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
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
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.”

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**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.

“[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

Public Expectations of Police

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

The Youth You See…
Construction Ahead

- Judgment
- Emotion
- Motivation
- Physical coordination

- Amygdala
- Nucleus Accumbens
- Cerebellum
- Prefrontal Cortex

Construction Completes @ Age 25
Teens’ Enlarged Amygdala: No Braking Device

Frontal Lobe

Amygdala

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.
Developmental Competence

Can’t assume:
• Intentional/purposeful mens rea
• Clear on consequences
• Controlled

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

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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?

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

SUCCEED
- 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
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)
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

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
Costs

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

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
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.