

# Reducing Adverse Police Contact Would Heal Wounds for Children and Their Communities

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For many children and youth—especially those from communities of color—interactions with police and law enforcement officers constitute an "adverse police contact," which we define as a source of physical and emotional harm that may have long-lasting effects. Adverse police contact is most likely when a young person's interaction with police involves use of force or arrest, or when it results in incarceration for the young person or a loved one. Broadly, this adverse experience can be mitigated via thoughtful and deliberate actions by police, practitioners, community members, researchers, and policymakers. This brief features recommendations for healing the wounds left by adverse police contact.

## Introduction

For children and youth, <u>negative interactions with police in their communities</u>—including being stopped, searched, arrested, subjected to use of force, or incarcerated—are linked to <u>negative outcomes</u>, such as poor emotional well-being, physical health, and social outcomes. <u>Children and youth report feeling helpless and dehumanized</u> when the police stop, harass, verbally abuse, or physically abuse them or other people. These negative effects are magnified for children and youth of color due to the extensive and disproportionate use of law enforcement powers in communities of Black, Hispanic, and Indigenous people.

In recent years, the topics of police reform and increased accountability for police officers have become more prominent in public discourse, separate from the rising interest in addressing child trauma and reducing childhood adversity. This brief joins and contributes to both discussions by examining negative interactions between police and young people as "adverse police contact"—which we define as a commonplace but overlooked source of emotional and physical harm for children and youth. Police contact is not always negative, but it can negatively impact multiple aspects of children and youth's well-being when they experience or perceive an interaction with the police as adverse.

This brief first illustrates the adverse implications of current policing practices as a rationale for broader national acknowledgement of and response to police contact as a type of childhood adversity. We then provide additional data to detail how the risk of harm from police contact is magnified for children and youth of color, with a particular focus on Black children and youth. Finally, we offer the following recommendations on how police, practitioners, community members, researchers, and policymakers can reduce the harm of police contact as part of a broader effort to reduce childhood adversity:

- Broadly reduce police contact with children and youth.
- Provide police officers with youth development training for direct interactions with minors.

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- Provide social and emotional support for children and youth after police engagement.
- Develop police-community partnerships to conduct disparate impact reviews.
- Promote greater monitoring and accountability for police-related childhood adversity.
- Expand the research base on childhood adversity to examine the implications of police contact.

## Contextualizing "Adverse Police Contact" Between Law Enforcement and Children and Youth

Children and youth interact frequently with police officers. <u>During the 2017-2018 school year</u>, approximately 46 percent of public schools in the United States had school resource officers—sworn law enforcement officers with specialized training and assignments to work in collaboration with school institutions. An additional 13 percent of public schools had sworn law enforcement officers other than school resource officers present on campus. Children and youth also interact with police officers in the broader community. In 2018, 14 percent of all youth ages 16 and 17 (or 1,143,500) <u>experienced police contact</u>. Further, 9 percent of children and youth in this age group (765,000) experienced police-initiated contact, rather than contact resulting from a traffic accident or their own outreach to law enforcement. While there are fewer data on police contact for children and youth in their early teens, <u>one study of over 3,000 children and youth in 20 large cities</u> found that 27 percent had experienced a police stop themselves by age 15, and 77 percent had either directly witnessed a police stop or knew individuals who had experienced one by age 15.

Multiple studies have documented the ways in which police contact is consequential for young people. Children and youth lose trust in law enforcement as a result of negative police experiences. Police stops can lead to psychological strain and heightened emotional distress in children and youth, and such negative emotional experiences can worsen depending on where the police stop occurred. Direct contact with law enforcement and vicarious exposure to aggressive policing tactics are associated with negative education outcomes, such as reduced test scores for Black children and youth and lower grade point averages in teenagers. Examples of aggressive policing include strict enforcement of low-level crimes and the extensive use of police stops.

For these reasons, police contact constitutes a childhood adversity when it poses a significant threat to the well-being of children and youth (see text box). In recent years, there has been growing public awareness of the importance of curbing childhood adversity because of the risk of long-term negative effects from trauma during periods of rapid brain development. Childhood adversity is associated with suicide, mental health problems, substance use and dependence, and other deleterious effects.

Below, we review three contexts in which police contact would constitute childhood adversity: use of force, arrests, and incarceration.

#### **Childhood Adversity**

Childhood adversity is a stressful event or condition (or series of events or conditions) that can threaten a child's sense of safety and negatively affect their developing brain, physical and mental health, and behavior. Childhood adversity is a broader term than the commonly used concept, "adverse childhood experiences," which refers to eight specific types of childhood adversity (e.g., physical, sexual, and emotional abuse; living with someone who was mentally ill; parental incarceration; or parental divorce or separation.)

### Use of force

Use of force is a type of forceful interaction between police and members of the public that can include threats, patdowns, firm grips, handcuffing, takedown maneuvers, strikes with the officer's body, strikes with external mechanisms, and pain-compliance techniques. Research shows that, all other factors and circumstances being equal, police use more force on males, younger individuals (specifically teenagers), and persons of lower socioeconomic status. Use of force by police, then, risks exposing children and youth to direct experiences of violence by police, direct experience of injury by police, witnessing fatal or non-fatal violence, and the loss of loved ones.

The rate of injuries due to police use of force often varies by law enforcement agency, but recent research suggests that citizen injuries occur in about half of use of force incidents. More specifically, of a total of 10,564 use of force incidents compiled from 81 law enforcement agencies across eight different states from 2014 to 2018, 52 percent (5,471 incidents) resulted in citizen injury (ranging from less severe injuries like scrapes and cuts to more severe injuries such as broken bones and gun/knife wounds).

Death is the most severe outcome of police use of force, and children and youth are not exempt from its consequences. While White people had the highest police-related death count from 1999 to 2019 (6,769 police intervention injuryrelated deaths), Black people had the highest rate of police-related deaths. Black people are roughly three times more likely than White people to die from police intervention. <sup>1</sup> These deaths do not occur in a vaccum, and negatively impact the lives of the victims' children.

Statistics on police-related deaths show who dies during police interventions but do not provide insight into the level of child and youth exposure to the actual events. That is, no known database provides insight into the number of police use-of-force events that children and youth witness in person or through the media, nor is there a count of how many of these deaths are among family members of children and youth (parents, siblings, etc.).

#### **Adverse Police Contact Example: Children** Witnessing Police Use of Force Against Family

In 2019, in Fort Worth, Texas, Atatiana Jefferson was playing video games with her nephew, Zion Carr, an 8-year-old Black child, with the front door of her family's home open. The neighbors called the police at 2:25 am to report the open front door. The police arrived and searched the outside of the house. After hearing people move around outside, Atatiana grabbed her gun and looked out the back window. She was shot and killed immediately in the same room as her 8-year-old nephew, who watched both the shooting and its aftermath (e.g., blood on the floor, officers attempting CPR). While the shooting officer was arrested and charged with murder, the family is currently suing for the young child's mental and emotional distress, anxiety, and agony. The lawsuit also notes that the young boy was wrongfully seized and questioned without an adult present.

However, both direct and indirect exposure to death can have traumatic impacts. Losing a loved one (whether directly witnessed or not) can have longlasting effects on well-being. Furthermore, actually witnessing death—regardless of whether the deceased is a family member—is an event that can be traumatic. A notable example is the case of Darnella Frazier, a Black teenage girl who filmed the 2020 murder of George Floyd by a police officer in Minneapolis, Minnesota who used excessive force in applying his body weight to Mr. Floyd's neck. Darnella described the impact of witnessing this event as a "traumatic life-changing experience" that led to increased fear, anxiety, and problematic sleep patterns.

Beyond the experience of childhood adversity, police use of force can also result in child deaths, although this is a relatively rare occurence. The Washington Post, which tracks fatal police shootings, identified 112

<sup>&</sup>lt;sup>1</sup>These statistics were generated by the authors using data on fatalities from the <u>Centers for Disease Control and Prevention</u>.

children and youth killed from 2015 to 2021. In 2021, Fanta Bility made national news headline after police officers fired at a car and missed, fatally striking the 8-year old Black girl and wounding others in a crowd leaving a football game. At the end of that same year, an officer from the Los Angeles Police Department fired their weapons at a suspect in a department store, accidentally killing a 14-year-old bystander named Valentina Orellana-Perlata while she was in the dressing room. The racially disproportionate trend in police use of lethal force is also seen specifically in the rate of police-intervention deaths of children and youth: Black and Hispanic children and youth are more likely to die from a police shooting than their White peers.

#### **Arrest**

When police place children and youth under arrest, their experiences are a form of childhood adversity given that witnessing or experiencing aspects of arrest encounters <u>can lead to psychological distress</u> (e.g., depression, anxiety, stigma, posttraumatic stress disorder, suicidal ideation and attempts) and other harmful outcomes.

In 2019, police made approximately 700,000 arrests of children and youth under age 18. This is a sharp improvement from previous years: Police made 2 million arrests of children and youth in 1980, a figure that grew higher in the mid-1990s and only began a continuous decline below 2 million after 2007. Nationwide, arrests of children and youth under age 18 account for roughly 7 percent of all arrests, and there are wide racial disparities in who is subject to arrest. Of children and youth under age 18 who were arrested in 2019, 63 percent were White, 34 percent were Black or African American, and 4 percent were of other races. These racial disparities become clearer when one considers the racial demographic composition of the United States: White children and youth make up roughly 51 percent of the population under age 18 and Black or African American children and youth make up just 15 percent.

Despite this decrease in the number of arrests over time, a child's experience of arrest can be devastating to their well-being. Apart from physical harm that can occur during a forceful arrest, the experience of an arrest can be humiliating and inflict psychological harm. During an arrest, a child or youth immediately loses their liberty to leave the scene (or even move in some cases). An officer takes them into custody for a suspected crime, typically with the use of mechanical restraints (in the form of handcuffs), and transports them to a police precinct for further processing, where they are often placed in a cell to wait for an unknown amount of time before speaking with a parent or caregiver. The arrest experience often takes place in the child or youth's neighborhood, on school premises, or in other public settings in front of onlookers. In some cases, children and youth are arrested in embarrassing positions (e.g., laying on the ground).

## Adverse Police Contact Example: Police Response to Children in Schools

In 2020, in Washington, DC, a 5-year-old Black child walked away from his elementary school and school personnel called the police. The police found the boy one block away from the school building, but the child did not want to return to school. Body-worn camera video displayed officers interacting with the child in potentially traumatic ways: approaching the child angrily, repeatedly yelling at and threatening to beat him, telling him to stop crying, grabbing his arm, indicating to him that he was bad, and putting one handcuff on him while stating that handcuffs are for people who do not listen. Shanta Grant, the child's mother, is currently suing the police department, the county, and the board of education for the emotional distress her son has endured.

Arrest can be particularly concerning for <u>children and youth with special health care needs</u>—and even more acutely for those with significant behavioral or emotional concerns (e.g., an outburst at a school or mental health clinic)—who are already at a higher risk of being arrested. Older populations of children and youth placed under arrest can lose their jobs from missing work or fall behind in school; they may need to pay fees

<sup>&</sup>lt;sup>2</sup> Percentages do not add up to 100 percent due to rounding.

for attorneys and any impounded vehicles, as well as arrest and booking fees. Revocation of parental custody rights, threat of deportation for immigrant arrestees, and removal from public housing are other factors that children, youth, and their caregivers <u>are exposed to when arrested</u>—even when never convicted of the crime.

Even though Black people are arrested at higher rates than their White counterparts, research does not indicate that these disparities result from Black people committing certain crimes at higher rates. Studies do show, however, that <u>disparities in arrest are present</u> when controlling for heightened levels of community surveillance and an individual's criminal propensity. In fact, research also suggests that when two persons—one Black and one White—commit the same crime together against the same victim, the Black co-offender <u>is more likely to be arrested</u> than their White counterpart.

Adding to the racial disparity issue are cases in which people (disproportionately people of color) are wrongfully arrested. This creates a subgroup of persons who encounter the criminal justice system wrongly and experience associated trauma from these experiences. For example, in 1989, five Black and Latino boys—the Central Park Five—were arrested in New York for the sexual assault of a woman, a crime for which they would later be exonerated. In this notable case, the wrongful arrest, unethical police interrogation, coerced confessions, and wrongful conviction and confinement of the child or youth collectively became a point of adversity.

## Parental and youth incarceration

Policing, as an institution, extends into other parts of the criminal justice system, including the correctional setting. For instance, <u>80 percent of jails</u> in the United States are run by a sheriff's department. The use of incarceration risks exposing children and youth to adversities—either directly related to their own confinement in correctional settings, or more broadly related to incarceration of their parents or guardians. Children, youth, and their caregivers with experiences of incarceration <u>have difficulty reentering society</u> and <u>increased risk of subsequent criminal justice contact</u>, creating a cycle of arrest and further incarceration, with the potential for trauma at every step.

Of the 1.9 million persons who are incarcerated in local, state and federal jails and prisons, <u>38 percent are Black</u>. Estimates have shown that <u>52 percent of persons incarcerated in state correctional institutions and 63 percent incarcerated in federal institutions were parents of minors</u>. Furthermore, <u>6.7 percent of children and youth have had a parent or guardian serve time in jail</u>. Notably, the proportion of parents who are incarcerated is racially disproportionate, with Black fathers making up <u>40 percent of all parents who are incarcerated</u>.

Parental incarceration is associated with <u>negative social</u>, <u>emotional</u>, <u>and developmental ramifications</u> for children and youth such as increased risk for suicide attempts, severe depression, substance misuse, antisocial behavior, low educational attainment, reductions in earning potential, mental health issues, and behavioral problems. Once a parent is incarcerated, the <u>child is often subject to stress</u> due to parental separation and the need to visit their parent in jail settings that are not appropriately designed for familial interactions. <u>Visitation procedures often include</u> searches and safety procedures that are confusing for children and youth to experience. Collectively, these factors and experiences also increase the likelihood that a child or youth will interact with the police irrespective of any criminal activity.

Similarly, the lives of children and youth who are incarcerated themselves drastically change: Studies show that children and youth who are incarcerated are <u>at risk of developing adult depressive symptoms</u> and have worse general health and more suicidal thoughts later in life. To make matters worse, 20 percent of children and youth who are incarcerated <u>are expecting or have children of their own</u>. Although the experience of incarceration can vary depending on whether a person is held in a juvenile facility, jail, or prison—and can

additionally vary by administrative authority (e.g., local, state, or federally operated facilities)—the experience of being held in such institutions involves similar administrative practices. That is, incarcerated children and youth usually undergo multiple searches of their body (sometimes strip searches), are subject to assessments containing very sensitive questions (e.g., history of abuse) to assess their risk to themselves and others, and are placed in various secure units throughout their confinement. The conditions of their confinement are often absent of (or consist of subpar access to) education, religious support, family and persons who offer social support, mental and physical health care, recreation, and safety from victimization or death behind bars.

#### <u>Adverse Police Contact Example: Suicide in Adulthood</u> <u>after Youthful Incarceration</u>

When Kalief Browder, a Black boy, was 16, he was arrested for robbery after being accused of stealing a book bag. He spent three years in New York's Rikers Island, a significant portion of which was spent in solitary confinement. Beaten up by people in custody and correction officers, Mr. Browder attempted suicide at least once while incarcerated. He was never tried or convicted. After appearing in court 31 times, the case was dismissed. There were no witnesses, no jury, and no evidence presented in his case. At age 19, Mr. Browder was released from jail and later died by suicide at age 22.

## Recommendations for Reducing Adverse Police Contact

Police institutions are expected to enforce society's laws, a role which comes with expansive power, responsibility, and discretion. However, when policing begins to negatively impact the lives of children and youth—whether through direct or vicarious adverse experiences—communities should closely examine the conditions that allow such events to occur and identify how these events can be prevented. More broadly, the numerous ways in which policing institutions can place children and youth at risk of adversity should spark greater discourse on how police reform can minimize the cost of law enforcement on our nation's young people.

Adverse police contact can be resolved to the extent that practices and policies are in place to protect children and youth, and their families, from harmful police practices. Below are recommendations for police, practitioners, community members, researchers, and policymakers to reduce children and youth's exposure to adverse police experiences:

**Broadly reduce police contact with children and youth.** Police, practitioners, community members, researchers, and policymakers should explore strategies that allow for a reduction in the frequency of interactions between children and youth and law enforcement officers. In one example, <u>multiple communities have explored</u> limiting the role of law enforcement in schools, and examined alternatives to school policing, in recent years.

Provide police officers with child and youth development training for direct interactions with minors. In instances where interactions between children and youth and law enforcement do occur, police officers should have the knowledge and skills to engage in ways that do not traumatize children and youth. Police training and procedures should be responsive to the developmental needs of children and youth at different ages, with awareness of neurological, social, and emotional differences across age ranges. Trainings and protocols should explicitly reflect how, if at all, police officers should interact with children and youth, and how they should interact with adults when children and youth are present. Such training should include trauma-informed practices for policing.

Provide social and emotional support for children and youth after police engagement. When police officers do engage with children and youth, additional financial resources should be used to connect

children and youth to community-based counselors, psychologists, and social workers who can respond to these children and youth after a given interaction. These professionals can help children and youth (and their families) process and deal with events that may have been traumatic, or connect young people and families to viable resources deemed necessary. One model program worth highlighting is the <a href="Child">Child</a> <a href="Development-Community Policing Program">Development-Community Policing Program</a>.

Develop police-community partnerships to conduct disparate impact reviews. Police institutions should have committees of external and internal stakeholders whose primary purpose is to review policies and practices that have a disparate impact across racial and ethnic groups. For example, if a policing strategy is leading to excessive or disproportionate stops of Black children and youth, the strategy should undergo a committee review to assess whether this strategy is being implemented fairly or causing any unintended harm. Such a body should have the authority to directly change institutional policies and practices. Stakeholders (e.g., educators, mental health clinicians, social workers, children and youth from the community, etc.) may vary based on who and what the policing policy and practice entails. Policies in place, such as California's Racial and Identity Profiling Act or Connecticut's Alvin W. Penn Racial Profiling Prohibition Act, set the stage for police-community partnerships like the Connecticut Racial Profiling Prohibition Project to address issues of racial and ethnic disparities in policing. Nongovernmental organizations that are equipped to conduct disparity analysis for police departments—such as the Center for Policing Equity, or various government oversight bodies such as civilian boards or inspector general offices—are also well-positioned to work with police institutions and communities to mitigate disparities in adverse police contact.

Promote greater monitoring of, and accountability for, police-related childhood adversity. Police institutions and/or individual officers should document, monitor, and be accountable for the adverse experiences involving children and youth that result from police actions, especially when such actions entail police misuse of power. An independent oversight body should oversee the documentation and monitoring of such experiences. Stakeholder discussions on which exact accountability measures are appropriate remain an ongoing topic, and typically include the following measures: termination of officers with persistent patterns of misuse, reassignment of personnel so that certain officers do not interact with children and youth, and reallocation of resources from police institutions to rectify the harm caused from poor policing.

Expand the research base on childhood adversity to examine the implications of police contact. Linking police practices to childhood adversity and the risk of trauma is not a new idea—parental incarceration is widely acknowledged as one of eight adverse childhood experiences. However, this brief broadly illustrates how direct and indirect childhood exposure to use of force, arrest, and incarceration may also constitute adverse events. Additional research is needed to examine with greater specificity the implications of specific police practices for child and youth well-being. Further, such research should contribute to broader research scholarship on the implications of childhood adversity for child development.

## Conclusion

Policing plays an important societal role, but law enforcement institutions must take care that their actions do not induce adverse experiences for children and youth. As police, practitioners, community members, researchers, and policymakers discuss strategies to heal police-community relations and limit the level and impact of negative police interactions for children and youth—particularly children and youth of color—they must consider direct and vicarious exposure to potentially traumatic events to be at the core of discussions and actions related to police reform.

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