

How Do We Best Equip Police in Interactions with Youth? A Developmental Approach to Policing

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Some Cleveland Context – Leveraging Moment for Reform

Investigation of the Cleveland Division of Police



United States Department of Justice
Civil Rights Division

United States Attorney's Office
Northern District of Ohio

December 4, 2014



November
22, 2014

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

May, 2015

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CITY OF CLEVELAND,)
)
Defendant.)

CASE NO.:
JUDGE:

SETTLEMENT AGREEMENT

Mental Health Response Advisory Committee



Elevating Importance of Youth- Specific Policing Standards at the National Level

THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING

MAY 2015

“Education and criminal justice agencies at all levels of government should work together **to reform policies and procedures that push children into the juvenile justice system.**”



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Source: USDOJ-OJP at <https://www.ojp.gov/ncjrs/virtual-library/abstracts/final-report-presidents-task-force-21st-century-policing>

Holding Law Enforcement Accountable as “Protectors” Especially with Youth

IACP Juvenile Justice Practices & Policy Recommendations 2014



Law Enforcement's Leadership Role in Juvenile Justice Reform

Actionable Recommendations for Practice & Policy

July 2014

Supported by
MacArthur Foundation
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Law Enforcement Leadership IACP Recommendations:

1. Train police to use developmentally appropriate responses
2. Develop age-appropriate response protocols
3. Promote collaborations with community partners



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Source: IACP at <https://www.theiacp.org/sites/default/files/all/i-j/JuvenileJusticeSummitReport.pdf>

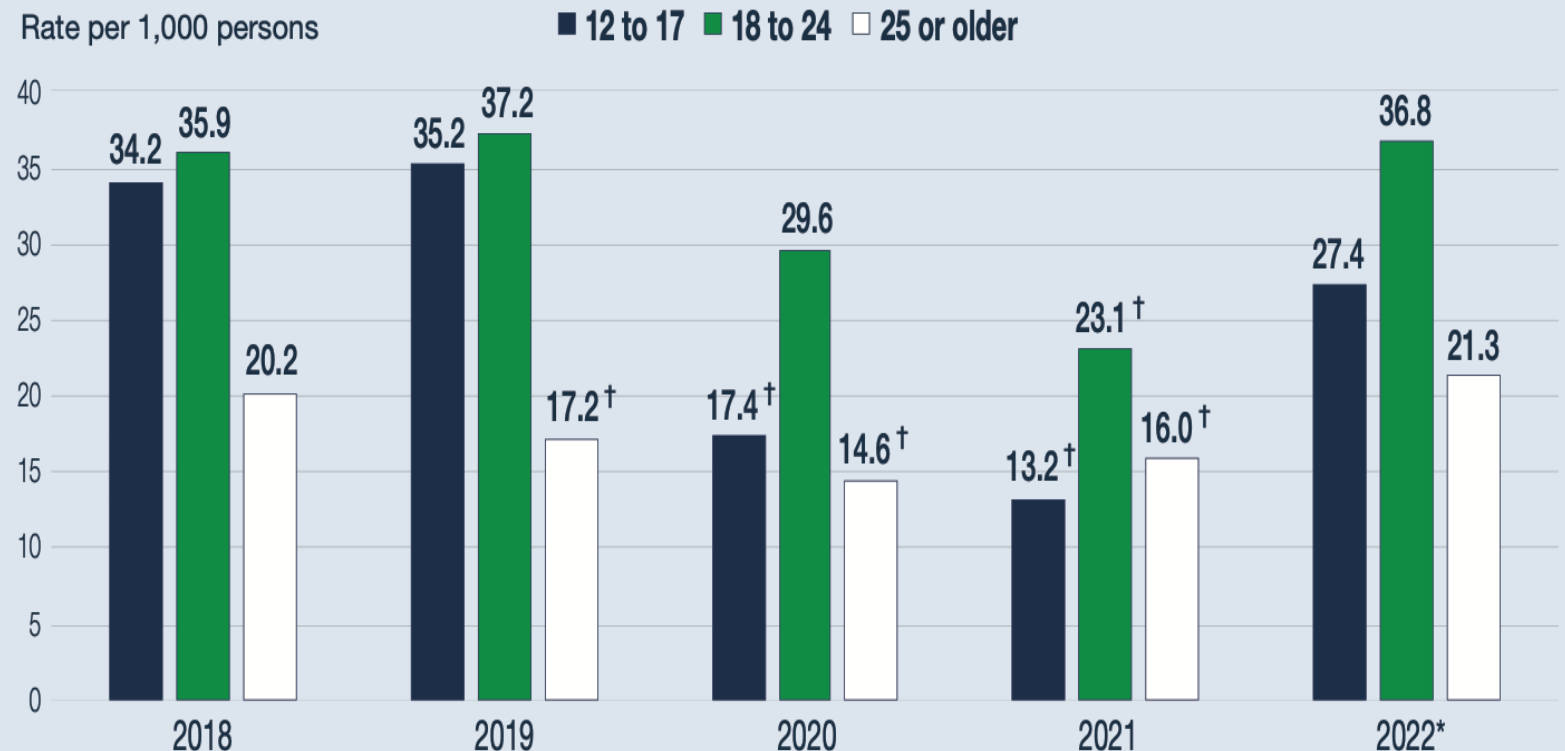
Police-Youth Encounters Occur in Multiple Spaces



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The rate of nonfatal violent victimization for persons ages 12 to 17 was higher in 2022 than in 2020 and 2021. The 2018 rate was not statistically different from the 2022 rate.



Note: Nonfatal violent victimization includes rape or sexual assault, robbery, aggravated assault, and simple assault.

Sources: USDOJ-OJP, School Resource Officers 2019-2020 (Nov. 2023) at: <https://bjs.ojp.gov/document/sro1920.pdf>
OJJDP Statistical Briefing Book (@022) at https://ojjdp.ojp.gov/statistical-briefing-book/crime/faqs/jar_display?ID=qa05200
USODJ, BJS, Crimes Involving Juveniles 1933-2022 at: <https://bjs.ojp.gov/document/juvenilevictimizationtrends-us.pdf>

Police-Youth Encounters

Youth at Risk of Harm During Police Interactions



National ER Study (2008-2010): **15,613 injuries from police interventions with children under 17**

“Age is just as significant a predictor of risk as race. **Unarmed, non-attacking teenagers are nearly 5 times more likely** (and suspects in their 20s are 3 times more likely) **to be shot to death by officers** than similarly non attacking middle-aged suspects.”

Mike Males, Center on Juvenile & Criminal Justice analysis of Washington Post tracking of police shootings from 1/1/15-1/13/21



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Sources: Allareddy, V. et al, *Am. Academy of Pediatric Conf. Abstract*, (Oct. 2015); Males, M. *JJIE* (Feb. 11, 2021) at <https://jjie.org/2021/02/11/police-shooting-statistics-of-unarmed-suspects-show-the-young-more-likely-to-be-killed/>

Police-Youth Encounters

Black Kids at Greater Risk of Harm During Police Interactions

Black boys **as young as 10 years old** are not viewed as “innocent” or deserving of protection as white peers. Implicit bias research found Black boys are more likely to:

- Be mistaken as older by 4 ½ yrs avg
- Be perceived as guilty
- Face police violence

Goff & Jackson (2014)

*Navigating police is a “**developmental milestone**” for Black children.*

*Police encounters “**mark a premature exit from adolescence for Black kids.**”*

Sociologist Carla Shedd (research on stop & frisk practices)



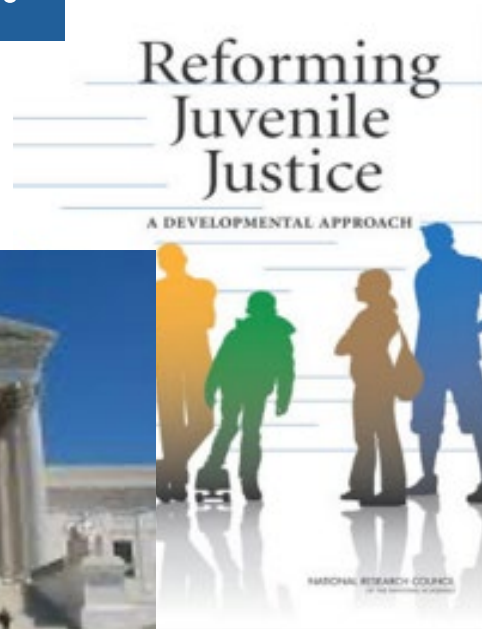
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Source: Goff, Phillip Atiba and Jackson, Matthew, “The Essence of Innocence: Consequences of Dehumanizing Black Children”, *Journal of Personality and Social Psychology* (Feb. 2014)

How Do We Best Equip Police in Youth Interactions?

“Developmentally-Informed” (Age-Appropriate) Policies & Practices

Status of “Youth” Matters...



Policing the teen brain

RACHEL DISSELL AND WILLIAM NEFF | THE PLAIN DEALER

The teen brain doesn't reach maturity until the mid-20s. So should we police kids differently?

Knowing what kids hear and how they process it can lead to better compliance, fewer arrests and better long term interactions with police, experts say. Why does this matter? Studies show that negative interactions with police can lead to more arrests and trouble for teens in the future.

The frontal cortex Last to mature

In adults, this part of the brain takes charge of planning and strategizing. But youth often aren't using this rational portion of their brain when making decisions. Here's what police can do:

■ **Slow it down**
This allows officers to calmly connect actions with consequences. Without a developed prefrontal cortex, kids aren't thinking ahead. Tell them what might happen. Let them know their choice will guide what happens.
For instance:
"You can be calm while we wait here for your mom or you can sit in the back of the police car so we're all safe."

■ **Repeat**
Repeat and repeat again. Youth don't always get it the first time.

Trauma and the teen brain

If brains of normal teens are considered 'damaged,' youth with compromised brains (exposed to toxins before birth, traumatized by sexual, physical abuse, neglect or suffering from mental illness) face even more challenges. The same goes for teen with developmental challenges or mental illness. An authoritative approach

that includes barking orders, aggressive pat downs or unneeded use of handcuffs can provoke the wrong responses. Kids may get scared and bolt, or get numb and shut down.

Research also shows that arresting a child in front of a parent has a lasting, detrimental effect.

Police can:

■ **Keep the tone even**
Stand only as close as needed. Speak slowly and clearly. Ask kids what help they need. Listen to what they are trying to communicate and respond by narrating what is happening.

Amygdala Hot-button center

When a teen talks back, reacts disrespectfully or disobeys it can be the amygdala talking.

■ **Words count**
Police can use affirmative words and verbs. Kids don't process negative words, like "don't" or "not." For instance: "Don't throw those rocks" won't be understood as well as, "Put those rocks down."

■ **Separate the pack**
A youth will react differently in a one-on-one exchange than in a group, where he or she may feel challenged in front of peers.

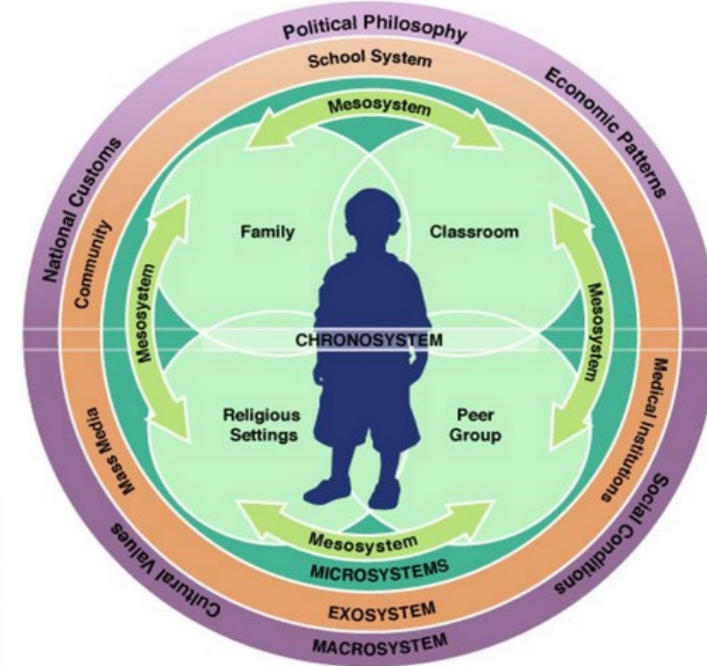
Other tips

■ **Don't bluff a kid.**
Telling them they'll be locked up if that won't actually happen isn't helpful. Kids need real consequences, not empty threats.

■ **Don't lie.**
If you lie to a kid it disrupts the possibility of building trust or rapport.

SOURCES: Strategies for Youth Center, 10 strategies for youth.org; Virginia Beach (Va.) Police Department

William Neff, The Plain Dealer



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RESERVE UNIVERSITY | CHILD STUDIES

Developmentally Informed Policing

Equipping Police to Better Handle Youth Interactions



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Exploring Teen Brain Development & How CONTEXT Matters “Hot” vs. “Cold” Cognition

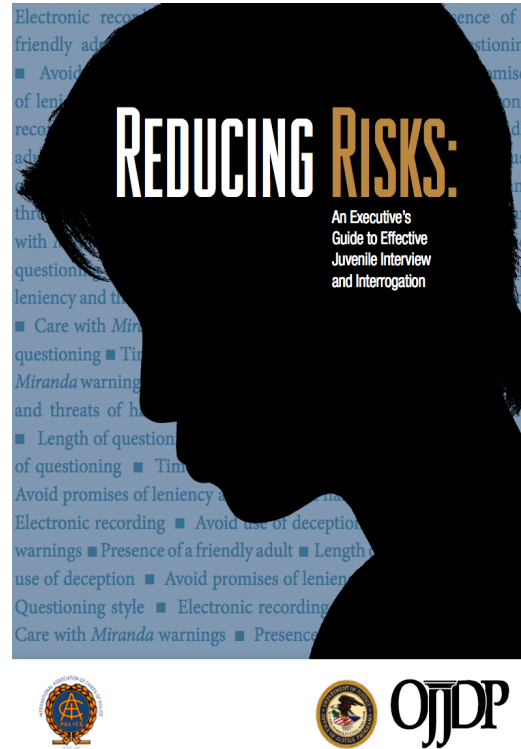


Imagine the adolescent brain as the bridge from *Star Trek's* USS Enterprise, host to a constant tug of war between the impulsive Captain Kirk (limbic system) and the reasonable Mr. Spock (prefrontal cortex).

LA Johnson/NPR

Developmentally Informed Policing

Equipping Police to Better Handle Youth Interactions



- Wrongful Convictions
- Public Safety
- Impact on Youth
- Credibility of Police
- Costs to City & Officers

Juveniles & Potential for False Confessions*

IACP Guidance on Juvenile Interviews & Interrogations (*post JDB*)

How to secure a “good” statement: Recommended Best Practices:

- Child sensitive behavioral analysis
- Care with *Miranda* warnings
- Presence of Friendly Adult
- Length of Questioning
- Time of Questioning
- Tactics to Avoid



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Source: Drizin, S. et al. Reducing Risks: An Executive's Guide to Effective Juvenile Interview and Interrogation (2010) at <https://www.theiacp.org/resources/document/reducing-risks>

Developmentally Informed Policing

HOW We Police Matters Procedural Justice & Youth

Procedural justice based on research showing that people are more likely to comply with the law and police when they **believe the processes are: fair, unbiased and respectful.**

Being held accountable for wrongdoing and accepting responsibility in a legal process perceived as FAIR **promotes healthy moral development and legal socialization in youth.**

(Fagan & Tyler, 2005)



Developmentally Informed Policing

HOW We Police Matters Procedural Justice & Youth

AGGRESSIVE/ “UNFAIR” STOP & FRISKS:

- Increases Stress/Anxiety
- Increases Trauma
- Decreases Reporting
- Decreases Cooperation
- Increases “Labeling Effect”
- Increases Likelihood of Future Offending



Developmentally Informed Policing

HOW We Police Matters Procedural Justice & Youth

Perception of being treated FAIRLY by Police (Procedural Justice)

- Increases LEGITIMACY of Police
- Decreases CYNICISM of Police
- Increases Likelihood of Compliance with Police
- * Decreases Likelihood of Future Offending



**Developmentally
Informed Policing**

**HOW We Police
Matters
Procedural
Justice & Youth**

Promoting Fairness in Youth-Police Interactions

Initial contact – Restraint & Self-Control

Modeling Authority – Dialing Back & Self-Awareness (High Alert, Potential for Bias, etc.)

Mindful of Voice & Neutrality

Warn & Release (in lieu of arrest)

Miranda & Interrogation

Detention Diversion – Community Partnerships

Opportunities for Positive Interactions

Youth Engagement in Training & Dialogues



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**Developmentally
Informed Policing**

**Equipping Police
to Better Handle
Youth
Interactions**

Police-Youth Interactions: Elements of a **Comprehensive Policy**



Purpose & Definitions

Initial Contact with Youth & Diversion

Use of Force & De-Escalation

Arrest, Custody & Transportation

Miranda, Interviews & Interrogation of Youth

Special Circumstances & Special Youth Populations

Data Collection

Youth Specific Police Training



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Developmentally Informed Policing

Cleveland CDP Milestone Interactions with Youth GPO*



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Age-Appropriate
Guidance

Aligns with Best
Practices

Ensures Juvenile Legal
Protections

Bias-Free & Trauma-
Informed for Youth in
Crisis

Relies on Community
Partners & Diversion

*GPO part of a **comprehensive
set of CDP Policies/ GPOs with
“age-appropriate” guidance
from initial contact through all
police-youth encounters**



CLEVELAND DIVISION OF POLICE GENERAL POLICE ORDER



EFFECTIVE DATE: FEBRUARY 2, 2021	CHAPTER: 5 - Field Investigations	PAGE: 1 of 9	NUMBER: 5.12.01
SUBJECT: INTERACTIONS WITH YOUTH			
CHIEF: <i>Calvin D. Williams, Chief</i>			

PURPOSE: To provide officers with guidance and procedures for interactions with youth that are age-appropriate, promote compliance with the law, and build positive relationships. These procedures are intended to equip officers to respond to youth in a manner that promotes positive interaction and enhances the officers, youth, and public's safety while still holding youth accountable.

POLICY: *It is the policy of the Division of Police* to ensure that youth shall be afforded their constitutional and statutory rights when being questioned, searched, detained, or arrested. Youth shall be informed of their rights in an age-appropriate manner and treated with courtesy, professionalism, dignity, respect, and equality.

DEFINITIONS

Age-appropriate - a term used to reflect a general understanding of the social, emotional, physical, neurological, behavioral, and moral aspects of development in an individual under 18 years of age.

Bias-Free Policing - policing that is accomplished without the selective enforcement or non-enforcement of the law, including selecting or rejecting particular policing tactics or strategies, based on the youth's membership in a demographic category. Bias-free policing is free of discriminatory effect as well as discriminatory intent.

Child Response Team (CRT) - Mobile Crisis team, available 24 hours a day/7 days a week to work with children, adolescents, and their families who are experiencing an emotional or behavioral health crisis. CRT provides services in homes, schools, emergency room and other community settings by licensed clinicians. (216) 623-6888.

Cuyahoga County Division of Children and Family Service (CCDCFS) - agency responsible for the care and protection of children suspected of being abused or neglected or in need of services for their safety, protection, or well-being.

Juvenile Detention Center (JDC) - the center which provides temporary care of individuals under the Court's jurisdiction for whom secure custody is necessary, based on a Court-determined public safety risk assessment. The JDC is located within the Cuyahoga Juvenile Justice Center.

Rehabilitation - the process of building skills through treatment and training, based upon an individualized assessment of a youth's needs.

Responsible adult - in the absence of a youth's parent or legal guardian, the individual who is responsible for the physical custody of the youth or an adult friend or family member of the youth's parents, foster parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the youth until a parent, legal guardian, or next of kin can assume that responsibility.

CDP GPO Police “Interactions” with Youth

Examples of Key Points of Contact

**Youth
Hanging
Out**

**Youth
In
Crisis**

**“Unruly”
Youth
or
Suspect
in Non-
violent
offense**

**Youth
Suspect
in a Stop
and
Search**

**Youth
Detained
or
Arrested**

**Youth
Interrogation
or Youth
Witness
or Victim
Interview**



“Officers shall not arrest a juvenile under the age of 13 for a non-violent offense.”

“When officers respond to issues involving youth at a school, they shall not engage in disciplinary matters or school code of conduct violations.”



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CDP GPOs Examples of Youth Specific Language Added

“Responding to
Juveniles in
Crisis”
(Revised Crisis
Intervention GPO)

“Officers shall take all reasonable measures to de-escalate the situation in a manner that adheres to...**age- and developmentally-appropriate approaches to juveniles in crisis.**”

These approaches shall include but not be limited to communication and tactical techniques and strategies that reflect best practices **for reducing or eliminating the need to use force against juveniles in crisis.”**

CIT GPO also includes **child/youth specific** community provider for crisis response referrals.



CDP GPOs

Examples of Youth Specific Language Added

Investigatory
Stops
(Revised Search &
Seizure GPO)

-“Officers should be aware a **juvenile may not feel free to leave when an adult in the same circumstances would.**”

-“Explanation to person being searched and/or seized, if a juvenile, should be **age-appropriate and trauma-informed.**”



CDP GPOs Examples of Youth Specific Language Added

Miranda & Waiver (Revised Miranda GPO)

- “When questioning a juvenile, officers **shall consider the juveniles age** when determining whether the juvenile would not feel free to leave...”
- “Officers **shall explain the Miranda warnings in an age-appropriate manner and each warning should be read slowly and one at a time**”
- Includes warnings phrased age-appropriately as examples (i.e. *“You have a right to remain silent. That means you do not have to talk to me.”*) and asking: *“Do you want to have a lawyer while you talk to me? A parent or guardian? Do you want to talk to me?”*
- Waiver requires an age-appropriate considerations (the minor’s **capacity to understand warnings & legal consequences of a waiver?**)



Developmentally
Informed Policing

Equipping Police
to Better Handle
Youth
Interactions

Feedback from Police Chiefs and SROs (2014 Survey)



LE expressed **general lack of training or guidance** beyond basic security during youth encounters.

Common police training gaps identified:

- De-escalation with kids
- Dealing with trauma
- Adolescent development & psychology
- Securing respect and cooperation with youth
- Behavioral precautions with special needs youth



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Developmentally Informed Policing

Youth-Specific Training and Professional Development



Training Police
in Responding
Effectively to Youth

Best Practice
Skills
for Youth
Encounters

Slow down your actions and speaking rate.
Use a calmer tone of voice.
Give youth more time to respond.
Be patient.

When it comes to interacting with children in crisis,
youth-specific training matters.

Key Training Takeaways [*“Our hearts are racing too...”*]

1. **INITIAL** interaction with youth sets the tone
2. **HOW** kids are treated sets the course for future compliance and trust-building
3. Kids are especially sensitive to perceived **FAIRNESS** - need to feel heard
4. **DON'T** take it personal – you're the “adult”
5. **DE-ESCALATE, Communicate and De-escalate some more...**



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Developmentally Informed Policing

Youth-Specific Training and Professional Development

- Hands-on scenarios with applied content and discussions with youth lead to deeper learning
- Targeting youth training to police new to the force yields better results
- Follow-up coaching and on-the-job support to reinforce training
- Even 3-hour professional development with focus on child development, tactics for teens and crisis response can lead to improvements

Local Innovative Police Training Strategies:

- Reverse Ride-Along
- Community Ambassadors with Lived Experience
- Train-the-Trainers with Local Community Providers



How Do We Best Equip Police to Interact with Youth?

THE SUPREME COURT of OHIO



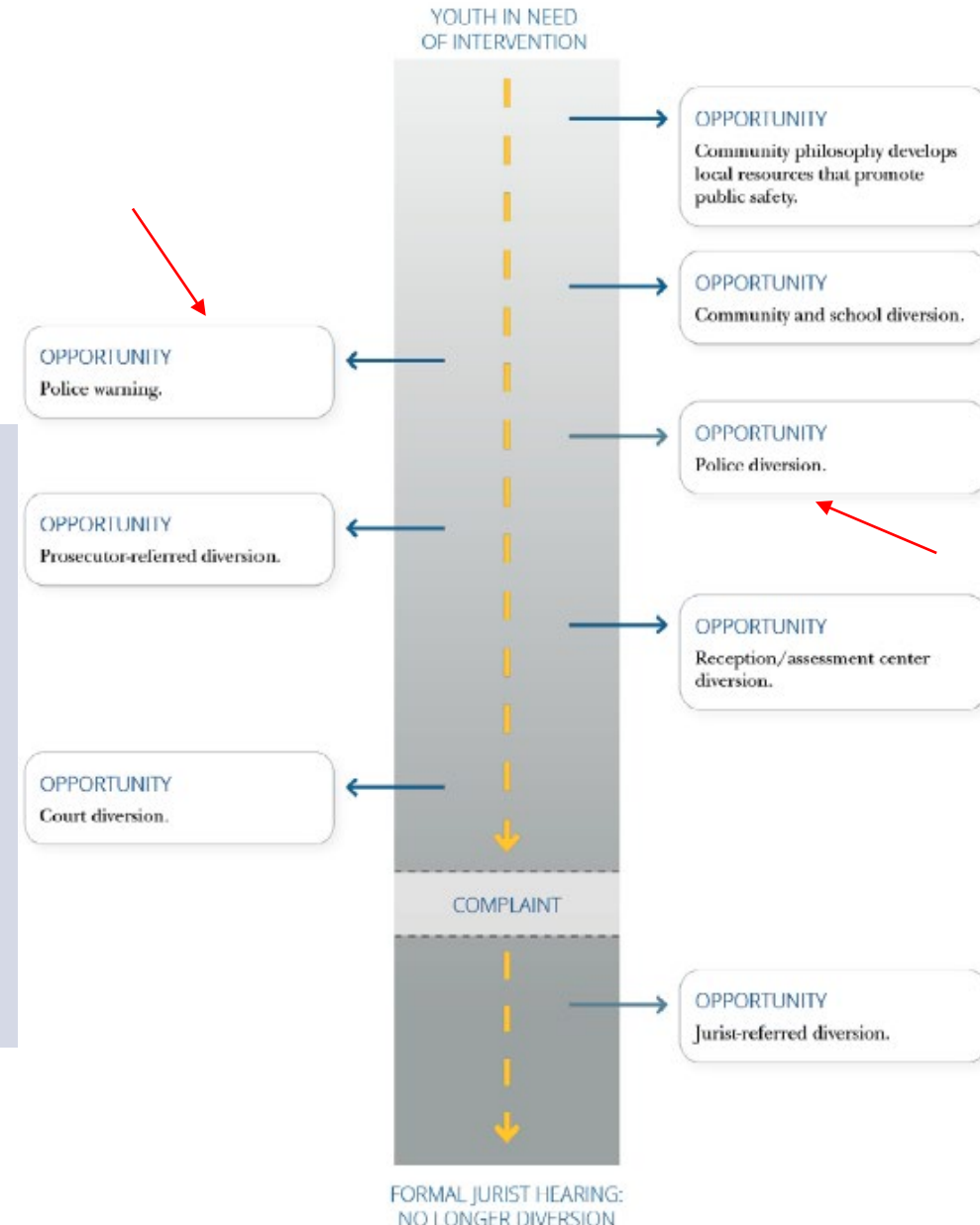
JUVENILE DIVERSION



Light-Touch Contact

- Neighborhood not heavily policed
- School diversion
- Community diversion
- Police warnings
- Police make direct referral to diversion
- Admonishment (one and done)

OPPORTUNITIES FOR DIVERSION



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Developmentally Informed Policing

State Standards for Youth Interactions



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Fostering Culture Change by Promoting Best Practices

MAY 2017

Where's The State?

Creating And Implementing State Standards For Law Enforcement
Interactions With Youth



**Clarity of
expectations**

Consistency

Accountability

Legitimacy

State of Ohio Standards for Law Enforcement

To ensure accountability and instill greater public confidence.



Standard 11

Developmentally Appropriate Policing & Positive Youth Interactions



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Developmentally Appropriate Policing & Positive Youth Interactions

Ohio Collaborative Community-Police Advisory Board

Purpose

Law enforcement agencies must adopt developmentally appropriate, trauma-informed, equitable approaches when interacting with minors (hereinafter referred to as “youth”).

Standard

Law enforcement agencies shall establish written policies governing how officers and other agency personnel interact with all youth, which includes the following provisions:

- When questioning, searching, detaining, arresting, interrogating, or interviewing youth, they shall be afforded their constitutional and statutory rights in a developmentally appropriate, trauma-informed, and equitable manner.
- Agencies should allow officers to exercise discretion and make reasonable age-appropriate modifications of their practices, including use of the least restrictive and coercive approaches possible, when interacting with special youth populations such as those in crisis due to mental illness or substance abuse, or those with developmental or intellectual disabilities.
- When feasible, officers should use alternatives to arrest that both preserves public safety and holds youth accountable, with arrest as a last resort. Alternatives may include the provision of warnings, referral to an appropriate community social service or mental health agency, or the issuance of a citation.
- Training for officers should include content focusing on youth development, age-appropriate and trauma-informed communication strategies, de-escalation practices, and the special needs of certain youth populations.
- Agencies shall conduct a documented annual administrative review of their practices and of the data they collect on youth arrests by charge, age, race, and use of force.

Commentary

Ohio Collaborative

About The Collaborative

State Of Ohio Standards For
Law Enforcement

Certified Law Enforcement
Agencies

Law Enforcement
Certification

Annual Law Enforcement
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Success Stories

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State of Ohio
Standards for Law
Enforcement

To ensure accountability and instill greater public confidence.



Standard 11

Developmentally Appropriate

Policing & Positive Youth Interactions



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1. All interactions with children **under 18 years of age**
2. Police shall use approaches that are:
 - **Developmentally-appropriate**
 - **Trauma informed**
 - **Equitable**
3. Applies during police-youth interactions:
 - **Questioning**
 - **Searching**
 - **Detaining**
 - **Arresting**
 - **Interrogating or**
 - **Interviewing**

State OCJS STANDARD encourages officer **discretion and use of alternatives to arrest with “arrest as a last resort”:**

- **Warn and release**
- **Refer to community social service or mental health agency**
- **Issuance of citation**

Developmentally Informed Policing

HOW We Police Matters

Assessing Your City's LEA Youth-Police Interactions

1. LEA Policy, Practice & Training
What (if any) youth specific guidance exist in policies to improve police-youth encounters?
2. Youth Justice (YJ) Stakeholders & LEAs
How (if at all) do YJ players (court, detention, probation, etc.) and law enforcement communicate (any built-in feedback loops)?
3. Community Partnerships with LEAs
What partnerships exist between child providers and LEAs to facilitate referrals and diversion?
4. Youth-Police Understanding & Trust-Building
What opportunities for shared dialogue and learning among/between youth and police?



For more information and resources, go to our website:

<https://case.edu/schubertcenter/youth-and-policing>

or email mgc36@case.edu

or email mgc36@case.edu



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Working Toward Lead-Free Kids in Ohio

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CWRU

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