

NATIONAL JUVENILE JUSTICE NETWORK

Policy Platform

CREATING MEANINGFUL CHANGE IN THE RELATIONSHIP BETWEEN LAW ENFORCEMENT AND YOUTH OF COLOR

OCTOBER 2017

Communities of color have a long-standing history of inequitable treatment by the police in the U.S. In recent years, activists with the Black Lives Matter movement have helped to raise the profile of the destructive treatment of the black community by law enforcement, which includes a long line of police shootings of youth of color – Michael Brown,¹ Jordan Edwards,² Jessica Hernandez,³ Ty're King,⁴ Laquan McDonald,⁵ Tamir Rice,⁶ Jesse Romero,⁷ Stephen Watts⁸– and many more.⁹ While these incidents are nothing new, the ubiquitous use of cell phone cameras is now thrusting them into the public's eye. It is past time to change how police interact with black and brown youth.

Data bears out the ugly fact that youth of color are killed by police far out of proportion to white youth. In 2015, 44% of the youth killed by police were African-American or Hispanic (8 out of 18) though they comprised 38% of the youth population in 2014.¹⁰ Unfortunately, this disparity is growing. In 2016, 69% of the youth killed by police were Asian, African-American or Hispanic (11 out of 16).¹¹ By October of 2017, 17 out of the 24 youth under 18 killed by police were African-American or Hispanic youth, accounting for 71% of the deaths.¹² While we don't have data on Native American youth specifically, Native Americans as a whole are, per capita, more likely to be killed by police than any other demographic in the United States.¹³

In general, police-youth interactions are fraught with too much use of force. A Bureau of Justice Statistics Survey found that between 1998 and 2008, youth aged 16-18 years old comprised 7.6% of the U.S. population but were involved in 30.1% of police uses of force.¹⁴ Yet among all youth, African-American and Hispanic youth are more likely to experience use of force.¹⁵ When force is used in police interactions, including shootings, police officers are often not held accountable in a meaningful way, which makes it difficult if not impossible for the system to self-correct.¹⁶

Police use of force is just one aspect of an inequitable judicial process for youth of color. Youth of color have been over-represented (and treated more harshly for the same behavior as their

non-Hispanic white counterparts) at every stage of the delinquency process for decades, with strong evidence of race effects in the earliest stages in the process—most importantly arrests, which feeds the rest of the system.¹⁷ Recent data from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) shows high and increasing disparities in arrest rates between black and white youth. Black youth were 2.1 times more likely to be arrested than their white peers in 1995 and 2.5 times more likely in 2015.¹⁸ Likewise, there are significant disparities in school-based arrests. Over 70% of students involved in school-related arrests or referred to law enforcement from the school are Hispanic or African-American.¹⁹ These disparities cannot be explained away by differing offending patterns. National self-reporting data indicates that white youth and youth of color engage in illegal behaviors at similar rates.²⁰

This deeply unequal and fundamentally lethal treatment can be attributed to a number of factors. These factors include the widespread over-policing and racial profiling of communities of color, our country's historic treatment of people of color, and implicit and explicit biases by the police and society that cause police and the court systems to view youth of color as older than they are and more culpable than their white peers. Moreover, the lack of consistent and real accountability for police mistreatment and brutality has led to a continuation of this unjust system. Below we have made recommendations for reform and detailed the reasoning behind them in our background information following the recommendations.

Policy Recommendations

We have suggested in italics below whether these recommendations would be most useful at the federal, state, or local level — note that several could be helpful at more than one level.

Arrest Policies

Many of these policies may be more easily enacted at the local level, at least initially, with the potential for future state-wide implementation.

- Work with law enforcement agencies, school systems and policy makers to develop alternatives to arrest and school suspension as well as policies that will strictly limit arrests and suspensions for minor offenses and disruptive behavior. Work towards statutory limitations on arrests and suspensions for minor offenses.²¹
- Increase the use of programs diverting youth from arrest and ensure that these programs are available on an equitable basis to youth in all communities.²² Work to develop adequate resources to fund pre-arrest diversion programs.
- Prohibit police officers from being stationed in schools to enforce school discipline and return discipline to school social workers and administration. To further reduce the

school-to-prison pipeline see NJJN’s recommendations in our [“Policy Platform: Safe and Effective School Disciplinary Policies and Practices.”](#)

Data and Accountability

Federal level

- Ensure that the United States Justice Department continues to investigate police departments where there are concerns of civil rights violations involving systemic officer misconduct, holds police departments accountable, and accelerates reforms.²³
- Collect and make public national data on police shootings and killings of members of the public.

State level

- Determine the differences in policing and diversion practices across the state by collecting, analyzing, and making publicly available local data on policing practices of youth in communities throughout the state, including arrest, diversion, and use of force. Data should be disaggregated by neighborhood, race, ethnicity, disability,²⁴ gender, nationality, and sexual identity.
- Require law enforcement to collect data on all stops and searches (traffic and pedestrian) in all circumstances (warnings and citations given). Data should include perceived race, perceived gender, perceived age, perceived nationality, and whether immigration status was inquired about during the stop. The data should be required to be analyzed and made publicly available as well as to be regularly published.²⁵

Local and/or state level

- Law enforcement agencies should make all department policies available for public review.²⁶
- Ensure police practices within communities are transparent and ensure that police are accountable to communities for their actions. This includes requiring the use of body cameras and dashboard cameras, as well as establishing effective civilian oversight structures and removing barriers to reporting police misconduct.²⁷
- Police should be held accountable for misconduct in a meaningful way. This can only occur through independent investigations of all cases where police kill or seriously injure civilians with a special prosecutor’s office to prosecute these cases.²⁸ Law enforcement

agencies should also be held accountable for this type of police misconduct and must have policies, practices, and procedures for handling such instances with state oversight.

- State and local governments should make police misconduct files publicly available and should compile and make available data on police use of force incidents and police-involved deaths.²⁹
- Police departments should take care to ensure they make no procedural mistakes — such as missing deadlines to complete internal investigations — when seeking to discipline and fire officers involved in extreme misconduct and should have more freedom to hold these police officers accountable for bad acts.³⁰

Demilitarization of Law Enforcement

Federal level

- End the federal government’s 1033 program, which funnels excess federal military equipment to local police departments.

Local level

- Establish local restrictions that prevent police departments from purchasing or using military weaponry.³¹

Divestment

Local level

- Redirect a percentage of funds from police departments and prosecutors’ offices to fund youth development programs. Examples include youth development community-based centers that provide a safe space for youth and include activities such as after-school and summer day camp programs, arts education, counseling, tutoring, and job and career preparation.³²
- Use a new governance model that involves community control over their tax dollars, such as participatory budgeting. With participatory budgeting processes, community members decide how to spend a portion of a public budget. The budgeting process must center the voices of those most impacted in order to most effectively give marginalized community members power.³³

Racial Profiling

Federal level

- Pass [H.R. 1498 – End Racial Profiling Act of 2017](#), which seeks to eliminate racial profiling by law enforcement at the federal, state, and local level. It prohibits profiling based on race, gender, ethnicity, religion, national origin, sexual orientation or gender.
- An effective anti-racial profiling law should also include data collection components (see above for our recommendations on data collection), should outlaw violations of the racial profiling ban with specified penalties, and should allow individuals to seek legal relief through the courts.

Standards, Training and Community Engagement

Federal and/or state level

- Mandate national and/or state standards that require law enforcement agencies to develop and enforce policies that will guide police officers' encounters with youth and serve as a framework for measuring their conduct. These would include policies such as requiring the use of de-escalation techniques with youth, limiting the types of force officers can use with youth, and requiring training on these standards. State oversight should be mandated.

State and/or local level

- Mandate on-going developmentally appropriate, trauma-informed, and equitable officer training that would include issues such as adolescent development, implicit bias, mental health, disabilities, and de-escalation. Officer training should include engagement with youth in the community which is centered on an understanding that many youth of color have been traumatized by exposure to violence and previous experiences with police.³⁴

Local level

- Ensure police identify problems and develop solutions through collaboration with community leaders, parents, teachers, and other stakeholders so that they reflect community values which include the protection and promotion of the dignity of all, particularly the most vulnerable. This community collaboration should include youth participation, and be inclusive and accessible to all, particularly individuals with disabilities and their families.³⁵

Use of Force Policies

State, and/or local level

- Ensure police have clear and comprehensive policies that protect human life and rights, emphasizing de-escalation policies.³⁶

- Prohibit police from using certain weapons, such as Tasers and pepper spray, on youth because developmental issues put them at greater risk of serious harm and death.³⁷
- Monitor how police use force, and hold officers accountable for excessive use of force³⁸ (also see above section on data collection and accountability).

Background

A. Over-policing and Racial Profiling

On the Streets

White youth and youth of color are policed differently. As stated by the National Research Council of the National Academies in *Reforming Juvenile Justice*, “there is sizable literature indicating that minority youth are more likely than white youth to be stopped, arrested, and subsequently referred to court by police.”³⁹ Henning and Davis aptly described this phenomenon in their May 23, 2017 commentary for NPR’s “Code Switch”:

*“Black boys are policed like no other demographic. They are policed on the street, in the mall, in school, in their homes, and on social media. Police stop black boys on the vaguest of descriptions – “black boys running,” “two black males in jeans, one in a gray hoodie,” “black male in athletic gear.” Young black males are treated as if they are “out of place” not only when they are in white, middle-class neighborhoods, but also when they are hanging out in public spaces or sitting on their own front porches.”*⁴⁰

Researchers estimated that an astounding 80% of black youth aged 16-17 years old in New York City, as well as 38% of 16-17-year-old Hispanic youth, were stopped one or more times by New York City police in 2006, compared to only 10% of white youth.⁴¹ And these are often rough encounters. Researchers found in New York City and elsewhere that “young men are often handcuffed, thrown to the ground, or slammed against walls, while their bodies and belongings are searched,” and that such force is much more likely to be used against youth and adults of color in these street stops.⁴²

The problem of over-policing and racially profiling youth of color and the trauma it causes them has been detailed by the Mandel Legal Aid Clinic at the University of Chicago Law School. For the past five years they have engaged in a study of youth-police interactions on the South Side of Chicago. They found that many law-abiding youth were being stopped by police on a daily basis and often roughly frisked or searched. This both traumatized them and led them to fear rather than trust the police. As one young man described it, he felt “like ‘prey’” when the police came cruising by on the street. All he could do at such moments was to “tr[y] to make himself ‘invisible.’”⁴³

In essence, entire communities of youth of color are being racially profiled by the police – meaning targeted as suspicious based on a group of characteristics the police believe to be associated with crime, such as race or ethnicity, rather than actual evidence linking that individual to a specific crime.⁴⁴ This is a deeply rooted problem in America that dates back to colonial times, slavery, Jim Crow, and segregation. Yet in the aftermath of the tragic attacks on Sept. 11th, racial profiling only seems to have gotten worse.⁴⁵

In the Schools

Over-policing of youth of color is a significant issue in our schools as well as our streets. The nation’s “school-to-prison pipeline” is well documented – students find themselves on a fast track to jail due to school policies such as zero tolerance disciplinary policies, in which many youth are pushed out of school (suspended or expelled) as well as sent to the juvenile justice system for petty disciplinary matters.⁴⁶ This pipeline is enforced in many schools through a large and growing number of school resource officers (SROs) – or school-based law enforcement officers. The use of SROs to handle minor school infractions, such as refusing to listen to a teacher’s directive, criminalizes typical adolescent behavior.⁴⁷ This was exemplified by the case which received national attention in October, 2015, in which an SRO slammed and dragged a South Carolina African-American girl from her desk for refusing to stop using her cell phone and leave class as her teacher had directed.⁴⁸

In addition to SROs, researchers have found that exclusionary security measures, such as drug-sniffing police dogs and metal detectors, are deployed more frequently in schools attended by poor and/or students of color, rather than inclusionary measures, which are more benign and therapeutic – such as discreet surveillance, data banks, and crime prevention through environmental design.⁴⁹ These exclusionary measures create a carceral atmosphere alienating children from school and further perpetuating the school-to-prison pipeline.⁵⁰

Racial disparities are just as prevalent in school discipline and, researchers have found, they cannot be accounted for by differences in socioeconomic status or by more misbehavior of students of color.⁵¹ The Advancement Project reports that “[y]outh of color, LGBTQ students, and students with disabilities are punished more often and more harshly than their peers for the same behavior,” with Hispanic or African-American students accounting for over 70% of the students involved in school-related arrests or referred to law enforcement.⁵² Yet, while the number of police in schools has grown dramatically, there is no positive correlation between police in schools and student safety, with research instead showing that heavy reliance on SROs in schools can promote disorder and distrust.⁵³

B. Distorted Perceptions of Youth of Color

A further issue compounding the problem of over-policing communities of color is distorted perceptions of youth of color. A 2014 study by Prof. Phillip A. Goff and colleagues found that study participants viewed black boys as older and less innocent than white boys and Latino boys beginning when youth were 10-years-old.⁵⁴ The Goff study then investigated police officer perceptions by studying responses from 60 police officers from a large urban police department and found that officers overestimated the age of black and Latino male youth suspects, though not of white youth. Police overestimated the age of black youth the most — assuming that black youth suspected of felonies were 4.59 years older than they were, meaning a 13-year-old male would be viewed as an adult. In contrast, officers actually underestimated the age of white felony-level youth suspects by a year.⁵⁵

In the same study, research on 116 police officers from a large urban police department found that not only were officers perceiving male youth of color to be older than they were, but they also were implicitly dehumanizing black children. This combination of factors was a significant predictor of racial disparities in the officers' use of force against children.⁵⁶ It is because of these distorted perceptions of youth of color, argue Professors Angela J. Davis and Kirstin Henning, that “black boys are more likely to be treated as adults much earlier than other youth, more likely to be arrested, harassed and assaulted for normal adolescent behavior, and more likely to be perceived as culpable and deserving of punishment or even death.”⁵⁷

A recent study by Georgetown Law's Center on Poverty and Inequality, examining adult perceptions of the age and innocence of black girls, found that adults demonstrated significant bias towards black girls as well.⁵⁸ Pursuant to the Georgetown study, beginning as early as 5 years old, participants viewed black girls as behaving and seeming older than their stated age and as more knowledgeable about adult topics, including sex. Participants viewed black girls as more adult than white girls and as needing less protection and nurturing than white girls. This adultification of black girls may result in unreasonable expectations for their behavior which could, in turn, account for the disproportionate rates at which black girls are suspended and disciplined for subjective infractions at school (dress code violations, inappropriate cell phone use, etc.). Black girls also face more punitive treatment in the juvenile justice system — they are 2.7 times more likely than white girls to be referred to the juvenile justice system, .8 times less likely to be diverted from the system, and 1.2 times more likely to be detained.⁵⁹

C. Lack of Standards and Training

Nationally and on a statewide level, we are failing to provide adequate guidance to police officers regarding best practices for how they should interact with youth — no nationally binding standards exist and only a handful of states have statewide standards.⁶⁰ States regulate many other professionals working with youth — from camp counselors to teachers, day care providers, and health care professionals. Yet policing remains a profession in which the capacity to use

lethal force is not regulated by statewide policies. Instead, such policy and fettering of discretion often occurs at the local law enforcement level, with minimal input from the state or community members,⁶¹ thereby subject to the vagaries of leadership. An expert working with law enforcement agencies found that they often have no policies or old and out of date policies for dealing with youth.⁶²

Standards are needed that require law enforcement agencies to develop and enforce policies that will guide police officers' encounters with youth and serve as a framework for measuring their conduct. These would include policies such as requiring the use of de-escalation techniques with youth, limiting the types of force officers can use with youth, and requiring training on these standards. To best promote public trust, law enforcement agencies should involve the community – and particularly young people, in the process of developing and evaluating their policies and procedures.⁶³

Although standards may be lacking, some localities do provide training to police officers on youth interactions, but the vast majority of police officers in the country receive no training on how to police young people, how to recognize and handle youth with disabilities, or how to recognize their implicit biases.⁶⁴ These are all areas where training is imperative so that police do not escalate or use increased force in their encounters with youth. Strategies for Youth, a non-profit organization dedicated to improving police/youth interactions, recommends that all police recruits receive training in how the developmental capacities of youth differ from those of adults, how to reduce conflicts with youth, and how to recognize the indicators of trauma and mental health issues.⁶⁵ They describe their training as “developmentally appropriate, trauma-informed, and equitable approaches to policing youth.”⁶⁶

D. Transparency and Accountability

In order for youth and their communities to build a trusting and productive relationship with police, transparency in police actions — especially those involving use of force and accountability for police misconduct, is paramount. Unfortunately, both transparency and accountability regarding police use of force and misconduct are often closely guarded secrets in federal, state, and local law enforcement agencies across the country.⁶⁷ Investigative reporting by WNYC found that a police officer's disciplinary history is effectively confidential in 23 states.⁶⁸ This lack of transparency can allow police officers with a checkered past to continue to work as police officers. It is impossible for the public to accurately assess the performance of their police officers without access to these records.

Many jurisdictions also restrict the information of settlement details in police misconduct cases and some also forbid the victim from speaking publicly about the case.⁶⁹ This makes it difficult for the community to know how the police officer was violating individuals' rights. Finally, there

is no national or state mandatory reporting of police use of force incidents or police-involved deaths.⁷⁰

In addition to a lack of transparency, insufficient accountability may also be fueling anger and mistrust of police officers by youth and communities of color. It is usually up to police themselves to investigate other police officers and decide on any consequences for misbehavior, resulting in police instituting disciplinary action in “fewer than 1 in every 12 complaints of police misconduct nationwide.”⁷¹ Furthermore, in the most serious cases – police killings -- it is rare for police officers to be charged with, let alone convicted, of homicide.⁷²

To build public trust and legitimacy, it is imperative that law enforcement agencies “establish a culture of transparency and accountability,” as recommended by the President’s Task Force on 21st Century Policing.⁷³ This needs to extend from departmental policies and procedures to incidents of police misconduct. As the Task Force recommended, “When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.”⁷⁴

E. Militarization

In recent years, the outfitting of local police departments has become increasingly militarized. The federal 1033 program has permitted the Secretary of Defense to provide surplus military equipment to police departments and this has been widely used.⁷⁵ As of 2014, police departments had received approximately \$4.3 billion worth of equipment.⁷⁶ This program has resulted in many police units getting outfitted with equipment such as helmets and masks, assault rifles, and even armored vehicles.⁷⁷ With function following form, this militarized outfitting has encouraged police officers to act as if that they are “at war” with the community instead of being the community’s protector, and can dangerously escalate situations.⁷⁸ For instance, in 2014, militarized local police SWAT teams killed at least 38 people.⁷⁹ While the Obama administration placed some limitations on this program — banning the transfer of equipment such as armored vehicles, weaponized aircraft, bayonets, and grenade launchers, the Trump administration rescinded those limitations in August of 2017.⁸⁰

Youth are learning about the police and assessing their legitimacy and whether they can trust them from what they see happening in their communities. Even if these weapons are not used on young people, they still send the wrong message to youth that police are at war with the community instead of there to safeguard and protect them.

F. Unbalanced Budgets

Over the last thirty years, U.S. governments at the national and local level have dramatically increased spending on policing and prisons while cutting and slowing investments in infrastructure and social safety net programs.⁸¹ Now spending on the police vastly outpaces spending on community resources and services in many jurisdictions — this includes spending on youth programs, mental health services, housing subsidies, education, and food benefits.⁸² In one extreme example, the city of Los Angeles spends 70 times more on the Los Angeles Police Department than on youth development initiatives.⁸³

These choices have particularly devastated low-income communities of color who are most impacted by mass incarceration and divestment in community spending. Yet studies have shown that spending on punishment is not what makes communities safer. Rather, it is spending on programs that stabilize communities — such as health services, education, and housing, that reduces crime.⁸⁴ In order to increase community safety and achieve better outcomes for youth and families, we need to reverse this trend of unbalanced budgeting, in which police budgets are increased at the expense of investments in youth programs, social services and victims' services.

G. Inequitable Treatment Impedes Justice

The centuries-long combination of over-policing, distorted perceptions, and harsher treatment of youth of color, has left these youth and their communities feeling fearful, angry, and distrustful of the police. This widespread distrust of the police has concrete, grave consequences for these communities. Studies have supported the importance of maintaining trust in police-community relations as a crime fighting strategy — “If citizens do not trust the system, they will not use it.”⁸⁵ In order for people to trust the police, however, they must feel that the police are acting with procedural justice, or a fairness of process — that they are treating people fairly, with dignity and respect, acknowledging their rights, and demonstrating trustworthy motives.⁸⁶ When police frequently stop members of a community, and particularly when these stops are intrusive — threatening or using force, humiliation, or disrespect -- then the public loses its sense of legitimacy of the policing process and they are less likely to cooperate with police in crime solving and prevention efforts.⁸⁷

The mistrust that has built up in many communities of color leads to lost opportunities to address issues in the community. For instance, youth who consider police to be very “aggressive and confrontational” try to avoid contact with them at all costs.⁸⁸ This sets up a dynamic where police have difficulty solving and preventing crimes, tension is increased, public safety is reduced, and there is increased trauma to young people and their communities.⁸⁹ Furthermore, researchers have found that youth who were stopped or arrested reported greater commitment to delinquent peers and higher levels of later delinquency than youth with no police contact.⁹⁰

Inequitable treatment violates the ideals of our democratic society which is rooted in equality and liberty for all people. This in and of itself is reason for change. The palpable, negative impact this inequitable treatment has had on communities of color lends urgency to the call for change.

Conclusion

Transformational change is needed in the way law enforcement interacts with youth of color, and other vulnerable populations of youth in this country to end this tragic cycle of violence. While such a deep-rooted and long standing systemic problem cannot be solved overnight, addressing problems with policing practices and officer biases that may impact their relationship with youth of color and their communities would be a significant first step to creating meaningful change. This transformation could help to reduce police violence and use of force against youth of color as well as their overrepresentation in the justice system. Below are NJJN's recommendations to help further such a transformation.

For More Information

See the following websites:

[American Civil Liberties Union – Police Practices](#)

[Advancement Project](#)

[Black Youth Project \(BYP\) 100](#)

[Campaign Zero](#)

[The Cato Institute's National Police Misconduct Reporting Project](#)

[The Center for Popular Democracy](#)

[The Gathering for Justice](#)

[International Association of Chiefs of Police](#)

[Invisible Institute](#)

[L.A. for Youth](#)

[National Association for the Advancement of Colored People \(NAACP\) – Criminal Justice](#)

[National Juvenile Justice Network](#)

[National League of Cities – Juvenile Justice Reform](#)

[Strategies for Youth](#)

[Youth Justice Coalition](#)

[YWCA – Racial Justice and Civil Rights](#)

¹ 18-year old African-American boy

² 15-year-old African-American boy

³ 17-year-old Latina, LGBTQ girl

⁴ 13-year old African-American boy

⁵ 17-year-old African-American boy

⁶ 12-year-old African-American boy

⁷ 14-year-old Latino boy

⁸ 15-year-old African-American boy with autism

⁹ Sadly, there were too many children shot by police in recent years to list all their names, so we chose youth from different backgrounds and locations to be representative.

¹⁰ Washington Post database, accessed June 22, 2017, <https://github.com/washingtonpost/data-police-shootings>.

¹¹ Washington Post database, accessed Oct. 31, 2017, <https://www.washingtonpost.com/graphics/national/police-shootings-2016/>.

¹² Washington Post database, accessed Oct. 31, 2017, <https://www.washingtonpost.com/graphics/national/police-shootings-2017/>.

¹³ Simon Moya-Smith, “Police Killed More Native Americans in 2016 Than Previous Year,” *Indian Country Today*, Jan. 5, 2017, <http://bit.ly/2uDe3GZ>. There is also reason to be concerned for other vulnerable populations of youth, such as the disabled. While we don’t have data on disabled youth killed by police, people who are disabled or have mental health conditions make up nearly half of all people killed by police. Brittney McNamara, “Up to Half the People Killed by Police are Disabled,” *Teen Vogue*, Sept. 29, 2016, <http://bit.ly/2hGYbdD>. And while there is insufficient data on youth of color with disabilities in this group of over-represented youth, a 2006 study by Cocozza and Shufelt found that 70.4% of youth overall in the juvenile justice system met the criteria for at least one mental or substance use health disorder. Jennie L. Shufelt and Joseph J. Cocozza, “Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study” (Delmar, N.Y.: National Center for Mental Health and Juvenile Justice, June 2006): 2, <http://b.gatech.edu/1wXhtdN>.

¹⁴ Lisa H. Thurau, “Rethinking How We Police Youth: Incorporating Knowledge of Adolescence into Policing Teens,” *Children’s Legal Rights Journal* 29 :3 (Fall 2009): 30, n.3, <http://bit.ly/2uDIB3y>.

¹⁵ For example, black youth have an overall police contact rate of 1 in 10, but the use of force rate is 1 in 4. Lisa H. Thurau, “Rethinking How We Police Youth,” 32.

¹⁶ Haeyoun Park and Jasmine C. Lee, “Looking for Accountability in Police-Involved Deaths of Blacks,” *New York Times*, May 3, 2017, <http://nyti.ms/2urgiaa>; Carl Bialik, “Police Killings Almost Never Lead to Murder Charges,” *FiveThirtyEight*, May 1, 2015, <http://53eig.ht/2uLLEhp>.

¹⁷ Juvenile Justice Information Exchange, “Racial-Ethnic Fairness,” accessed Aug. 8, 2017, <http://bit.ly/1gq9HRC>; Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, eds., *Reforming Juvenile Justice: A Developmental Approach* (Washington, DC: National Research Council of the National Academies, 2013): 221-222, <http://bit.ly/2holvvp>; Samantha Michaels, “Black Kids are 5 Times Likelier That White Kids to Be Locked Up,” *Mother Jones*, Sept. 13, 2017, <http://bit.ly/2xxORjg>.

¹⁸ US Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP), “OJJDP Statistical Briefing Book,” Online (released Aug. 7, 2017), accessed Sept. 14, 2017, <http://bit.ly/2g2TZ44>.

¹⁹ Advancement Project, “School-to-Prison Pipeline” Infographic, accessed July 27, 2017, <http://bit.ly/1vFEX91>.

²⁰ Center for Disease Control and Prevention, “Youth Risk Behavior Surveillance – United States, 2013,” *Morbidity and Mortality Weekly Report: Surveillance Summaries* 63: 4 (June 13, 2014): 5-9, 17-24, <http://bit.ly/2vM2sCs>.

²¹ This has been done very successfully on a voluntary basis in Florida through the option of allowing police officers to give youth civil citations instead of arrests for certain offenses. The youth then goes to an assessment center for intervention. See National Juvenile Justice Network, “Snapshot: Civil Citations” (Dec. 2016), <http://bit.ly/2vKBo60>; Argues that police officers confronting someone for a minor crime should not be permitted to use force to arrest them and in most cases should issue a ticket. Ian Ayers and Daniel Markovits, “Ending Excessive Police Force Starts with New Rules of Engagement,” *Washington Post*, Dec. 25, 2014, <http://wapo.st/2g2N1MF>; Recommends ending the practice of arrests and referral to law enforcement for common adolescent behaviors such as disturbing schools and disorderly conduct. American Civil Liberties Union (ACLU), “Bullies in Blue: The Origins and Consequences of School Policing” (New York, NY: ACLU, 2017): 33, <http://bit.ly/2iuIJ4Y>.

²² For example, one law enforcement diversion program model uses crisis intervention teams to identify youth with mental health disorders, de-escalate situations, and refer them to mental health services. See Models for Change Mental Health/Juvenile Justice Action Network, “Law Enforcement-Based Diversion” (Delmar, NY: National Center for Mental Health and Juvenile Justice, September 2012), <http://bit.ly/1DtGU7O>. Additional police led diversion programs are discussed and evaluated in this report. Jennifer A. Tallon, Melissa Labriola, and Joseph Spadafore, “Creating Off-Ramps: A National Review of Police -Led Diversion Programs” (New York, NY: Center for Court Innovation, Sept. 2016), <http://bit.ly/2kHP65J>.

²³ The Obama administration launched dozens of such investigations while the Trump administration has indicated that they will be pulling back from such investigations and leaving it to local authorities to take the lead. Kimbriell Kelly, Wesley Lowery, and Steven Rich, “Fired/Rehired,” *The Washington Post*, Aug. 3, 2017, <http://wapo.st/2xzs6a1>.

²⁴ Data should be collected on the number of youth with disabilities as well as a record of the types of disabilities using the Americans with Disabilities (ADA) definition of disabilities.

²⁵ NAACP, “Born Suspect,” Appendix II, 004.

²⁶ President’s Task Force on 21st Century Policing, 13.

²⁷ Campaign Zero, “Limit Use of Force,” accessed Aug. 8, 2017, <https://www.joincampaignzero.org/force>.

²⁸ Campaign Zero, “Independent Investigations and Prosecutions,” accessed Aug. 3, 2017, <https://www.joincampaignzero.org/investigations>.

²⁹ The Cato Institute, “PoliceMisconduct.net,” accessed Sept. 26, 2017.

³⁰ Investigative story finds local police agencies face significant obstacles in holding their own officers accountable for serious misconduct and crimes. Kelly, et. al, “Fired/Rehired,” *Washington Post*.

³¹ Campaign Zero, “Demilitarization,” accessed Aug. 3, 2017, <https://www.joincampaignzero.org/demilitarization>.

³² L.A. for Youth recommends that at least 5% of the Los Angeles Police Dept. and Los Angeles City Attorney budgets be redirected to youth development programs. Violence Prevention Coalition, LA for Youth, and Youth Justice Coalition, “Building a Positive Future for LA’s Youth,” 4.

³³ The Center for Popular Democracy, et. al, “Freedom to Thrive,” 79.

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