

New York State Regional Leadership
Summit on School-Justice Partnerships

POLICING THE TEEN BRAIN IN SCHOOL

Paradigm Changes

Recognition:

- Same old/same old won't work now
- May not have worked previously.
- Pay now, pay later.



“Good news, I hear the paradigm is shifting.”

First Responders

Asked to respond to domestic social policy failures including:

- Dial a daddy
- Truancy
- Mental health issues
- Drugs/alcohol
- Fear of youth
- Racial



Social & Domestic Policy Failures

Poverty/Unemployment
Fragile Families/Fatherlessness
Vulnerable Communities



Police

First Responders for Discipline



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Policing Youth in 2013

- Must respond to every call; acting as
 - “Daddy Disciplinarian”
- Fewer alternatives, options for referrals
- More challenge to traditional assertion of authority
 - Greater need to assert authority
- Increasing Status Offenders

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Youths' Perception of Police/System

- Violent
- Unfair
- Likely to be unfair to youth of color

Responses:

- Not sure how to interact
- Best defense is an offense...



Legal Landscape



Roper v. Simmons ('05)

Graham v. Florida ('10)

Miller v. Alabama ('12)

JDB v. N. Carolina ('11)

Roper v. Simmons (2005)

1. “A lack of maturity and an underdeveloped sense of responsibility are found in youth more often than in adults...often result in impetuous and ill-considered actions and decisions...that “adolescents are overrepresented statistically in virtually every category of reckless behavior.”

Roper v. Simmons, cont'd.

2. Youth “are more vulnerable or susceptible to negative influences and outside pressures, including peer pressure...”
3. “...Character of a juvenile is not as well formed as that of an adult. The personality traits of juveniles are more transitory, less fixed.

Therefore:

“The susceptibility of juveniles to immature and irresponsible behavior means ‘their irresponsible conduct is not as morally reprehensible as that of an adult.’” Cannot be sentenced to death.

JDB v. North Carolina, 2011

“[O]fficers and judges need no imaginative powers, knowledge of developmental psychology, training in cognitive science, or expertise in social and cultural anthropology to account for a child’s age. They simply need the common sense to know that a 7-year-old is not a 13-year-old and neither is an adult.”

Policy Pressures Today

- **US Department of Justice**
 - Reduced use of incarceration
 - Trauma Informed Approaches
 - End use of “scared straight”
- **JJDPAct**
 - Disproportionate Minority Contact (DMC)
 - Police Role



Policy pressures...

- **Juvenile Detention Alternative Initiative**
 - Change approach to policing
- **Cross Over Youth**
 - From abused to abusive
- **Legislation**
 - End transfer to adult court
 - Reduce school arrests



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This Just In...

January 9, 2014 from U.S. Department of Ed issues “guidance” on *Improving School Climate and Discipline*.

1. Prevention
2. Clear, Appropriate & Consistent Expectations & Consequences
3. Equity & Continuous Improvement

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School Systems are expected to...

- Reduce school-based arrests
- Train officers and school personnel in developmentally appropriate approaches to positively engage with youth.
- Developmentally appropriate & proportional consequences for misbehavior
- Reduce use of suspensions/expulsions.
- Apply all adult conduct in unbiased manner.

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And If Schools Don't...Expect

- To have your data collected!
- Enforcement actions!

Source:

<http://www.ed.gov/school-discipline/>



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Public Expectations of Police



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- Too harsh/too harsh
- Seek involvement/exclusion
- Increased understanding of mental health/special needs
- Take my child, please!

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How do we prepare police to work with youth?



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In-Service Police Training

IACP 2011 Juvenile Justice Training Needs Survey of Chiefs:

- No training after academy,
- No requirement for in-service training,
- No in-service training in juvenile justice for 5 years or > due to lack of funding.



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Academy Recruit Training

SFY Study of Police Officer Standards & Training (POST) Curriculum 2013:

- Average duration is 6 hours,
- 90 to 95% of curricula is legal; not always updated,
- Most state provide no training on youths' developmental and mental health issues.



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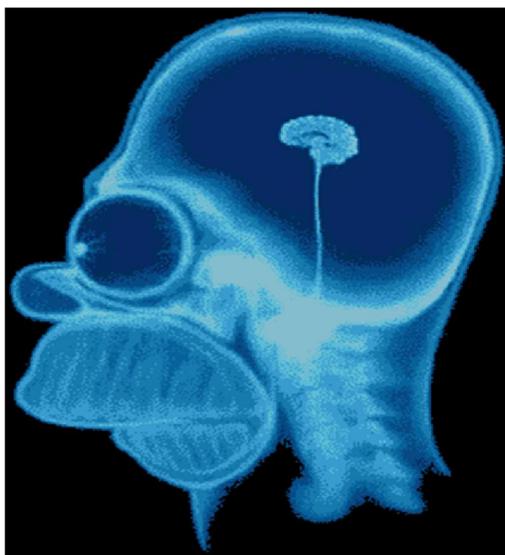
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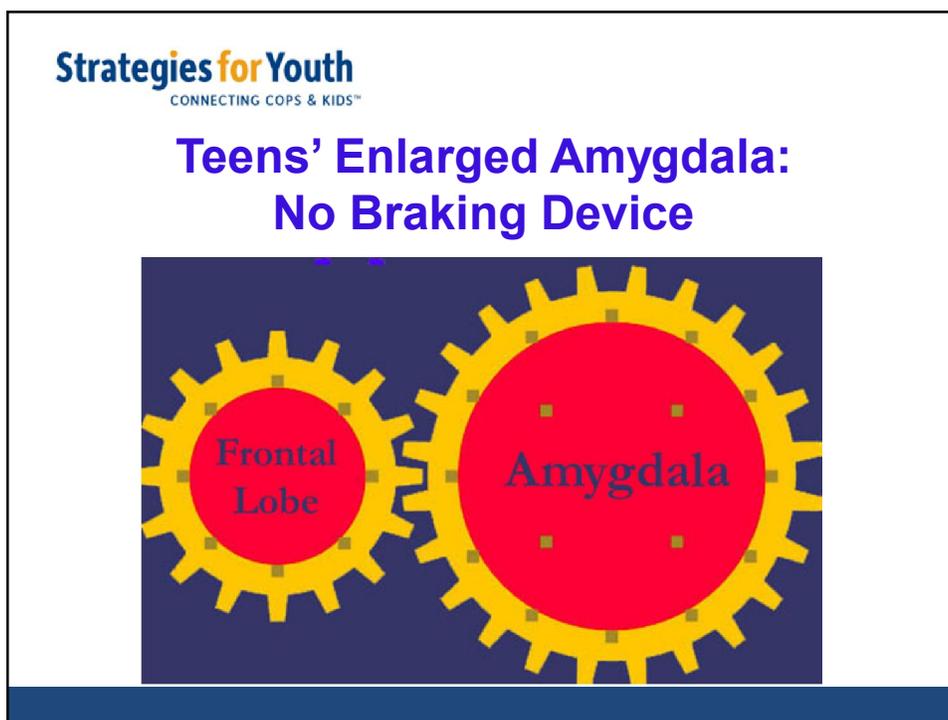
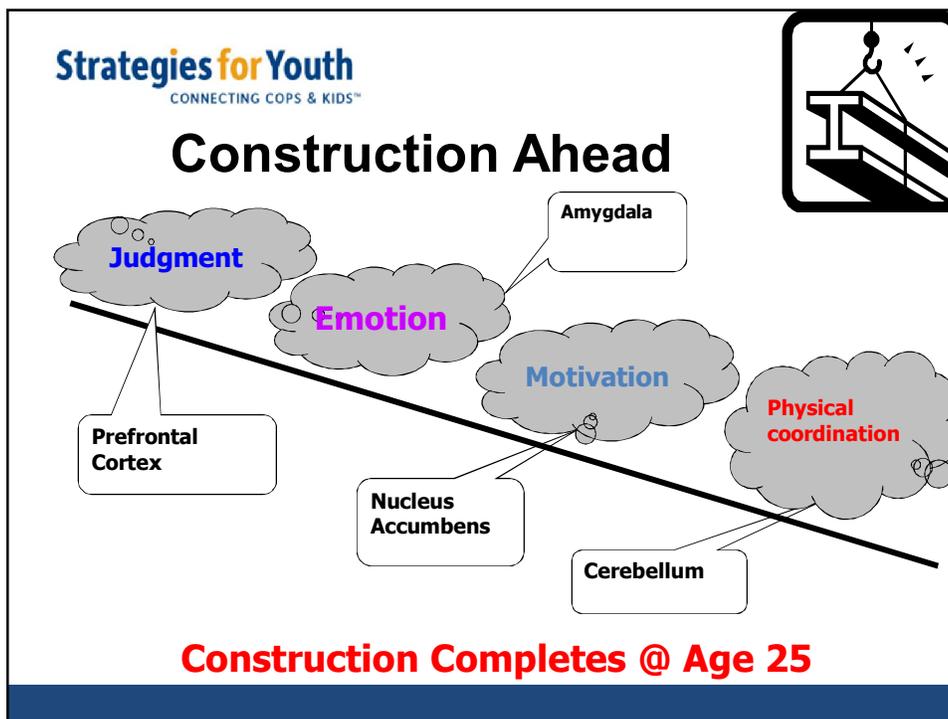
The Youth You See...



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Developmental Competence



Juvenile developmental characteristics such as **impulsivity, self centeredness, and resistance to authority** increase the chances that police-juvenile encounters will involve **conflict, disrespect, and confrontational behavior.**

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Developmental Competence

Can't assume:

- Intentional/purposeful
mens rea
- Clear on consequences
- Controlled



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Developmental Competence

- Universal stages of development
- Adults & institutions working with children & youth must:
- Understand
- Apply the Knowledge
- **Adjust Responses**



Key Considerations for Effective School-Police Partnerships:

5 Keys to Good Safety Teams in Schools

1. Clarity of Purpose
2. Team Approach & Role Definition
3. Training—Together
4. Data Collection
5. Oversight

1. CLARITY of PURPOSE

- **What expectations do we have of what youth need to behave well?**
- **What's our ADD Bandwidth?**
 - Socializing
 - Clarity of expectations
 - Reinforcement
- **What's our theory of students' poor classroom behavior?**
- **What's our theory of improving student behavior?**
- **How do we fetter our discretion/our inner demons?**
 - Zero tolerance?
 - Graduated Sanctions?

2. TEAM APPROACH

- **Principal leadership role of team**
 - Voice in selection of SRO and deployment
 - SRO deployment issues must be analyzed and evaluated
- **Role definition**
 - Role adherence/flexibility
 - Avoid delegation of “the heavy” role solely to police
 - Recognition of who plays which roles best
 - Frequent, regular check-ins as a team
- **SRO Role**
 - Deployment!
 - Capitalize on SRO’s access to information on students’ involvement in law enforcement-related systems A&N/DV.

2(A). Team Responses

- **Team Commitments/Agreements:**
 - Use agreed-upon approach
 - Structure and roles should trump personalities
 - Promote predictability in adult responses
 - Constant evaluation of efforts
 - Commitment to tweak/change

What Makes a Team Fail/Succeed?

FAILURE:

- Inattention to results.
- Avoidance of accountability.
- Lack of commitment.
- Fear of conflict.
- Absence of trust.

SUCCESS:

- Team members trust one another.
- Engage in unfiltered conflict about ideas.
- Commit to decisions and plans of action.
- Hold one another accountable for delivering plans.
- Focus on achievement of collective results.

Source: Dysfunctions of a Team by Patrick Lencioni

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3(A) TRAINING for ADULTS

TOPICS:

- Child & Adolescent Development
- Impacts of Chronic Exposure to Trauma
- Demographics Factors Affecting Home/Nbhd Lives of Children/Youth
- Cultural Factors Influencing Youth Behaviors/Survival Tactics
- Juvenile Law for Law Enforcement in Schools
 - Understand limited responses of juvenile courts
 - Value of restorative justice approaches
- Implicit Bias
- ADR-mediation training to Teach Youth Skills for De-Escalating Disputes
- Understanding How Youth Perceive Assertion of Authority

How to Train & Who Gets Trained:

- As a team (including teachers, janitors, lunch ladies, nurses, school psychologistst/guidance counselors)
- Scenario based
- Interactive
- Group Discussions/Peer to Peer
- Annually (shorter)

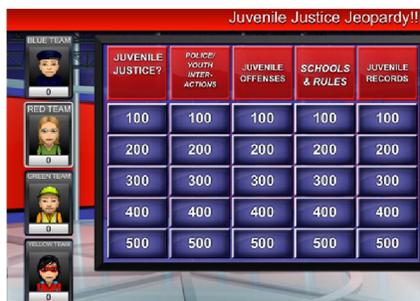
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3(B) TRAINING for STUDENTS

Teach Code of Conduct:

- Interactive method
- Make assumptions clear
- Model ways students should address anticipated disputes
- Provide alternatives and adults to speak to

Juvenile Justice Jeopardy



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4. DATA COLLECTION

- **Focus on *HOW ADULTS* are responding to youth;**
 - Count suspensions/expulsions, & referrals by teachers & administrators to SROs by:
 - Age/Race/Gender of Youth
 - Kind of dispute/issue
 - Resulting action
 - Parental involvement
- **Avoid anecdotes except to illustrate a trend**
- **Analyze data routinely by different team members**
 - Require “juncture” analysis
 - Assign team members to figure out solutions for adult responses

5. OVERSIGHT

WHO:	Internal: Safety Team Members External: Central Oversight Agencies
HOW:	Statistical Data on Adult Decisions Climate Survey of Students/Teachers
WHAT:	Use of exclusion tactics Sense of safety/predictability/fairness
WHEN:	Statistical Data: Monthly/Annually

Making the Case

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Costs

- Pressure to reduce use of detention and incarceration
- Fewer law enforcement resources
 - Officers out of service
 - Court costs/OT



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Risk Management

- Media coverage
- Legal Challenges & Costs:
 - Legal fees
 - Department legitimacy
 - Community relations
 - Morale



Legitimacy of Law Enforcement



- Positive Socialization of youth to relations with authority
- Hold your fire!
- Don't dilute police authority

Key Considerations For Moving Forward

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Stress Reduction Kit



**Bang
Head
Here**

- Directions:
1. Place kit on FIRM surface.
 2. Follow directions in circle of kit.
 3. Repeat step 2 as necessary, or until unconscious.
 4. If unconscious, cease stress reduction activity.