooth the process is. In most cases, law enforcement has the legal authority to arrest youth at any time, provided the officer has probable cause. Typically, the process and paperwork requirements associated with an arrest, while considerable, are routine and not daunting for the officers.

Therefore, it is essential that those planning and developing the pre-arrest diversion model ensure that the

process of placing youth into diversion is short, simple and user friendly for law enforcement officers. That means streamlining eligibility determination, minimizing paperwork requirements and making processing times as brief as possible.

### **Provide training for patrol officers.**

To maximize the spread and success of pre-arrest diversion, stakeholders will need to inform patrol officers about all the details and protocols involved in the program. In addition, patrol officers should be trained about the logic and evidence supporting the use of diversion, and they should be allowed to ask questions and make suggestions for improving the model. Only when officers understand and accept the evidence showing that being arrested harms youth—that arrests increase their likelihood of both rearrest and dropping out of school—are they likely to embrace the diversion model and employ it frequently.

### **Promote utilization.**

Florida's experience with the civil citation program demonstrates that even when a pre-arrest diversion program is highly successful, its spread may not be rapid or universal. Even in 2016, nearly 20 years after it was first introduced, and five years after a state law was enacted to implement it statewide, several Florida counties still do not offer civil citations, and several more counties—including large counties—offer citations to only a small fraction of eligible youth.

Therefore, JDAI stakeholders and their allies should continue to focus on utilization rates for pre-arrest diversion alternatives, and they should promote the use of these options at every opportunity. Specifically, stakeholders should do the following:

- **Involve as many law enforcement agencies as possible in the pre-arrest diversion efforts.** For instance, the civil citations program in Miami-Dade was initially concentrated in just two of the 37 LEAs in the county. Today, all 37 law enforcement agencies in the county participate.

- **Track and publicize utilization data.** The Florida Department of Juvenile Justice has created a civil citations dashboard, posted on the department's website, which provides annual statistics on the number of citations issued and the share of eligible cases receiving citations for every county in the state, disaggregated by race and by offense level. This very public data spotlight creates a powerful incentive for counties to participate in the program and maximize the use of civil citations for eligible youth.
- **Document the outcomes** of pre-arrest diversion in terms of public safety, costs and youth success. Whenever possible, stakeholders should publicize the outcomes data and use them to advocate for greater use of diversion.



# Practical Advice: Reducing School Arrests

## *Lessons for JDAI Stakeholders on How to Work With Law Enforcement to Reduce School Arrests*

### **Build a stakeholder group dedicated to reducing unnecessary school arrests.**

Begin by gaining buy-in from key justice system partners (juvenile judge, prosecutor, probation department, law enforcement, public defender's office) as well as public schools.

Once core justice system partners and school leadership are on board, reach out to other partners—youth organizations (Boys & Girls Clubs, YMCA); social service, educational and employment agencies; mental health providers; civil rights and youth advocates; community-based neighborhood organizations; clergy; businesses; families; youth; etc.).

### **Stage a community-wide planning event to kick off the school arrests reduction effort.**

Provide orientation on key issues related to the school-to-prison pipeline and the damage caused by overreliance on arrests in response to misbehavior at school.

Begin stakeholder discussions about key elements of what will become the school arrests reduction plan—mission and goals; governance structure of the stakeholder group; behaviors that should no longer be subject to arrest and court processing; responses to be used in lieu of arrests for student misbehavior; role of school resource officers; and strategies to address the needs of persistently disruptive but low-risk students.

### **Forge agreement on a list of offenses that will no longer be subject to arrest at school.**

Planning teams should consider common adolescent behaviors such as:

- fighting (where no injury occurred)
- disorderly conduct, defiance or disrupting school
- petty theft
- trespassing
- marijuana possession
- possession of non-lethal weapons intended for personal defense (mace/pepper spray, lipstick taser, etc.)

### **Develop a response menu listing appropriate consequences for violations of the identified behaviors.**

Options should include:

- simple warning for first offense
- letter to or meetings with parent(s)
- school discipline—detention, in-school suspension
- repairing harm—apology letters, essays, community service, restitution
- social-emotional skills—attendance at workshops targeting problem behavior (anger management, substance abuse, theft, conflict resolution, etc.)
- human services to address identified needs—referrals to substance abuse or mental health providers, family counseling, housing or food aid, etc.

### **Carefully define and constrain the role of school resource officers, or remove them from the schools entirely, to eliminate the drift toward criminalizing routine misbehavior in school. Revise the school discipline code accordingly.**

School resource officers seek to build positive and trusting relationships with students, not to punish or arrest them for common adolescent misbehaviors.

School resource officers are trained in adolescent behavior and skilled in de-escalating tense situations.

Enforcing school rules is the responsibility of school staff, not school resource officers. Rather, school resource officers should exercise their law enforcement authority only to address law violations.

School staff have no authority to direct school resource officers to intervene with or arrest unruly students.

School staff (administrators, counselors and teachers) retain responsibility to supervise students and discipline them as appropriate, except in situations involving serious law violations.

Schools should consider implementing model programs such as Positive Behavioral Intervention and Supports (PBIS.org)—an evidence-based practice for improving school climate—and/or promising restorative justice models such as teen court to address student misbehavior in more constructive ways.

### **Craft a system and process to intervene with the small but inevitable population of low-risk but persistently disruptive students.**

Conduct thorough assessments of persistently disruptive youth and their families to ascertain the source(s) of the problem behavior, including learning disabilities.

Select and fund (if necessary) a social service agency that will engage with persistently disruptive young people, make appropriate referrals to community service providers and provide case management support.

Identify and partner with providers interested and expert in addressing the varied needs of troubled young people and their families, along with funding streams to cover the cost of needed services.

### **Develop a process for monitoring outcomes and a quality control system to determine how new reform strategies are succeeding.**

- What are the group's key performance and outcome measures in terms of school safety, fidelity to

the memorandum of understanding (MOU) and effectiveness of chosen strategies and services?

- What data will be collected to gauge these measures? How and by whom?
- How (and how often) will the data be reported and distributed to stakeholders? How and when will the data be made public?
- What will be the schedule for periodic quality control meetings, and who will participate?
- What will be the process for amending and updating the MOU and who will participate?

### **Draft, sign and publicly announce a community-wide MOU detailing the community's school arrests reduction plan—and committing partners to participate.**

The MOU should be signed by the police or sheriff's department, public schools, juvenile court, juvenile probation, public child welfare and mental health agencies, advocates, community organizations and other stakeholders.

The MOU should specify a governing structure for the multiagency steering committee that will oversee the school arrests reduction efforts, defining who will be included in the stakeholder group's decision-making body and who will participate in advisory capacity. Experience shows that key stakeholders (court, schools, law enforcement) will not participate if the effort is governed by a large board where all members have an equal say, regardless of their "skin in the game."

The MOU should include sections detailing agreements on:

- The goals and rationale for the agreement to reduce school arrests
- Behaviors that will no longer be subject to arrest
- Response menu—appropriate responses to the identified behaviors in lieu of arrest and court processing
- Roles and responsibilities of school resource

officers, and of school staff, in addressing youth misbehavior

- Plans for addressing the needs of persistently disruptive students
- System for monitoring outcomes and adjusting strategies in light of results

**Provide training to frontline staff across agencies, such as teachers, counselors, school resource officers, probation officers and social service providers, so that all understand the terms of the MOU and are clear about their roles in the new disciplinary system.**

Training should include role plays and other scenario-based exercises to set expectations and develop skills in understanding adolescent behavior and de-escalating interactions with students.

School resource officer training should also include information on adolescent brain development, counterproductive impact of arrests and court processing

for youth, the role of implicit bias in perpetuating racial and ethnic disparities and other core elements of law enforcement training spelled out in Part Three.

**Monitor outcomes continuously and adjust strategies based on observed results.**

Performance outcomes should be compiled at least quarterly and distributed to the steering committee.

The outcomes measured should focus not only on student behavior and success, but also on the record of key stakeholders in adhering to the terms of the MOU.

The steering committee should meet at least once or twice per year to review outcomes, discuss progress and make adjustments and enhancements in light of experience.

Data should be made public to the school community and the general public.



# Practical Advice: Addressing and Measuring Racial Disparity

## *Lessons on Working With Law Enforcement to Address Racial and Ethnic Disparities in Juvenile Arrests*

Recruit law enforcement leaders into the JDAI racial and ethnic equity (or DMC) subcommittee. Familiarize them with JDAI's commitment and approach to tackling equity issues and with the federal obligations to address DMC under the JJDPDA.

Encourage the local law enforcement agency or agencies to perform data analyses examining arrest rates broken down by race and ethnicity and to identify points of disparity. If the law enforcement partner is unable or unwilling to conduct the analysis, justice system partners should run the data themselves on arrests (or on court referrals, if arrest data are unavailable). In either case, the analysis should disaggregate data by race and ethnicity for:

- overall arrests or referrals
- arrests or referrals by offense category and specific offense
- arrests or referrals by district or precinct
- arrests or referrals by neighborhood or zip code
- arrests or referrals by location—school compared with community, or any specific location (park, shopping mall, etc.)

Engage law enforcement leaders in discussions about the data to identify anomalies or serious disparities. For example, if black youth are charged with resisting arrest at higher rates than other youth, stakeholders might work with the law enforcement partner to analyze the situation and identify the factor(s)—including law enforcement policies and practices—that might be unintentionally fueling the disparity.

Explore potential causes and factors that may underlie the identified disparities, such as:

- lack of training for officers on de-escalating interactions with youth
- real or perceived incentives for officers to make arrests in response to routine adolescent misbehavior
- large numbers of serious disparities in arrests for disorderly conduct and other public order (or “contempt of cop”) offenses
- implicit bias among officers, teachers, school counselors and school administrators in their attitudes and responses to youth of different racial and ethnic backgrounds
- blurred or inappropriate division of responsibilities for enforcing disciplinary rules in public schools
- school discipline policies or practices that might disproportionately affect youth of color in damaging and counterproductive ways
- unequal allocation of patrols in communities of color compared with majority white communities, or in affluent neighborhoods compared with disinvested ones
- rules or practices requiring arrests in domestic violence cases or other situations that may have a disparate impact on youth of color
- rules or practices that make arrest a necessary gateway for accessing needed services

Brainstorm and then implement targeted strategies to address the identified causal factors underlying racial and ethnic disparities.

Carefully monitor data to measure the success of strategies adopted to address racial and ethnic equity, and make changes as necessary to achieve progress.

# PART THREE

## Training Law Enforcement Personnel On Policing For Adolescents

While helping law enforcement agencies to promote pre-arrest diversion, reduce school arrests and combat racial and ethnic disparities can all be invaluable, training is perhaps the most promising strategy for JDAI stakeholders seeking to promote long-term improvement in policing approaches toward youth.

Why is training so essential? Because sustainable advances in law enforcement practice toward youth will only be possible if law enforcement commanders and patrol officers appreciate the differences between youth and adults and the necessity to avoid escalating incidents involving youth, and if they recognize the harm and waste caused when young people who pose minimal risk to public safety are arrested and detained.

By removing detention as the go-to option for law enforcement, JDAI inevitably changes the nature of the relationship between youth and law enforcement and creates an opportunity for a more constructive and relationship-based dynamic in youth-police relations. But this kind of improvement is far from inevitable, especially if officers remain uninformed about adolescent development, unfamiliar with community services available to support youth with serious mental health or social service needs, unaware of the impact

of trauma on adolescents and the harmful effects of justice system involvement and untrained in techniques for de-escalating tense situations with youth.

In a summit on law enforcement's role in juvenile justice reform, the International Association of Chiefs of Police placed high priority on enhanced training. In early 2017, a consent decree between the U.S. Justice Department and the Baltimore City Police Department mandated that the department provide training for all of its officers on developmentally appropriate interactions with youth.<sup>111</sup>

Fortunately, in a substantial number of JDAI sites, including many of the jurisdictions previously cited in this report, JDAI stakeholders and law enforcement commanders have recognized the critical importance of training. Many have made significant investments in training for local law enforcement personnel both on the details of and rationale for JDAI and on the larger issues surrounding young people and the law.

In Gainesville, Florida, for instance, the progress described in the previous chapter on using data to reduce arrests and combat disparities emerged as part of a racial disparities reduction project funded through

the John D. and Catherine T. MacArthur Foundation. That initiative also led to a significant new training requirement for Gainesville's police officers—a mandatory daylong workshop in which officers were joined by youth of color from low-income neighborhoods and spent much of the day meeting, talking with and conducting role-playing exercises with the young people to help both sides (youth and law enforcement officers) gain a better understanding of the others' perspective. The officers heard expert presentations on brain development, adolescent behavior (and how adolescents respond to authority), effective tactics for working with youth and the effect of trauma on their behaviors.

## THE BEGINNING OF A CYCLE

“ Arrest is the beginning of a cycle that will limit opportunities in life. ”

— DEPUTY CHIEF WILLIAM DEAN  
VIRGINIA BEACH POLICE DEPARTMENT

The agenda for that workshop, the “Pennsylvania DMC Youth/Law Enforcement Curriculum,” was borrowed from Philadelphia, where it has been delivered to every class of the local police academy since 2009, a total of more than 3,500 recruits. According to Rhonda McKitten, a juvenile defender in Philadelphia who has been closely involved in this training program, the youth and law enforcement curriculum is being replicated in five other Pennsylvania counties.<sup>112</sup>

Multnomah County, an original JDAI model site, has long included a multiday unit on adolescent development and juvenile justice as part of its training academy for new law enforcement officers. The training topics include adolescent development, operations of the juvenile justice system and training in the location and programming of community-based services. All

training faculty come from partner agencies in the JDAI collaborative and from youth-serving community-based organizations. Perhaps most importantly, the training offers recruits direct exposure to juvenile court and probation staff and to service providers working with youth in the community. The recruits spend several days farming with youth in urban gardens and volunteering in homeless shelters for youth.

Likewise, as part of its efforts to reduce school arrests, Clayton County, Georgia, has fundamentally reoriented the role of its school resource officers. As part of this change, Clayton County offers extensive and ongoing training to teach these officers about adolescent development and positive approaches for engaging youth and promoting school safety, rather than punishing misbehavior. JDAI has also been a catalyst for the emergence of ambitious law enforcement training efforts in Virginia Beach, Virginia; Cleveland; and Seattle.<sup>113</sup>

As Deputy Chief Dean of the Virginia Beach Police Department told officers participating in a two-day Strategies for Youth training course: “Arrest is the beginning of a cycle that will limit opportunities in life.”<sup>114</sup>

“We have to get past the belief that our sole responsibility is law enforcement when the vast majority of what we do is street-level social work,” Dean told a reporter. “Good relationships, established individually, over time, garners the support you need at critical times. We have a complex role in this society. We need to recognize that we do many things. We have a responsibility to do them well.”<sup>115</sup>

JDAI stakeholders in Ramsey County, Minnesota, have provided JDAI 101 training for St. Paul Police Department commanders, as well as attending roll calls in local police stations to discuss JDAI with patrol officers and local commanders.<sup>116</sup> In Seattle, 98 percent of officers surveyed after receiving training on adolescent development reported that they gained a better understanding of how to deal with young people.<sup>117</sup>

In Memphis and Shelby County, Tennessee, training for law enforcement has been a key component in efforts to address pervasive racial disparities documented in a federal Justice Department investigation. Through JDAI, new school resource officers from the county sheriff's office received a full-day training on adolescent brain development and behavior, racial and ethnic disparities and detention reform.

With support from the federal Office of Juvenile Justice and Delinquency Prevention, similar training was later expanded to all Shelby County Sheriff's deputies through a train-the-trainers effort.<sup>118</sup>

Of all the law enforcement training efforts underway within the JDAI network, the most ambitious and far reaching has emerged in Indiana. The work began in 2012 when Strategies for Youth received a grant to help the Indianapolis Metropolitan Police Department address a serious problem with racial and ethnic disparities in youth arrests.

After conducting a train-the-trainer course for a dozen Indianapolis officers, Strategies for Youth convened two cycles of its *Policing the Teen Brain™* training in

On average, **ONLY 1 PERCENT** of basic training time in law enforcement academies is spent on juvenile justice issues; the majority of that time is used to discuss juvenile law.

2012 for about 80 officers. A local psychologist trained by a Strategies for Youth consultant provided instruction about adolescent development and behavior, and the newly trained officers (with coaching support from Strategies for Youth) led discussions about environmental factors affecting youth, as well as effective strategies for interacting and de-escalating tension.<sup>119</sup> After observing that patrol officers in

Marion County knew little about detention reform, Strategies for Youth developed components specific to JDAI and invited the state's JDAI coordinator to fully brief trainees on the rationale and operational details of the JDAI model.

In 2013, after seeing Strategies for Youth Director Lisa Thureau speak at a statewide JDAI conference and lead a discussion with several newly trained Indianapolis officers, leaders from nearby Tippecanoe County asked to bring the training to their county. Since then, more than 200 sworn law enforcement officers in Tippecanoe County have received the training, including at least two-thirds of officers in the Lafayette Police Department.

Strategies for Youth is actively training law enforcement officers in a dozen counties throughout Indiana, delivering not only its *Policing the Teen Brain™* curriculum but also *Juvenile Justice Jeopardy™*, an interactive training between law enforcement officers and youth, plus two other training curricula—*In the Presence of Children™*, to guide law enforcement officers when arresting parents in front of their children, and *Parenting the Teen Brain™*. In the fall of 2016, trainees at the Indiana Law Enforcement Academy received four hours of training on adolescent development and the effect of trauma on adolescent behavior. Previously, just two hours (a quarter of 1 percent) of the curriculum at the state's law enforcement academy concerned youth and delinquency, and most of that focused on juvenile law.

According to Captain Wolf of the Lafayette Police Department in Tippecanoe County, 95 percent of officers who take part in the training say it is very positive. "The training teaches officers about the adolescent brain and helps them understand why kids do what they do. And it teaches them ways to de-escalate and deal with kids who are acting out," says Wolf. "We find that if the officers know that and have that training, they're much less likely to be confrontational with kids."

While Indiana's ambitious efforts are instructive, it is important to keep in mind that this kind of intensive, high-quality training, while urgently needed, remains the exception in JDAI sites and even more so in non-JDAI jurisdictions around the nation. As a result, American law enforcement personnel remain largely unschooled in adolescent development and best practices for policing youth. As mentioned earlier, a 2011 survey conducted by the International Association of Chiefs of Police found that many of the 850 departments surveyed offered no in-service training to experienced officers in the five years prior to the survey and had no funding to offer it.<sup>120</sup> Meanwhile, a 2013 report by Strategies for Youth<sup>121</sup> found that:

- On average, only 1 percent of basic training time in law enforcement academies is spent on juvenile justice issues; the majority of that time is used to discuss juvenile law.
- Only eight states reported that their law enforcement training academy curricula provided information about disproportionate minority contact, despite the federal mandate requiring states to address disparities in their juvenile justice systems.
- Only two states (Connecticut and Illinois) reported that they provide recruits training on adolescent development and psychology.
- Only nine states reported providing new officers training on adolescent mental health issues.
- Five states provide no training in the academy on juvenile justice and/or interacting with teens.

There are some exceptions to the widespread absence of training on youth development and related issues. For instance, Connecticut offered a one-day training called *Effective Police Interactions With Youth* to hundreds of its own law enforcement officers each year from 2007 to 2017 as well as to officers from other states.<sup>122</sup> The curriculum focused on adolescent development, racial and ethnic disparities and effective strategies for communicating with youth. A 2010 evaluation found that the curriculum improved offi-

cers' knowledge about youth development and boosted their confidence in interacting effectively with youth.<sup>123</sup>

Without a major commitment to intensive training on adolescent development and juvenile justice, American law enforcement will remain ill equipped to work with an age group that requires a special approach and special skills, and many officers will continue to use adult approaches in interactions with youth. Lack of training means law enforcement officers will continue to miss obvious signs of mental health impairments that may explain young people's inability to obey laws and conform their behaviors to officers' expectations and demands.

## A GROWING APPETITE FOR TRAINING ON ADOLESCENT DEVELOPMENT

Law enforcement leaders are beginning to agree on the need for more and better training. In a 2014 report, the International Association of Chiefs of Police presented an ambitious reform agenda for law enforcement's role in juvenile justice, placing high priority on new approaches for training officers to work with youth. Specifically, the report called on police and sheriff's departments to "expand officers' capacity to effectively respond to youth by offering cohesive training programs that enable officers to understand adolescent development; cultural differences among youth; mental health and trauma issues; and effective strategies for youth engagement, intervention and crisis response."<sup>124</sup>

JDAI stakeholders are in a strong position, both structurally and politically, to advance interdisciplinary training for law enforcement. Many are already doing so, as noted above. Even JDAI sites that have not developed strong training for law enforcement have recognized the need. In New Jersey, for instance, Deputy Chief Domville described training as "the most difficult challenge we face" in terms of building effective partnerships between JDAI and law enforcement. "We need to work on institutionalizing training for rank-

and-file officers around the state. Officers are used to mandatory in-service training for domestic violence and other issues, but so far not for JDAI.”

Across the country in Pima County, Arizona, Captain Sayre of the Tucson Police Department struck a similar chord. While his department provides a brief orientation to juvenile justice as part of seven-week post-basic training course offered to new hires, the state’s 17-week basic law enforcement academy training provides no information about adolescent behavior or brain development. “This stuff needs to be taught at the basic training academy,” Sayre says. Unfortunately, he adds, that basic training curriculum “hasn’t changed in 20 years.”

Moreover, the policing controversies of the past two to three years have created a heightened interest in training among LEAs nationwide. Rhonda McKitten,

the one-time Philadelphia juvenile defender who is playing an integral role in new training programs on adolescent development for police officers in Philadelphia and elsewhere as a Fellow with the Stoneleigh Foundation, reported in the fall of 2016 that the recent policing controversies have “created more appetite” for this kind of training.

“Everyone is looking for some way to get ahead of this,” McKitten says.



# Practical Advice: Reducing Racial Disparity

*Lessons for JDAI Stakeholders Seeking to Initiate or Expand Training for Law Enforcement*

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## ASK FOR TRAINING—DON'T HESITATE

More and more, law enforcement organizations recognize the need for training and are anxious to get out in front of this issue.

## MAKE A COMPELLING CASE FOR TRAINING

The following are four powerful arguments for increased training:

1. Science demonstrates that youth are fundamentally different from adults and that developmentally informed approaches toward youth are more effective. In other words, many practices commonly used with adults are inappropriate for and ineffective with adolescents and actually increase the likelihood that youth will engage in subsequent offending.
2. The U.S. Supreme Court has repeatedly endorsed a developmental approach to treating youth in the justice system in recent years, requiring that youth receive a different and more therapeutic and rehabilitative form of justice than adults.<sup>125</sup>
3. Law enforcement experts, and the law enforcement community itself, have concluded that fundamental changes in philosophy and practice are required in policing for youth.
4. Training can help law enforcement agencies improve relations with youth and with their families, thus making them more legitimate within the eyes of the community.

## STATE THE PURPOSE OF TRAINING

The primary goal of law enforcement training on adolescent development should be to help officers understand the critical differences between adolescents and adults and to equip them with the skills and awareness needed to approach situations involving youth in a constructive, trauma-informed and age-appropriate way.

## LIST THE INFORMATION THAT SHOULD BE COVERED

Training content should focus first on the seismic brain changes that occur during adolescence and the considerable gaps that remain in adolescents' capacity to control impulses, regulate emotions, resist negative peer pressure and weigh risks and consequences. This discussion about the "nature" of the adolescent brain (and its behavioral implications) should then be balanced by discussion of how young people's environment ("nurture") also shapes behavior—including the effects of trauma or poverty on the human brain, presence or lack of community assets, home and family environment, the implications of mental health or substance abuse problems.

The training should also provide officers with detailed information about JDAI and detention reform, including the role of detention in the juvenile justice process, research on the dangers and negative outcomes of detention, the rationale and evidence base for detention reform, the core principles of JDAI, the procedures and operational details of the local JDAI program and the officers' roles and responsibilities within it. Finally, training should make officers aware of and provide access to youth-serving community-based organizations that can address youth needs in lieu of arrest or system involvement.

## CHOOSE THE RIGHT TRAINERS

To maximize effectiveness, the training team should include individuals with deep understanding about adolescent development and behavior—experts who can convincingly communicate to officers the critical differences between adults and adolescents. If possible, these experts should remain available to officers to address questions and concerns that arise after the training is completed.

The training team should also include at least one key stakeholder from each of the major institutions involved in the JDAI collaborative. This will improve interagency collaboration by educating frontline staff about each institution in the system, increasing officers' connection to other juvenile justice system stakeholders and surfacing areas of potential interagency tension.

The individuals tapped to facilitate training should be:

- Personable—able to establish rapport with officers and involve them in sharing stories from their own experiences.
- Humble—careful never to tell officers how to do their job, and willing to locate answers or resources when officers ask questions they are unable to answer on the spot.
- Conversational—using examples from their own experience, including mistakes they've made or problematic practices they've had to abandon as they have learned what works.

## USE EFFECTIVE TRAINING TECHNIQUES

When presenting training, it is important to clarify that the goal is not to tell officers how to do their job, but rather to expand officers' "tool belt" in ways that help them prevent escalation and conflict in interactions with young people and help give young people a more positive path. It is also critical to underscore that public safety remains the top priority and that officer safety is paramount.

## EFFECTIVE TEACHING APPROACHES

- Focus on the practical application of the information and avoid getting stuck on abstract concepts or academic ideas.
- Use visual aids (photos, videos) and other media to convey information in an engaging way, rather than relying primarily on a lecture format.
- Incorporate exercises that allow officers to apply new strategies, interact and share experiences.
- Avoid hyper-technical language about the brain.
- Use mnemonic devices that can be remembered quickly and applied easily.
- Distribute written materials that succinctly reinforce and/or enhance the main point(s) of the presentation.

## INCORPORATE YOUTH INTO THE TRAINING

Whenever possible, training sessions for law enforcement personnel should include direct interactions with young people. Involving youth offers several benefits:

- Giving officers an opportunity to converse with youth in a structured or facilitated conversation<sup>124</sup> can help officers broaden their perspectives and challenge their assumptions and beliefs about youth—low-income youth of color in particular.<sup>126</sup>
- Hearing young people's perceptions of previous interactions with law enforcement can be eye-opening, especially when young people describe the impact of officers' conduct on the young people's responses and subsequent decision making.
- Opportunities to interact with youth and participate in role-playing exercises can help officers synthesize the lessons about adolescent brain development and behavior and "make them real."
- Providing opportunities for officers and youth to spend unstructured time together— sharing a meal, participating together in experiential learning (e.g., community service, gardening)—can

foster understanding and lead to change in officers' approaches to youth.

## **DETERMINE THE TIMING AND FREQUENCY OF TRAINING.**

Training on adolescent development and juvenile justice should be offered both before law enforcement trainees earn their badges and regularly repeated and updated for officers in the field.

All law enforcement training academies should include an intensive component on adolescent brain development, adolescent behavior, impact of trauma and implicit bias, as well as information on juvenile law, the juvenile justice system and the federal requirement that state and local justice systems monitor and address racial and ethnic disparities. The training should include role-playing and skill-building exercises to help recruits learn methods of communicating effectively with youth and de-escalating tense situations in which youth are involved.

Law enforcement agencies should regularly provide in-service trainings to reinforce and update the academy training on adolescent development and juvenile justice, covering all of the key issues described above, and including opportunities for role playing and for meaningful interactions with youth and with youth-serving community organizations. In addition to formal in-service training sessions, JDAI stakeholders should seek to visit local police precincts whenever possible to take part in roll-call sessions. These sessions provide an excellent opportunity to refresh officers' knowledge about JDAI, answer questions, expand officers' understanding of adolescent development, boost their skills in interacting with youth and strengthen relationships.

## **FIND HELP ORGANIZING AND DELIVERING TRAINING.**

Law enforcement leaders interested in creating new and improved training for officers on adolescent and

juvenile justice need not reinvent the wheel or go it alone. Rather, several organizations across the country provide training for law enforcement personnel in at least some aspects of adolescent development and/or juvenile justice. Four organizations offer training addressing many or most of the critical training needs identified in this practice guide.

### ***Policing the Teen Brain™***

Perhaps the most comprehensive training model, *Policing the Teen Brain™*, is offered by Strategies for Youth, a Massachusetts-based nonprofit agency dedicated exclusively to reforming law enforcement practices toward youth and improving youth-police interactions. A psychologist or psychiatrist presents information on adolescent development and describes practical approaches for responding to youth who have mental health issues or have been exposed to chronic trauma. Officers trained by the organization present information on environmental and legal factors that affect youth. The training has been delivered in dozens of jurisdictions nationwide, including several jurisdictions highlighted in this practice guide, such as Cambridge, Massachusetts; Cuyahoga County, Ohio, home to Cleveland; Marion County, Indiana, home to Indianapolis; Tippecanoe County, Indiana; and Virginia Beach, Virginia.

**Sponsored by:** Strategies for Youth

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**Website:** [strategiesforyouth.org](http://strategiesforyouth.org)

Other recommended training programs include:

### **The Pennsylvania DMC Youth-Law Enforcement Curriculum**

The Pennsylvania DMC Youth-Law Enforcement Curriculum, an eight-hour training for law enforcement academy cadets, provides instruction on adolescent

development and juvenile justice, with a strong focus on combating racial and ethnic disparities. The training, mandatory for Philadelphia police academy cadets since 2009 and recently adopted in other jurisdictions, includes extensive interaction between police academy cadets and area youth. It also provides cadets with information about adolescent development, effective communications with youth and implicit bias.

**Sponsored by:** Pennsylvania DMC Youth/Law Enforcement Corporation

**Contact Person:** Rhonda McKitten

**Phone:** 619.547.6117

**Email:** PennDMC@gmail.com or info@penndmc.org

**Website:** [penndmc.org](http://penndmc.org)

### **Crisis Intervention Teams for Youth (CIT-Y)**

Crisis Intervention Teams for Youth (CIT-Y), a comprehensive eight-hour training curriculum initially developed by the National Center for Mental Health and Juvenile Justice, teaches officers about adolescent development, adolescent mental health and substance abuse, crisis intervention techniques for youth and community alternatives to arrest for youth. Note, CIT-Y use to be available only to officers who had already completed a 40-hour curriculum on crisis intervention for adults. However, this requirement has been eliminated.

**Sponsored by:** National Center for Youth Opportunity and Justice

**Contact Person:** Karli Keator

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**Website:** [ncyoj.policyresearchinc.org/trainings/crisis-intervention-teams-for-youth/](http://ncyoj.policyresearchinc.org/trainings/crisis-intervention-teams-for-youth/)

## Conclusion

This guide offers strategies for JDAI stakeholders to forge partnerships with law enforcement.

While many law enforcement leaders across the country are already deeply engaged in JDAI, supportive of its mission and committed to its success, others need convincing. For patrol officers and commanders to participate constructively in JDAI, they need to understand how it is good for youth, consistent with public safety and beneficial for law enforcement.

Making the case for JDAI is important, but stakeholders' ultimate success in building strong and sustainable partnerships with law enforcement depends as much on listening as on delivering effective arguments. Asking law enforcement personnel about their concerns with current juvenile justice procedures and soliciting input on issues that directly affect officers can provide a starting point for fruitful dialogue.

# Endnotes

Several of the resources below are available on JDAIconnect, which is a virtual destination for juvenile justice resources, discussion and training material. The Casey Foundation launched JDAIconnect with its partner the Pre-trial Justice Institute in 2017. Membership is open to all and free of charge. Please access JDAIconnect by registering directly for the Community Café at [www.jdaiconnect.org](http://www.jdaiconnect.org). Once you are a Community Café member, set up your Community Café profile and then click the yellow button to join the JDAIconnect community.

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# What JDAI Stakeholders Should Know About Law Enforcement

## Crippling lack of training and policies for officers' interactions with youth

Nationwide, law enforcement officers receive little or no training on adolescent brain development, effects on adolescent behavior of exposure to trauma, harmful impacts of incarceration, and other aspects of juvenile justice, and few departments have issued developmentally-appropriate, trauma-informed policies to guide officers in their interactions with youth.



## Frequent frustration

Officers report frequent frustration in their dealings with youth and the juvenile justice system due to lost time and a widespread perception that the system often fails to provide meaningful consequences for misbehavior or responsive services for needy youth (and their families).



## Tension and disparities in treatment of youth in low-income communities of color

Surveys regularly find that urban youth of color hold negative views of law enforcement and say that officers often treat youth in disrespectful or abusive ways. Youth today—especially black youth—are growing up in what has been described as an “era of distrust” of the police, and their perceptions have dropped in recent years to a decades-long low. Black and Latino youth become distrustful of police around ages 7 to 9.



## Influence of local culture and history on interactions with youth

The history and characteristics of the community and the organizational culture of the law enforcement agency play an important role in determining law enforcement agencies' willingness and capacity to participate in JDAI.



## Effective strategies for outreach to law enforcement by JDAI stakeholders

From the initial outreach to the ongoing recruitment of potential JDAI

champions up and down the LEA chain of command, JDAI stakeholders must keep in mind the organizational culture of law enforcement, and strive to be strategic in how they approach LEA personnel and work with them over time.



## Messaging for making (or restoring) the initial connection

Who to connect with and how to ‘sell’ JDAI’s key to success.



## Building Consensus on the Detention Screening Process

The creation and use of an objective detention screening tool to guide detention decisions is the bedrock of JDAI, but—without effective outreach—objective screening may meet resistance from law enforcement personnel.



## Creating better options for low-risk, high need youth

From the very beginning of the initiative, JDAI sites have been partnering with service providers to devise new approaches for youth who come in contact with the justice system repeatedly due to serious personal or family challenges, but pose minimal risk to public safety.



## Promoting more effective law enforcement practices for youth

Conversations and connections initiated by JDAI have enabled law enforcement agencies in numerous sites to initiate constructive changes in their practices toward youth.



## Examples of effective JDAI-law enforcement partnership

Examples of effective partnerships are persuasive and help allay concerns of LEA leaders.





# A Crippling Lack Of Training And Policies

## Officers typically receive little or no training on critical youth issues

A survey of state law enforcement training academies published in 2013 found that:

- On average, state training academies devote just 1% of their curricula (six out of 600 hours) to youth issues, and most of that time is devoted to teaching the basics of the juvenile code and issues regarding processing youth after arrest.
- Only two states devoted any part of their curricula to adolescent development.
- Only 8 states included instruction about effective strategies for interacting with youth in their curriculum.
- Just 8 states provided any information on racial and ethnic disparities in juvenile justice.

A 2011 survey of law enforcement agencies nationwide found that training was also lacking for officers on the job:

- More than three fourths of states (76%) do not require any in-service training for officers on youth and juvenile justice issues.

“ Training for law enforcement on differences between youth and adults and appropriate strategies to respond to those differences is crucial to enable better understanding and more constructive interactions between police and youth... In some jurisdictions, officers still receive little or no training beyond juvenile code provisions and other legal considerations regarding the handling of youth. ”

— INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

## Without training, officers treat youth like adults

In the absence of any training about the developmental differences between youth and adults:

- Officers frequently escalate conflicts without realizing that youth respond differently to authority than adults
- Officers make too many arrests of youth for minor misbehaviors related to their developmental stage, leading to lasting negative consequences both for the young people and public safety.
- Officers remain unaware that racial and ethnic disparities are higher at the arrest stage than at any other stage of the justice system, and therefore have no impetus to work toward improving equity.

## Policies and standards typically don't offer much guidance either

The absence of training is often exacerbated by a lack of developmentally-appropriate, trauma-informed, racially equitable policies and standards for officers to follow in their interactions with youth.

- According to the International Association of Chiefs of Police, “well-defined policies and procedures that outline the specific responses leadership expects when officers encounter young people” are key to improving law enforcement practices toward youth.
- Yet, few law enforcement agencies have comprehensive or updated policy statements on how officers should approach interactions with youth. And officers and their supervisors are frequently unaware of written policies for policing youth even when they do exist.
- Likewise, it is rare for law enforcement leaders or high-level commanders to articulate clear expectations for how officers should deal with youth.

**Sources:** Many of the observations in this handout are based on interviews with law enforcement leaders in JDAI jurisdictions; and the first-hand 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. Other sources include: *If Not Now, When? A Survey of Juvenile Justice Training in America's Police Academies*, Strategies for Youth, 2013, available at [http://strategiesforyouth.org/sfysite/wp-content/uploads/2013/03/SFYReport\\_02-2013\\_rev.pdf](http://strategiesforyouth.org/sfysite/wp-content/uploads/2013/03/SFYReport_02-2013_rev.pdf); *Juvenile Justice Training Needs Assessment: A Survey of Law Enforcement*, International Association of Chiefs of Police, July 2011, available at <https://www.theiacp.org/sites/default/files/2018-09/2011JuvenileJusticeTrainingNeedsAssessmenttoLawEnforcement.pdf>; and *Law Enforcement's Leadership Role in the Advancement of Promising Practices in Juvenile Justice: Executive Officer Survey Findings*, International Association of Chiefs of Police, September 2013, available at [https://www.theiacp.org/sites/default/files/2018-07/IACPJExecutiveOfficerSurveyFindings\\_0.pdf](https://www.theiacp.org/sites/default/files/2018-07/IACPJExecutiveOfficerSurveyFindings_0.pdf).

# Law Enforcement Officials Report Frequent Frustration With Juvenile Justice



Officers cite three common complaints about their cases involving youth and their interactions with the juvenile justice system.

## Lost time in service

Officers may be discouraged by juvenile court processes that require them to spend long stretches of time supervising youth while juvenile court or probation staff conduct intake, or while searching for parents or other adults to whom they can release youth they have taken into custody.

## “Frequent Flyer” cases

- Officers frequently cite frustration and concern about troubled youth who pose minimal threat to public safety but generate repeated calls for service due to acute but unmet psychological, familial or human service needs.
- Incidents involving these youth can consume a disproportionate share of officers’ time on the job, and they can be especially exasperating for officers when the human services, education, and/or juvenile justice systems fail to connect these youth (or in some cases their parents and families) to needed mental health, substance abuse, emergency shelter and/or other services.

## Perceived lack of consequences

Officers frequently voice frustration over situations in which they do not see youth they apprehend facing any meaningful consequences for their misbehavior. This perception can arise for several reasons:

- Officers may be justifiably disturbed at delays in court processing, resulting in no court response for weeks or months.
- They may be angry that detention is not imposed on youth they arrest in the belief that detention is the best or only meaningful response to delinquent behavior.
- They may not be informed (due to lack of any feedback loop) about the consequences and interventions provided to youth following police contact.

# Tension and Disparities In Treatment Of Youth In Low-Income Communities Of Color



Youth of color in low-income urban neighborhoods often express negative views toward law enforcement. Youth of color generally experience higher rates of contact and more negative contact. Arrest remains the point of largest racial disparity in the juvenile justice system.

## Negative views of law enforcement

Surveys regularly find that urban youth have negative views toward law enforcement and frequently report that officers treat youth in disrespectful or abusive ways

- In a Chicago survey, just one-sixth of public high school students agreed that, “The police care about what is good for my neighborhood.” Less than one-fifth agreed that, “The police treat most individuals fairly.”
- Similar perceptions have emerged from youth surveys in St. Louis, Cincinnati, Philadelphia, and New York.
- One recent survey of 1,000 children aged 7-14 in Southern California found that Black and Latino children’s positive perceptions of police begin to drop between the ages of 7-9, and that youth today are growing up in an “era of mistrust” of police, resulting in a “crisis of legitimacy.”

## Informed by personal experiences

To a significant degree, these negative attitudes are informed by young people’s personal experiences with law enforcement. Consider the results of just these three studies:

- Nearly half of black and white teens surveyed in three distressed St. Louis neighborhoods said they had personally been harassed or mistreated by law enforcement officers, and 60% said they knew someone who had been mistreated.
- In Chicago, 40% of the youth reported that they had personally observed other youth stopped by police and treated disrespectfully.

## Demographic and attitudinal divide

In part, mistrust is fueled by a continuing demographic and attitudinal divide between law enforcement personnel and residents of low-income neighborhoods.

- In 2013, *Governing Magazine* found that racial and ethnic minorities were underrepresented in nearly every law enforcement agency in the nation serving at least 100,000 residents. Blacks, Hispanics and other minority groups are underrepresented by a combined 24%.
- In a January 2017 nationwide survey of law enforcement personnel by the Pew Research Center, six in ten white officers, but only 29% of black officers, said that police have good relations with blacks in the communities they serve.

## Improving community relations is critical

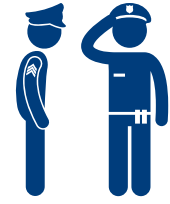
Increasingly, and especially in the wake of recent policing controversies involving use of force on people of color, law enforcement leaders are recognizing that improving community relations is critical to their effectiveness in combatting crime and protecting public safety.

## Opportunities for JDAI leaders

This situation can create opportunities for JDAI leaders in their efforts to engage law enforcement, since JDAI steering committees can provide a forum for constructive dialogue between law enforcement and leaders in marginalized communities.

**Source Note:** Citations for all information and quotations in this handout can be found in the chapter of the practice guide entitled, “Getting Acquainted: What JDAI Leaders Should Know About Law Enforcement.”

# Influence Of Local Culture and History On Interactions With Youth



JDAI stakeholders will achieve greater success in their efforts to forge partnerships with law enforcement if they keep in mind several common facets of law enforcement culture.

## Hierarchy and Deference to Authority

- Because they are command and control organizations, like the military, the culture of law enforcement structure can discourage new ideas and initiatives.
- Law enforcement personnel tend to be deferential not only toward superiors, but also to high-ranking officials outside of law enforcement (such as judges, prosecutors, elected leaders of city/county government).

## Organizational Change and Unpredictability

- Law enforcement agencies can be buffeted by frequent leadership changes, by senior officials within the agency changing posts, and by the cyclical nature of crime.
- In light of these realities, JDAI stakeholders should seek to build connections with many officials throughout the law enforcement agency.

## Uneven Openness to Community Partnerships

- Some law enforcement agencies have strong and longstanding connections with neighborhood organizations and community advocates.
- But others do not, and may look upon these organizations and advocates with mistrust.

- In jurisdictions where law-enforcement connections to communities are weak and unstructured, JDAI stakeholders can play a valuable role in bridging this divide and opening the lines of communication.

## Importance of Size and Other Community Characteristics

JDAI stakeholders should tailor their strategies to the characteristics of the law enforcement agencies and the demographics and politics of the communities they serve. For instance:

- **Agency Size:** smaller law enforcement agencies can often communicate more easily and rapidly as well as change practices more quickly. Larger agencies typically have more staff available to attend meetings, organize new training programs, perform data analyses, and develop funding proposals but require more time to obtain permission for any changes in policies and practice.
- **Internal resources:** Better funded law enforcement agencies may have more staff available to participate in and contribute to JDAI efforts.
- **External Resources:** The breadth and quality of local youth-serving organizations will also impact efforts to involve law enforcement in JDAI. Alternatives to arrest and detention often hinge on the availability of programs and opportunities in the community.

# Effective Strategies For Outreach To Law Enforcement By JDAI Stakeholders



JDAI stakeholders must be strategic in how they reach out to law enforcement personnel and work with them over time.

## Make the first contact count

### THE RIGHT CONVENER

The initial outreach to law enforcement should come from the *presiding juvenile court judge or another leader of high standing* who has the respect of local law enforcement leaders and a clear commitment to optimizing the justice system for youth.

### THE RIGHT MESSAGES

In the initial meeting, JDAI stakeholders should emphasize messages most likely to interest and persuade the local law enforcement leadership.

- The focus should be on demonstrating why partnering with JDAI (or deepening an existing partnership) is *good for youth, consistent with public safety, and beneficial for law enforcement*.
- Law enforcement leaders must understand that *youth are developmentally different than adults and require a different (and less punitive) form of justice*—and they must be made aware of the research showing that arresting and detaining youth is often wasteful and counterproductive.
- In addition, stakeholders should emphasize that *many law enforcement leaders across the country are deeply engaged in JDAI*, supportive of its mission and committed to its success.

## Strategically broaden and deepen the JDAI-law enforcement partnership

### INVOLVE THE LEA LEADER ON THE JDAI STEERING COMMITTEE

The top leader's continued involvement is important both to demonstrate his or her commitment to JDAI and to ensure that law enforcement is involved in pivotal discussions about key components of the local JDAI effort.

### IDENTIFY A STRONG POINT PERSON AND OTHER POTENTIAL JDAI CHAMPIONS

- Law enforcement leaders uniformly recommended that JDAI stakeholders appoint a *commander in the patrol division*—**not** the juvenile division—as their JDAI point person.
- JDAI stakeholders should also seek to engage “lane-crossers”—*respected officers with a track record of working with other public agencies* and with community organizations—to become internal advocates for JDAI within their departments.

### FIND OPPORTUNITIES TO EXPLAIN JDAI TO PATROL OFFICERS

JDAI stakeholders should seek out opportunities to:

- organize formal in-service training sessions;
- deliver briefings during daily roll call sessions;
- distribute summary sheets with information on detention reform;
- invite officers to visit and tour alternative-to-detention programs.

### PROVIDE RELEVANT INFORMATION IN CONCISE PRESENTATIONS

Because law enforcement supervisory and command staff face a time-pressured work environment, JDAI stakeholders should use the brief two-page, fact-filled, data-rich explanations available here to address key law enforcement concerns, including:

- The *research-informed rationale for JDAI* and the evidence that it is safe, effective, and good for public safety.
- Information regarding the *operational procedures, paperwork requirements, and other logistical details* that will be required of officers and command personnel as part of JDAI.

### EMPHASIZE AND PROMOTE DETENTION ALTERNATIVES

Law enforcement personnel may resist JDAI based on an understandable but misplaced perception that detention offers the only

# Effective Strategies For Outreach To Law Enforcement By JDAI Stakeholders



appropriate way to address youth lawbreaking. To shift this perception, JDAI stakeholders should showcase alternatives to detention programs and show officers that *youth placed in alternatives are closely supervised and are often engaged in rigorous programming and/or connected to needed services.*

## MAKE TIMELY AND STRATEGIC USE OF DATA

While most law enforcement has become increasingly data-driven in recent years, few law enforcement agencies today routinely examine and analyze juvenile arrest data to identify racial and ethnic disparities, or geographic concentration of arrests in particular neighborhoods.

- In several JDAI sites, new data analyses conducted or inspired by JDAI have sparked *encouraging changes in law enforcement practices* toward youth.
- However, JDAI stakeholders should *be strategic in conducting new data analyses and discussing data trends* on sensitive issues, especially regarding racial and ethnic disparities.

**Source Note:** All of the tactics and strategies summarized above are described in detail in the chapter of the practice guide entitled, “STAGE ONE: Making (or Restoring) the Initial Connection.”

# Messaging For Making (Or Restoring) The Initial Connection



Interviews with law enforcement leaders and JDAI stakeholders around the nation suggest that successful engagement depends on: tactical outreach, effective messaging, and close attention to law enforcement concerns.

## Tactical Outreach

JDAI stakeholders will be most effective in forging (or reinvigorating) connections with law enforcement if they employ a deliberate approach. Specifically, success will be more likely if stakeholders:

- **Make the first contact** count by having the presiding juvenile court judge or other leader of high standing who has the respect of his or her peers in law enforcement initiate the conversation
- **Involve the leader(s) of the major law enforcement agency (or agencies) on the JDAI steering committee**, and seek their input on:
  - The detention screening instrument;
  - The process to transfer custody of youth from officers to court officials following an arrest; and
  - The protocols for handling cases where youth are involved in domestic disputes or face serious social or human service needs.
- **Identify a capable and well-positioned point person**, preferably a respected leader in the patrol division, to represent law enforcement in JDAI work groups and interagency discussions.
- **Build relationships with other officers and commanders throughout the agency**, especially officers with a track record of working with other public and private agencies who might serve as champions for JDAI over the long haul.
- **Seek opportunities to meet with patrol officers** in roll-call meetings, training sessions and other gatherings both to explain JDAI and to listen to officers' feedback and concerns about its implementation.

## Effective messages

Law enforcement agency leaders will not embrace JDAI unless they believe it is consistent with public safety, good for youth and the community and beneficial for their agencies. Patrol officers and commanders will support JDAI and participate constructively only if they understand JDAI and accept the underlying principles behind it.

Therefore, JDAI stakeholders should prepare and deliver organized, succinct fact-packed presentations that provide convincing evidence of the following:

- **Youth are different from adults and require a different approach to policing and court processing.** A wealth of research finds that arrest, prosecution and detention actually *increase* young people's odds of subsequent offending and impede their long-term success.
- **Absent JDAI, detention practices are frequently problematic.** Despite the dangers of detention to worsen youth outcomes and the high cost of confinement, detention is often used for youth who pose minimal risk to public safety. Also, detention decisions are often inconsistent, subjective and inequitable in terms of race and ethnicity.
- **JDAI is consistent with public safety.** JDAI sites have demonstrated that using objective risk screening, detention alternatives and limited secure detention has been consistent with detention's two functions: ensuring youth appear for their court dates and keeping the public safe while a youth is awaiting his or her court date.
- **JDAI works — and is good for the community's long-term health.**
  - Participating sites have reduced their average detention populations by more than 43 % since entering JDAI, resulting in more than one million fewer days of detention each year.

# Messaging For Making (Or Restoring) The Initial Connection



- Fifty-six JDAI sites have closed detention units or whole facilities, realizing an estimated cumulative savings of roughly \$143.5 million per year.
- JDAI sites have also cut the number of youths committed to state custody by 57%, while keeping youth in school and connecting them to needed services and supports in the community.
- **JDAI offers a positive forum for law enforcement agencies to improve community relations and address racial and ethnic disparities.** Because JDAI steering committees typically include multiple community stakeholders, and most sites have active subcommittees dedicated to combating disparities, JDAI can offer a ready-made forum for law enforcement leaders seeking to reduce tensions with community residents and foster closer connections, respectful discussion and concerted action.
- **JDAI benefits law enforcement**
  - Partnerships with JDAI often help ease officers' frustration by reducing their time out of service in juvenile cases and decrease LEAs' need for and cost of overtime.
  - JDAI-law enforcement partnerships can also improve the handling of so-called "frequent flyer" youth who pose minimal threat to public safety but generate repeated calls for service due to unmet psychological or human service needs, or to problems in their families.

## Attention to law enforcement concerns

While making the case for JDAI is important, stakeholders' ultimate success in *building strong and sustainable partnerships with law enforcement depend as much on listening as on delivering effective arguments.*

- Asking law enforcement personnel about their concerns with current juvenile justice procedures and soliciting input on issues that directly affect officers can provide a starting point for fruitful dialogue.
- Especially in existing sites where leaders of the largest local departments are not currently active on the JDAI steering committee, or where they never joined, JDAI stakeholders' best strategy may be to start discussions about a specific issue of interest to law enforcement.

# Building Consensus On The Detention Screening Process



Top law enforcement leaders are almost always included in discussions to craft or revise the detention screening instrument. Too often, however, patrol officers and other law enforcement personnel receive little information about the screening process or detention reform generally. To address this need, JDAI stakeholders should:

## Provide orientation and training for law enforcement personnel

Officers at all levels require training to understand the detention screening instrument and the processes for making and implementing the detention decision.

“It’s important that everyone [in the law enforcement agency] knows that detention is bad, not good, for youth. It’s important for them to know that [JDAI] isn’t just rhetoric. It’s actually improving the numbers, bringing better outcomes [for youth and public safety].”

— KURT WOLF, CAPTAIN OF PATROL  
LAFAYETTE INDIANA POLICE DEPARTMENT

## Solicit and respond to input from patrol officers

Solicit and respond to input from patrol officers on detention screening implementation issues. Law enforcement officers will be more likely to accept and support the detention screening process if stakeholders listen to their views and make changes when appropriate.

“I got some pushback from some officers initially. But I told them to try it, and then come back to me and tell me how it went... Once they see that it works, they buy in.”

— TIM CHATTEN, JUVENILE PROSECUTOR  
CAMDEN COUNTY, NEW JERSEY

## Give officers predictable and timely detention determinations and guidance

Officers will be far more supportive of the objective detention admissions process if the screening process is consistent and case processing expeditious.

“Instead of us sitting here and babysitting someone for two or three hours trying to get hold of a parent or guardian, it gets our officers back on the road.”

— DON DIXON, CHIEF OF POLICE  
LAKE CHARLES, LOUISIANA

*Describing the impact of a new Multi-Agency Resource Center that opened in 2011 to process the cases of youth arrested on status offenses and low-level misdemeanors.*

# Creating Better Options For Low-Risk, High Need Youth



Many adolescents who become involved in our nation's juvenile justice systems pose minimal threat to public safety but come in contact with police due to their troubled backgrounds and life circumstances. Too often, these youth are placed under arrest—and sometimes detained—when a warning, citation, or referral to services would be more constructive.

While youth with serious mental health needs may come through the juvenile justice system door, it is well accepted that the juvenile justice system was not designed and is not well-equipped to meet these service needs. Instead of bringing youth to detention facilities to obtain such services, a key goal of JDAI is to:

- avoid justice system involvement; and
- connect needy youth and families to appropriate and responsive services.

## Promising models to quickly divert low-risk youth

Promising models to quickly divert low-risk youth from the justice system and connect those with significant needs to relevant service providers. Working together law enforcement and other JDAI stakeholders can help address the frustrating gaps that often prevent youth with severe needs from connecting with community service providers following their interactions with law enforcement. The most promising efforts involve:

- **Reception centers** and other locations where lower-risk youth can be diverted from court (or even from arrest), assessed, and—when necessary—connected to nearby services providers; or
- **Well-crafted and service-rich diversion programs** that allow law enforcement officers to connect youth directly to needed support and assistance.

## New strategies for youth involved in domestic disturbances

New strategies to avoid unnecessary arrest and detention of youth involved in domestic disturbances. Local justice systems frequently face a difficult challenge in working with youth who come in contact with law enforcement due to domestic disturbances in their homes. Through JDAI, jurisdictions such as Cuyahoga County (Cleveland), Ohio and Pima County (Tucson), Arizona have forged partnerships with law enforcement, the courts, and other agencies to minimize the use of detention (and even arrest) and instead steer youth and their families to local services providers.

## Importance of keeping the process quick and user friendly for patrol officers

Regardless of the model employed—reception center, diversion program, domestic violence alternative—the process must remain simple and straightforward for law enforcement personnel

- **Clear guidelines** as to which youth are eligible and under which circumstances.
- **Minimal paperwork** and an expedited process for officers to connect youth and families to the alternative site or process, and to transfer custody of the youth.
- **Thorough in-service training and regular refresher sessions** for officers to review criteria and procedures for domestic violence cases.

# Promoting More Effective Law Enforcement Practices For Youth



In a multitude of sites, conversations and connections initiated by JDAI have sparked changes to make law enforcement practices toward youth more equitable and effective. In some non-JDAI jurisdictions as well, law enforcement leaders have taken it upon themselves to craft innovative strategies to improve policing practices for youth.

Strategies to address these opportunities include:

## Increasing pre-arrest diversion

Some jurisdictions, most notably Florida with its statewide civil citations program, have developed or expanded the use of pre-arrest diversion, allowing youth apprehended by police for minor lawbreaking to avoid the stain and collateral consequences of an arrest record. Through this approach, Florida has decreased the number of juvenile misdemeanor arrests, reduced racial and ethnic disparities, lowered recidivism and saved millions of dollars for taxpayers.

## Reducing school arrests

Working closely with law enforcement, JDAI sites have taken steps to minimize the number of youths arrested at school for routine misbehavior. Indeed, the JDAI site in Clayton County, Georgia, has been a national leader on this issue for more than a decade—and has provided assistance to dozens of JDAI and non-JDAI jurisdictions nationwide in their efforts to reduce school arrests.

## Combating racial and ethnic disparities at arrest

In several JDAI sites, local stakeholders have spurred constructive action to reduce racial and ethnic disparities in arrests by providing data to commanders and supporting the adoption of law enforcement strategies to address them.

- Analyze data by race and ethnicity (and neighborhood).
- Devise and test strategies to reduce disparities



# Examples Of Effective Partnerships

## Diversion and quick assessment for low-risk youth



### MULTNOMAH COUNTY, (PORTLAND) OREGON

As one of JDAI's initial pilot sites in the 1990s, Multnomah County developed the nation's first juvenile reception center — a new venue designed to screen and assess lower-risk youth who are not candidates for detention. A forward-thinking law enforcement leader, Commander Bob Kauffman of the Portland Police Bureau, played an important role in this effort, providing free space for the center in the central police precinct during its first six months of operation and developing a training program to familiarize patrol officers with the new procedures. The reception center model has since been replicated in many JDAI sites across the nation.

were frequently being arrested for disorderly conduct, St. Paul narrowed its definition of what kind of behavior warranted arrest, and worked with the public schools to reduce the role of police in addressing school discipline. Since then, arrests for disorderly conduct and related offenses have dropped by 50%.

## Officer training to reduce unnecessary arrests



### TIPPECANOE COUNTY, (LAFAYETTE) INDIANA

When local stakeholders examined arrest trends in 2013, they saw that youth of color were being arrested in disproportionate numbers for resisting law enforcement, disorderly conduct and battery against a public safety officer — all charges which involved significant discretion on the part of the arresting officer. “The data collected by JDAI made us realize we had to change how we responded to kids,” recalls Kurt Wolf, captain of patrol in the Lafayette Police Department. Since then, the department has trained officers on adolescent development and implicit bias, and has designated arrests for the identified offenses as a standing topic in JDAI collaborative meetings. By 2015, arrests for these offenses had declined 32%, including a 39% drop among youth of color.

## Domestic violence alternatives



### PIMA COUNTY, (TUCSON) ARIZONA

Soon after Pima County launched its JDAI effort in 2004, stakeholders discovered that more than 1,000 youth were being arrested each year on domestic violence charges and hundreds were being detained, most of them posing little risk to public safety. “A lot of kids were being dragged into the system unnecessarily,” says Captain Paul Sayre of the Tucson Police Department. To address the problem, the county developed a Domestic Violence Alternative Center (DVAC) where officers could take lower-risk youth arrested on misdemeanor domestic assault charges for screening, assessment and referral to needed mental health and family support services. By 2011, the DVAC handled more than three-fourths of all misdemeanor domestic violence cases, and only 42 resulted in detention admissions — down from 415 in 2004. “Dropping youth at the DVAC is easier and faster than detention,” says Sayre. “[My patrol officers] can drop a kid off...and get back out on the street.”

## Diversion in lieu of arrests at school

### PHILADELPHIA, PENNSYLVANIA

Under the leadership of then-Deputy Police Commissioner Kevin Bethel in 2014, the Philadelphia Police Department revised its school policing practices to prohibit arrests for an array of common misdemeanor offenses. Student arrests fell 54% in the program's first year. Bethel credits JDAI for helping the city connect youth to local social service providers for counseling and support in lieu of arrest.



## Reducing school-based arrests for youth of color



### RAMSEY COUNTY, (ST. PAUL) MINNESOTA

Until he took over as commander of the Youth Service Section of the St. Paul Police Department in 2008, Gene Polyak believed that his department was upholding the law in a race-neutral way. However, once he reviewed the data with the local JDAI steering committee, Polyak says, “I began to see unfairness.” After noting that African-American youth

“ The beauty of [the JDAI] collaborative is that we had all the right people in the room. Everyone was on the same page, and there was already an environment of trust. ”

— KEVIN BETHEL, FORMER DEPUTY CHIEF  
PHILADELPHIA POLICE DEPARTMENT

# Promoting JDAI to Law Enforcement

## What is Juvenile Detention Reform?

Using eight interconnected core strategies, Juvenile Detention Alternative Initiative (JDAI) seeks to help participating jurisdictions safely reduce reliance on secure detention for youth charged with delinquent offenses.



## The Teen Brain

Explaining how youth are developmentally different than adults, how adolescents respond to authority and the effect of trauma on their behavior.



## Why Detention Reform Is Necessary

Asking about and addressing law enforcement concerns and soliciting law enforcement input on issues that directly affect officers can provide a starting point for fruitful dialogue.



## Objective Screening Tool for Detention Decisions: Its Impact on Law Enforcement

Describing the rationale and evidence behind the use of objective screening, the process used to develop detention screening instruments in JDAI sites, and the effect of risk screening for law enforcement officers.



## Focus on Combatting Racial & Ethnic Disparities

Explaining the reasons for JDAI's intensive focus on pursuing racial and ethnic equity in juvenile justice decision-making, and describing the key strategies employed by JDAI sites to address disparities.



# What is Juvenile Detention Reform?



## Purpose of Juvenile Detention Reform

Using eight interconnected core strategies, Juvenile Detention Alternative Initiative (JDAI) seeks to help participating jurisdictions safely reduce reliance on secure detention for youth charged with delinquent offenses.

## Juvenile Detention Reform Objectives

1. Eliminate inappropriate or unnecessary use of secure detention.
2. Minimize delinquent behavior by youth in the period between arrest and adjudication, and ensure young people's appearance in court.
3. Redirect public finances saved through the reduced use of detention to support effective alternatives to detention and other proven strategies to minimize future offending and promote youth success.
4. Reduce racial and ethnic disparities in the use of detention.
5. Ensure safety and appropriate care for youth confined in secure detention facilities.



## Eight Core Strategies

- **Collaboration**  
Establish an inter-agency collaborative to plan and assess reform strategies.
- **Data-Driven Decisions**  
Compile and make effective use of accurate, timely data to guide policy, program and practice decisions.
- **Objective Admissions**  
Develop and utilize objective criteria and screening instruments to guide detention admission decisions.
- **Alternatives to Detention**  
Expand the use of new or enhanced programs offering non-secure alternatives to detention.
- **Expedited Case Processing**  
Introduce case processing changes to reduce length of stay and expedite the resolution of cases.
- **Special Detention Cases**  
Develop strategies to minimize the use of detention in warrant, violation of probation and “awaiting placement” cases.
- **Reducing Racial and Ethnic Disparities**  
Identify causes and develop solutions to reduce racial and ethnic disparities in the use of secure detention.
- **Conditions of Confinement**  
Monitor and improve conditions of confinement to ensure safety and enhance services for youth confined in detention facilities.

# Juvenile Detention Reform 101: the Model and Core Strategies

Juvenile Detention Alternative Initiative (JDAI) does not seek to eliminate the use of detention. Rather, JDAI seeks to ***detain only the right kids for the right reasons for the right amount of time.*** Explaining how youth are developmentally different than adults, how adolescents respond to authority and the effect of trauma on their behavior. Holding youth accountable for their actions while keeping them on track for long-term success.

## Ensure high-risk youth are detained

The key to good detention practices is an objective decision-making process ensures that high-risk youth are indeed detained.

- The use of a rigorously tested, validated screening tool typically requires detention for any youth accused of a serious violent felony, and it uses a point system to detain any young person who—based on empirical evidence—poses a high likelihood to harm public safety or fail to appear in court.
- This screening instrument is developed through a collaborative process involving state and/or local judges, prosecutors, probation chiefs, public defenders, and other community stakeholders... **and law enforcement.**

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## Alternatives for moderate-risk youth

Alternative to detention programs for moderate-risk youth provide meaningful supervision and lead to better outcomes at lower cost.

- For instance, among the 18 New Jersey Counties participating in JDAI in 2014 and 2015, just 4% of youth placed in detention alternatives were arrested on new delinquency charges during the period they might have been detained.
- In 2019, aggregated data reported from Indiana's 32 JDAI counties showed success in use of Alternative to Detention (ATD) programs. Of the almost 4,500 completed ATDs, 89% of the exits occurred without new referral for an offense or failure to appear for a court hearing.

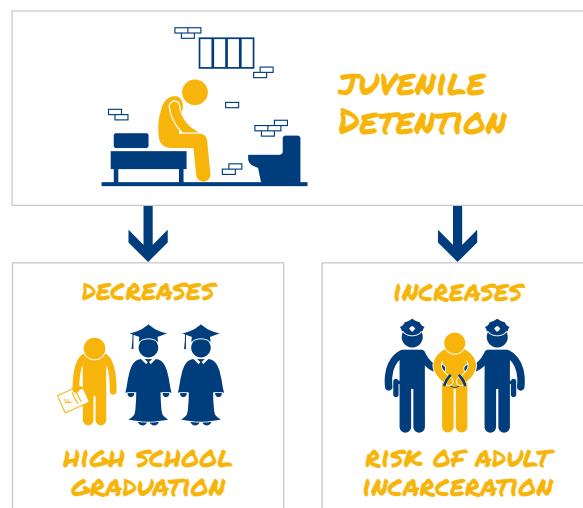
## Protect Public Safety

JDAI sites report impressive results in protecting public safety. Compared to their levels prior to sites joining JDAI,

- total arrests are down 44% in sites that track them,
- total delinquency petitions are down 35%, and
- felony petitions are down 57%.

## Detention and incarceration are especially damaging to young people's odds of success.

- A recent study involving tens of thousands of youths in Chicago found that, controlling for offending history and a wide range of background variables, ***being placed in detention during adolescence “results in large decreases in the likelihood of high school completion and large increases in the likelihood of adult incarceration.”***



# Why Detention Reform Is Necessary



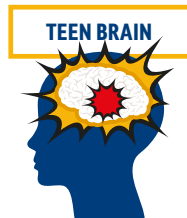
**YOUTH ARE DIFFERENT FROM ADULTS  
(AND REQUIRE A DIFFERENT APPROACH).**



## The human brain does not fully develop until the age of 25.

Adolescent brain development and behavior research shows that:

- **Adolescents lack adult capacity** for controlling impulses, weighing risks and consequences, regulating emotions, and resisting peer pressure.
- Meanwhile, adolescents' **affinities for thrill-seeking and risk-taking are heightened**.
- As a result, **law-breaking and other risky behaviors are common, even normal**, during adolescence.
- But **in the vast majority of cases, youth will grow out of their law-breaking** without any intervention from the justice or mental health systems.



## Arresting low-risk youth for low-level offenses damages young people's futures and undermines public safety.

- Controlling for conduct and a wide-range of background factors, studies find that getting arrested during adolescence nearly **doubles the odds that the young person will drop out of school**.
- **Being formally processed in court tends to further harm young people's long-term success** (and increase their likelihood of future involvement in the justice system).
- Getting arrested and adjudicated as a juvenile can have lasting **collateral consequences** for young people's ability to pursue higher education, obtain employment or housing, or join the military.

## In the absence of detention reform, detention practices are often problematic.

- **Excessive.** More youth are detained than necessary or beneficial for public safety or youth success.
- **Inconsistent.** Detention decisions are often based on subjective preferences or seat-of-the pants judgements, leading to very different treatment of youth with similar offending histories.
- **Inappropriate.** Youth may be detained following arrest (even before they've had their day in court) as a consequence for their behavior or to "teach them a lesson," contradicting the legal purposes of detention.
- **Counterproductive.** Placement in detention often traumatizes youth, disrupts their schooling, and damages their long-term success while increasing their odds of further involvement in the justice system.



**TRAUMATIZING**

**“Detention is one of the most frequently studied decision points in the juvenile system. It is also the point at which race effects unexplained by offense-related variables are most often found. Studies that have included Native American and Hispanic youth report significant disadvantages to these groups as well.”**

— DONNA M. BISHOP AND MICHAEL J. LIEBER

*“RACIAL AND ETHNIC DIFFERENCE IN DELINQUENCY AND JUSTICE SYSTEM RESPONSES,” CHAPTER IN OXFORD HANDBOOK OF JUVENILE CRIME AND JUVENILE JUSTICE, 2011.*

# Why Detention Reform Is Necessary

- **Inequitable.** Research overwhelmingly shows that youth of color, and especially African American youth, are far more likely to be detained than white youth, even when they have similar backgrounds and offending histories.
- **Wasteful.** Given the very high costs of secure confinement, the excessive use of detention squanders vast sums of money.
- Connects youth (and their families) to **needed services and supports**.
- **Streamlines the court process** to ensure that youth do not spend more time in pre-trial confinement than necessary to protect the public and ensure attendance in court;
- Mobilizes communities to **address racial and ethnic disparities**, which are as pervasive in juvenile justice as they are in the adult justice system.

## JDAI offers a solid recipe for correcting these problems.

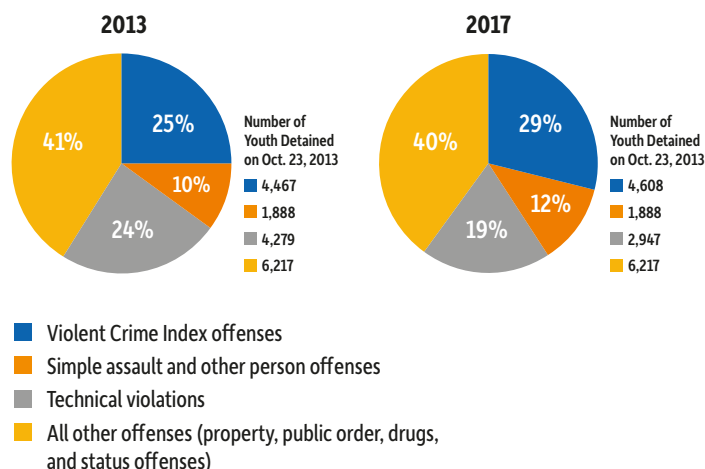
- The **objective screening process** ensures that detention decisions are consistent and informed by the best available evidence;
- Helps keep youth on track for success by expanding the availability of **effective alternatives to detention**;

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## Charged Offenses for Youth in Detentions in 2013 and 2017

These numbers are one-day snapshots of the population under age 21 placed in residential facilities for youth with a legal status of “detained,” according to the Census of Juveniles in Residential Placement. Census dates were Oct 23, 2013 and Oct 25, 2017. A census was conducted in October 2019, but the data haven’t been published yet.

Percentage of U.S. Youth in Detention (by type of offense)



Change in Number of Youth Detentions, 2013 - 2017



Source: Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2019). “Easy Access to the Census of Juveniles in Residential Placement.” Downloaded on Nov 2, 2020 from <https://www.ojdp.gov/ojstatbb/ezacjrp/>

# Objective Screening Tool for Detention Decisions: Its Impact on Law Enforcement

## How does it impact officers?



How does the objective screening process impact law enforcement officers when they apprehend youth for delinquent conduct?

The use of an objective screening process has **significant implications for patrol officers in their dealings with youth**. Some of the resulting changes make the process easier and more efficient for officers, but other changes will limit their discretion.

- **New procedures and protocols.** The objective screening process to guide detention decisions will require officers to learn and follow new procedures and protocols whenever they arrest a young person.
- **Altered relationship with youth.** Reliance on a detention screening tool may limit the discretion officers may have enjoyed previously to place youth in detention, or to threaten detention as a consequence for continued misconduct.
- **Reducing uncertainty and wasted time.** Objective screening can make the detention process more predictable for officers, and save officers time they would otherwise spend transporting youth who pose few risks to detention.

## Lower detentions frees up public funds

Taken together, participating jurisdictions have reaped enormous benefits from their involvement with JDAI.

- Altogether, youth residing in **participating sites spent 1.4 million fewer nights in secure detention** in the 2015-16 fiscal year than in the baseline years before each site entered JDAI.
- By lowering detention populations, juvenile detention reform has **enabled at least 56 participating jurisdictions to close housing units** within their detention facilities or close facilities entirely. These jurisdictions reduced the capacity of their detention facilities by more than 2,000 beds.
- These bed reductions have **freed up more than \$100 million per year** in public funds that would otherwise have been spent on construction or operations of these jurisdictions' detention facilities.

“ When we rolled out the risk screening tool, we did a training for our officers, and it really brought the officers on board. They liked the clear policies and procedures, and they appreciated that law enforcement had a say in formulating the tool. ”

—JIM DOMVILLE, DEPUTY CHIEF  
CRESSKILL POLICE DEPARTMENT, BERGEN COUNTY, NJ

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# Focus on Combatting Racial & Ethnic Disparities

A hallmark of juvenile detention reform is the expanded use of alternative to detention programs that allow youth to remain in the community pending their adjudication hearings.

## Reducing disparities is a top priority

Perhaps the most troubling feature of the juvenile justice system is the persistence of unequal treatment of youth from different racial and ethnic backgrounds. One of detention reform's core values is that juvenile justice stakeholders—including law enforcement—have an affirmative obligation to ensure that all youth, regardless of race or ethnicity, are treated similarly.

## Disparities cannot be explained by youth behavior.

The vast racial and ethnic disparities plaguing juvenile justice cannot be explained by differences in offending rates. In the most comprehensive review of recent scientific research on the effects of race and ethnicity on juvenile case processing, the vast majority of studies identified (63 of 79) significant disparities in the treatment of youth at one or more of the decision points.



“With few exceptions, data consistently show that youth of color have been overrepresented at every stage of the juvenile justice system, that race/ethnicity are associated with court outcomes, and that racial/ethnic differences increase and become more pronounced with further penetration into the system through the various decision points.”

— NATIONAL ACADEMIES OF SCIENCE

## Disparities in the juvenile system are most extreme at the point of arrest

And these disparities at arrest continue to widen over time. For instance, in 2003 black youth were 85% more likely to be arrested than white youth; by 2013, black youth were 129% more likely than whites to be arrested.

While juvenile arrests have fallen dramatically and are at their lowest level since arrest data was first collected nationwide in 1974, racial disparities have not similarly declined. Juvenile arrest data, for instance indicates that arrests of black youth in 2019 increased dramatically and represent 33% of all youth arrested. Similarly, the results of the 2015 Bureau of Justice Services survey on police contact found that the highest rates of police-initiated contact, was for black and Hispanic youth aged 16-18, up 68% since 2011.

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# Focus on Combatting Racial & Ethnic Disparities

## Law enforcement practices can contribute disparities

Law enforcement practices sometimes perpetuate or exacerbate racial and ethnic disparities in juvenile arrests.

- Youth of color are more likely to attend schools where law enforcement officers are permanently stationed.
- Strategies such as hot spot policing, gang suppression, drug enforcement, and stop and frisk tend to be concentrated in communities populated overwhelmingly by people of color.
- As in other arms of the justice system, law enforcement officers may unknowingly treat youth (and adults) of color more severely than their white peers due to unconscious bias.

“While disparities pervade the juvenile justice system, it is at the front of the system—arrests—where disparities are largest and the point at the system at which disparities grew between 2003 and 2013.”

— THE SENTENCING PROJECT, 2016

## Examples of innovative actions by law enforcement to reduce disparities

In several JDAI sites, and some non-JDAI jurisdictions, law enforcement leaders have taken innovative action to reduce disparities.

- **Minimizing school arrests:** Law enforcement leaders in JDAI jurisdictions like Philadelphia; Clayton County, GA; Ramsey County (St. Paul), MN; and Omaha, NE; have taken a leadership role in reducing the number of students of color arrested for low-level offenses at school.
- **Data analysis and strategic action to identify and address points of disparity.** Likewise, law enforcement leaders in JDAI sites like Pima County (Tucson), AZ and Tippecanoe County (Lafayette), IN have used data analyses to uncover enforcement practices that were unnecessarily exacerbating disparities in arrests, and have taken action to correct those practices and reduce disparities.



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**Sources:** National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. Committee on Assessing Juvenile Justice Reform, Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, Eds. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press, available at <https://www.nap.edu/catalog/14685/reforming-juvenile-justice-a-developmental-approach>; “Disproportionate Minority Contact (DMC) Webinar Part 2: What the Data and Research Tell Us,” OJJDP State Training and Technical Assistance Center, October 24, 2012; and Joshua Rovner, *Racial Disparities in Youth Commitments and Arrests*, April 1, 2016, available at <http://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests>.

Statistical Briefing Book, OJJDP, *Law Enforcement & Juvenile Crime, 1980–2019*, [https://www.ojjdp.gov/ojstatbb/crime/ucr\\_trend.asp?table\\_in=2&selOffenses=1&rdoGroups=2&rdoDataType=1](https://www.ojjdp.gov/ojstatbb/crime/ucr_trend.asp?table_in=2&selOffenses=1&rdoGroups=2&rdoDataType=1) U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics Special Report October 2018, *Contacts Between Police and the Public*, 2015, Elizabeth Davis and Anthony Whyde, BJS Statisticians Lynn Langton, Ph.D., former BJS Statistician, <https://www.bjs.gov/content/pub/pdf/cpp15.pdf>



# Overview: Keys To Effective Training For Law Enforcement

In developing and delivering training for law enforcement officers, juvenile detention reform stakeholders should heed the following lessons and guidelines:

## Making the Case for Training

Sustainable advances in law enforcement practice toward youth will only be possible if (1) commanders and patrol officers appreciate the developmental differences between youth and adults and the importance of de-escalating incidents involving youth, and (2) they recognize the harm and unnecessary cost of arresting and detaining young people who pose minimal risk to public safety.

## JDAI Examples of Successful Training

Fortunately, a substantial number of JDAI sites have made significant investments in training for local law enforcement personnel both on the details of and rationale for JDAI, and on the larger issues surrounding young people and the law.

## Tips for Effective Training

- **What topics should be covered?**

Training should focus on:

1. Adolescent brain development and behavior.
2. Understanding the role of trauma in youth's behavior.
3. Consequences of arrest and detention, for youth, their families, and for public safety.
4. Strategies for effectively interacting with youth and for de-escalating situations before they erupt
5. The rationale for, and operational details of, detention reform.

- **Who Should Deliver the Training?**

The training provider(s) should be knowledgeable, personable, humble, and conversational. In addition, the training team should include stakeholders from each of the major institutions involved in the JDAI collaborative.

- **How Should It Be Delivered?**

Training should be practical and rely on visual aids and interactive exercises that make the lessons understandable to participating officers.

- **Timing and Frequency**

Officers should receive this instruction as part of their initial training in academies before they earn their badges. This information should be reinforced and updated regularly as part of the professional development provided to officers in the field.



# Making The Case For Training

Why is it important to train law enforcement officers on adolescent brain development and detention reform? By removing detention as the “go-to” option for law enforcement, Juvenile Detention Alternatives Initiative (JDAI) inevitably changes the nature of the relationship between youth and law enforcement.

## Creating opportunities for more constructive interactions with youth

Though this shift, JDAI creates an opportunity for a more constructive and relationship-based dynamic between law enforcement officers and youth.

## Progress relies on training

But such progress is unlikely if—lacking training—officers remain:

- uninformed about adolescent development,
- unfamiliar with community services available to support youth with serious mental health or social service needs,
- unaware of the impact of trauma on adolescents and the harmful effects of justice system involvement, and
- untrained in techniques for de-escalating tense situations with youth.

## A more promising strategy

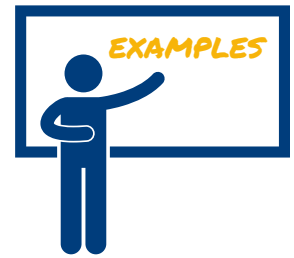
Training offers the most promising strategy available to promote long-term improvement in policing approaches toward youth.

**“ Training for law enforcement on differences between youth and adults and appropriate strategies to respond to those differences is crucial to enable better understanding and more constructive interactions between police and youth... In some jurisdictions, officers still receive little or no training beyond juvenile code provisions and other legal considerations regarding the handling of youth. ”**

— INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

**“ My officers receive so much firearms training, and yet they rarely fire a shot. Meanwhile they have multiple contacts each day with juveniles. ”**

—CHIEF WILLIAM WEITZEL  
RIVERSIDE ( IL ) POLICE DEPARTMENT



# JDAI Examples Of Successful Training

## Indiana is leading JDAI training efforts



The most ambitious efforts currently underway in the JDAI network to train law enforcement officers are taking place in Indiana.

- Work began in 2012 when Strategies for Youth (SFY), a Massachusetts-based agency, received a grant to help the Indianapolis Metropolitan Police Department (IMPD) address a problem with racial and ethnic disparities in youth arrests.
- In 2013, leaders from nearby Tippecanoe County invited SFY to bring the *Policing the Teen Brain™* training to their county. Since then, more than 400 sworn law enforcement officers have received the training in Tippecanoe county.
- In 2014, the Indiana Criminal Justice Institute offered to underwrite the costs of SFY training in participating JDAI counties throughout the state.
- As of 2021, SFY is actively training or has trained law enforcement officers in more than 20 counties throughout Indiana, delivering its *Policing the Teen Brain™* curriculum.
- In the fall of 2016, trainees at the Indiana Law Enforcement Academy received in-depth training on adolescent development and behavior. Previously, just four hours (half of one%) of the curriculum at the state's law enforcement academy concerned youth, and most of that focused on juvenile law.

## Other JDAI site providing relevant training

Other JDAI sites are also providing relevant training for law enforcement officers.

### Philadelphia, PA



- The "Pennsylvania DMC Youth/Law Enforcement Curriculum" has been delivered to every class of the local police academy since 2009, a total of more than 3,500 recruits.

- This youth/law enforcement curriculum is being replicated in five other Pennsylvania counties, and it will soon be adapted in three cities in Connecticut.
- In 2016, local leaders began developing a new in-service training curriculum for Philadelphia police officers to complement and advance the training provided to new police academy recruits.

### Multnomah County, OR (an original JDAI model site)



- The Portland Police Bureau has long included a multi-day unit on adolescent development and juvenile justice as part of its training academy for new law enforcement officers.
- The training topics include: adolescent development, operations of the juvenile justice system, and information about the location and programming of community-based services.
- The training offers recruits direct exposure to juvenile court and probation staff and to service providers working with youth in the community.

**“ We have to get past the belief that our sole responsibility is law enforcement when the vast majority of what we do is street-level social work. Good relationships, established individually, over time, garners the support you need at critical times. We have a complex role in this society. We need to recognize that we do many things. We have a responsibility to do them well. ”**

— WILLIAM DEAN, DEPUTY CHIEF  
VIRGINIA BEACH (VA) POLICE DEPARTMENT

# JDAI Examples Of Successful Training

## Clayton County, GA

As part of its efforts to reduce school arrests, Clayton County has fundamentally reoriented the role of its School Resource Officers. To support the new approach, Clayton County offers extensive and ongoing training to inform SROs about adolescent development and positive approaches for engaging youth and promoting school safety, rather than punishing misbehavior.



## Virginia Beach, VA

Strategies for Youth provided the local police department with a train-the-trainer training, inviting the local juvenile department to present on JDAI. This is now the two-day “Juvenile Perspectives” training emphasizing the message that, in the words of Deputy Chief William Dean, “Arrest is the beginning of a cycle that will limit opportunities in life.” This initiative led to the development of a detailed set of policies for officer and agency interactions with youth.



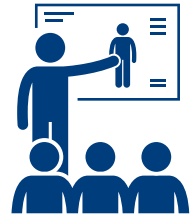
## Ramsey County, MN

JDAI stakeholders in Ramsey County, Minnesota have provided JDAI 101 training for St. Paul Police Department commanders, as well as attending roll calls in local police stations to discuss JDAI with patrol officers and local commanders.



**“ Expand officers’ capacity to effectively respond to youth by offering cohesive training programs that enable officers to understand adolescent development; cultural differences among youth; mental health and trauma issues; and effective strategies for youth engagement, intervention and crisis response. ”**

— RECOMMENDATION FROM THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE SUMMIT ON LAW ENFORCEMENT’S LEADERSHIP ROLE IN JUVENILE JUSTICE REFORM, SEPTEMBER 2013.



# Tips for Effective Training

The primary goal of training law enforcement about adolescent development should be to help officers understand the critical differences between adolescents and adults, and to equip them with skills needed to approach situations involving youth in a constructive and age-appropriate way. The officers must leave with a greater appreciation of how to apply developmentally-appropriate, trauma-informed, racially equitable practices. Additionally, a good training will help officers appreciate how they are perceived by youth, and how that perception affects interactions and outcomes.

## What topics should be covered?

Training should focus on:

- **Adolescent brain development** and the gaps that remain in adolescents' capacity to control impulses, regulate emotions, resist peer pressure, and weigh risks and consequences.
- **Trauma's impacts on behaviors**, and how that compounds some youth's reactivity, and often leads to fight/flight/freeze and re-enactment behaviors;
- Awareness of the **most prevalent mental health issues youth are facing** and how to avoid exacerbating them during interactions with youth;
- The often **negative consequences of arrest and detention**, both for youth and for public safety.
- Honing **officers' skills in interacting effectively with youth**, especially in de-escalating conflicts that can lead to unnecessary arrests.
- The **operational details of detention reform**, and the rationale behind them.
- **Orientation to youth-serving organizations** in the community that can address youth needs in lieu of arrest or system involvement.



Trainers should be:

- **Personable**—able to establish rapport with officers and involve them in sharing stories from their own experiences.
- **Humble**—careful never to tell officers how to do their job, and willing to locate answers or resources when officers ask questions they are unable to answer on the spot.
- **Conversational**—using examples from their own experience, including mistakes they've made or problematic practices they've had to abandon as they have learned what works.
- To improve interagency collaboration, **the training team should also include representatives from all of the major stakeholder institutions in the JDAI collaborative.**
- Whenever possible, training sessions for law enforcement personnel should include **direct interactions with young people.**



## How should it be delivered?

The training curriculum should focus on expanding officers' "tool belt" in ways that help them de-escalate interactions with young people, and provide young people with positive options. Effective teaching approaches include:

- **Focus on practical applications** of the information, and avoid getting stuck on abstract concepts or academic ideas.
- **Use visual aids** (photos, videos) and other media to convey information in an engaging way, rather than relying primarily on lecture format.



## Who should deliver the training?

The training team should be led by:

- **Experts in adolescent behavior and brain development** who can convincingly communicate to officers the critical differences between adults and adolescents.

# Tips for Effective Training

- **Incorporate interactive exercises** that allow officers to interact and share experiences.
- **Avoid hyper-technical jargon** about the brain.
- **Use mnemonic devices** that can be remembered quickly and applied easily.
- **Distribute written materials** that succinctly reinforce and/or enhance the main point(s) of the presentation.

## Timing and frequency

Officers should receive training both in academies before they earn their badges, and as part of their ongoing professional development.

- **Law enforcement training academies.**
  - Training academies should include **an intensive component on adolescent brain development, adolescent behavior, impact of trauma, and implicit bias**, as well as information on juvenile law, the juvenile justice system, and the federal requirement that state and local justice systems monitor and address racial and ethnic disparities.



- The training should include **role-playing and skill-building exercises** to help recruits learn skills in communicating effectively with youth and de-escalating tense situations in which youth are involved.
- **In-Service Training for Already-Sworn Officers.**
  - Law enforcement agencies should regularly provide in-service trainings to reinforce and update the academy training on adolescent development and juvenile justice, covering all of the key issues described above, and including opportunities for skill building (role playing) and for meaningful interactions with youth and with youth-serving community organizations.
  - In addition to formal in-service training, **JDAI stakeholders should seek to visit local police stations whenever possible to take part in roll call sessions.** These sessions provide an excellent opportunity to refresh officers' knowledge about JDAI, answer questions, expand officers' understanding of adolescent development, boost their skills in interacting with youth, and strengthen relationships.



# Where To Go For Assistance In Developing And Delivering Training

Law Enforcement leaders interested in creating new and improved training for officers on adolescent development and juvenile justice need not reinvent the wheel or go it alone. Rather, several organizations across the country provide training for law enforcement personnel in at least some aspects of adolescent development and/or juvenile justice. And four organizations offer training that include components addressing many or most of the critical training needs identified in the practice guide.

## ***Policing the Teen Brain™***

Led by a psychologist, this two-day training presents information on adolescent development and describes practical approaches for responding to youth with mental health issues and/or exposed to chronic trauma. Also, specially-trained local officers provide information on environmental and legal factors that affect youth. The training has been delivered in dozens of jurisdictions nationwide, including more than 20 JDAI sites.

**Sponsored by:** Strategies for Youth  
**Contact Person:** David Walker  
**Phone:** 617-714-3789  
**Email:** [info@strategiesforyouth.org](mailto:info@strategiesforyouth.org)  
**Website:** [strategiesforyouth.org](http://strategiesforyouth.org)



## ***Pennsylvania DMC Youth-Law Enforcement Curriculum***

This eight-hour curriculum for law enforcement academy cadets provides instruction on adolescent development and juvenile justice, implicit bias, and effective communications with youth—with a strong focus on combatting racial and ethnic disparities. The training includes extensive interaction between police academy cadets and area youth. It has been mandatory for Philadelphia police academy cadets since 2009, and it has recently been adopted in other jurisdictions.

**Sponsored by:** Pennsylvania DMC Youth/Law Enforcement Corporation  
**Contact Person:** Rhonda McKitten  
**Phone:** 619-547-6117  
**Email:** [PennDMC@gmail.com](mailto:PennDMC@gmail.com)  
**Website:** [www.penndmc.org](http://www.penndmc.org)



## ***Crisis Intervention Teams for Youth (CIT-Y)***

This comprehensive eight-hour training curriculum developed by the National Center for Mental Health and Juvenile Justice teaches officers about adolescent development, adolescent mental health and substance abuse, crisis intervention techniques for youth, and community alternatives to arrest for youth. *Note: CIT-Y is only available to officers who have already completed a 40-hour curriculum on crisis intervention for adults.*

**Sponsored by:** National Center for Mental Health and Juvenile Justice  
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**Website:** <https://ncyoj.policyresearchinc.org/trainings/crisis-intervention-teams-for-youth/>



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