

Reducing Youth Arrests Keeps Kids Healthy and Successful

A Health Analysis of
Youth Arrest in Michigan

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Executive Summary

“I just remember thinking oh god I can’t get arrested. I was small when I was a kid and the police looked really big, and I remember thinking I’m not big enough to go where they are trying to take me.”

— Former Detroit resident who was arrested as a youth

Being arrested as an adolescent can impact a person’s health and life trajectory profoundly. Social policies like zero-tolerance school discipline and neighborhood gang injunctions have led to a proliferation of police surveillance and punishment of common youth misbehaviors. These policies disproportionately impact Black and Latinxⁱ boys and girls living in low-income communities.

In this report, we evaluate the health and equity impacts of youth arrest (for kids under the age of 17) in Michigan, with a focus on the city of Detroit, and Wayne and Washtenaw Counties.



In the United States,
**1 in 3 youth have
been arrested by the
time they turn 23.**

The arrest process can have negative mental and physical health impacts on youth.

Arrest can be traumatizing, creates stigma for youth, and can occasionally result in physical harm. Arrest can lead to short-term detention, even if the individual is ultimately warned and released or diverted. The longer someone stays in the detention facility, the greater likelihood there is of mental, physical, emotional, or sexual harm to the person detained. Worse, between 75% and 93% of youth in the juvenile system have already experienced some degree of trauma, and arrest may trigger a post-trauma stress response.

Communities of color experience disproportionate surveillance, police contacts, arrests, and subsequent involvement across the correctional spectrum — and less access to diversion programs — leading to a negative snowball effect on their future health and life potentials. These effects are pervasive and multi-generational.

Arresting youth can limit access to education, employment, and income.

Research shows that people who are blocked from education and employment often suffer worse health outcomes. Arrests make an event reportable, which means that there is a document that schools or employers can access. Once a school or a potential employer finds out that a student, applicant, or potential employee has an arrest on their record, they will often take action to protect themselves from liability — for example, by blocking access to employment or college admission. This can also fuel the cycle of system involvement.

People arrested as
teens are **25% more
likely to drop out of high
school.**

ⁱ Latinx is a gender-neutral alternative to Latino/a.

Diverting youth before arrest decreases the likelihood of re-arrest.

Arrest can result in “labeling” of a young person as troublesome or deviant, which can lead to further stigmatization and arrests. In turn, diverting youth from the traditional juvenile system is more effective at decreasing re-arrest. Studies show that diversion is even more effective before arrest than post-arrest. The direction that Wayne County, for example, has taken in the last 18 years with prevention and post-diversion programs has drastically reduced recidivism and increased services and treatment known to decrease future crime: family engagement, mental health and substance use disorder treatment, educational support, etc.

Youth in pre-arrest diversion programs are **2.5 times less likely to re-offend**.

Decreasing arrests can save money.

Decreasing arrests saves police officer time and juvenile court time, as has been well studied in the use of civil citations instead of arrests in Florida.

Florida saved at least **\$13 million** by issuing civil citations in 43% of eligible instances in 2014–2015.

Top Recommendations

- ▶ **Divert youth pre-arrest.** Law enforcement agencies should formalize practices that divert youth pre-arrest to services and treatment if needed or simply “warn and release to a responsible guardian.” Civil citations programs are a promising example of this.
- ▶ **Train all agencies to be trauma informed and knowledgeable about youth brain development.** All agencies dealing with youth, including law enforcement and all first responders, should receive training in trauma-informed principles and practices and be evaluated on their use of these skills. Law enforcement personnel should also receive training on youth development and cultural humility.
- ▶ **Seal youth records automatically and make them eligible for expungement.** When a young person is discharged from court supervision, the law enforcement body responsible should automatically seal the arrest record and notify them that the record is eligible for expungement — free of charge.
- ▶ **Require pre-arrest diversion by state law.** State legislators should amend the Michigan Juvenile Diversion Act to define and require pre-arrest and pre-petition diversion in every county. State legislators should also revise the funding structure to incentivize this by allowing eligibility for direct state reimbursement to other agencies besides the courts, such as police, behavioral health service providers or social service agencies.
- ▶ **Change state sentencing laws.** State and local decision makers should amend youth sentencing laws and practices to decriminalize adolescent behaviors. Specifically, shoplifting/retail fraud for youth should be decriminalized and targeted for diversion from arrest.

Visit www.humanimpact.org to read the full report including a set of alternative promising practices and all data citations.

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Introduction

This Human Impact Partners report evaluates the health and equity impacts of youth arrest in Michigan, with a focus on the city of Detroit, and Wayne and Washtenaw Counties. We define youth in this report as those under age 17, based on current Michigan law.

Our goal is to recognize the day-to-day experiences of arrest for youth in Michigan — and in particular youth of color — to stimulate discussion about increased use of pre-arrest diversion practices, such as the promising practice of civil citations.

Youth Arrest is a Social Determinant of Health

Although health care and individual behaviors undoubtedly influence health and well-being, more than 50% of our health is actually determined by social and environmental conditions — *social determinants of health*.² These are shaped by environmental, economic, and social policies, which can either help build healthier communities or harm them.³

Being arrested as an adolescent can impact a person's health in profound ways. Social policies like zero-tolerance school discipline and neighborhood gang injunctions have led to a proliferation of police surveillance and punishment of common youth misbehaviors.⁴ These policies disproportionately impact entire groups — particularly youth living in low-income communities and Black and Latinxii boys and girls.^{5,6}

By using a health and equity lens we can uncover systemic factors that lead youth of color to become involved in the juvenile system — and the impacts of youth arrest on life trajectories, including the ability to advance one's education, get a job, and avoid further penetration into the system. While youth arrest affects the social determinants of education, income, employment, and health, these are also risk factors for involvement in the juvenile system. Poverty, racism, and low educational attainment have well-studied connections to poor health, and also contribute to juvenile system involvement.

About This Report

In fall 2016, Human Impact Partners partnered with MOSES (a faith-based community organization), the Michigan Public Health Institute, Washtenaw County Public Health, and the Detroit Health Department to research the impacts of youth arrest on health and well-being in Michigan. This effort is part of the Healthy Heartlands Initiative, a W.K. Kellogg Foundation–funded effort in 6 Midwestern states to bring community organizers and public health practitioners together to create healthier communities.



What are the social determinants of health?

Where people live, work, play, grow, and age as well as the social and political conditions like racism, sexism, and other forms of discrimination are known in the public health community as the social determinants of health.

What is health equity?

Health equity means that everyone has a fair opportunity to live a long, healthy life—and that health should not be disadvantaged because of a person's race, income, neighborhood, gender, or other social or policy factor.

ⁱⁱ Latinx is a gender-neutral alternative to Latino/a.

We focused this health assessment on:

- Mental and physical health effects of youth arrest
- Long-term impacts on social determinants of health, specifically education, employment, and re-arrest

Methodologically, this report follows a Health Impact Assessment (HIA) approach. An HIA is a public engagement and decision-support tool that can be used to assess policy and planning proposals and make recommendations to improve health outcomes associated with those proposals. The fundamental goal of an HIA is to ensure that health and health equity are considered in decision-making processes using a comprehensive and scientific approach that engages stakeholders in the process.

We employed the following methods:

- Review of peer-reviewed and non-peer-reviewed literature
- Interviews (6) with experts who have extensive knowledge of Michigan's juvenile system and diversion efforts or Florida's civil citations program, including Assured Family Services professionals, Dearborn Police, young adults who had been arrested as youth, Florida's Department of Juvenile Justice, Michigan Council on Crime and Delinquency, Michigan's State Court Administrative Office, and an evaluator of Florida's civil citations program
- Data analysis from sources such as the United States Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, the Michigan Profile for Healthy Youth, Youth Behavioral Risk Factor Surveillance, Assured Family Services and Youth and Family Services annual reports, the Michigan Committee on Juvenile Justice, and other sources
- 2 meetings with Wayne County, Washtenaw County, Detroit, and statewide advocates for youth and juvenile system stakeholders to vet research priorities and preliminary findings and recommendations. To see more about the Scoping phase of this health assessment including the pathway diagram, see Appendix A. Stakeholders and our Advisory Committee are listed above in the Acknowledgements page.

Notes about language

In this report, we use the following terms: youth misbehavior and youth *involved in the system or system-involved youth*. Our intent is to avoid defining people permanently by past experiences or behaviors. We also remove "justice" from the term *juvenile justice system* and replace it with the terms *juvenile system* and *juvenile courts*.

Highlighting promising alternatives to arrest

There are many solutions to divert youth away from the juvenile system before they are arrested. The Michigan Council on Crime and Delinquency's report "Restoring Kids, Transforming Communities: Enhancing Michigan's Approach to Juvenile Diversion" goes into great detail on many of these solutions that county agencies across the state are implementing.⁷ Throughout this report we highlight promising practices and recommendations from that report and other resources discovered through the assessment process.

What's Going On with Youth Arrests?

Currently, 1 in 3 youth in the United States have been arrested by the age of 23.⁸ A higher rate of Black youth are arrested; almost half of young Black boys have been arrested by age 23, compared to 30% of White boys.⁸

Youth are More Likely to Have Police Contact and be Arrested than Adults

According to the Bureau of Justice Statistics, between 2002 and 2011 in the United States, 1 of every 4 youth ages 16–25 had some contact with the police (26%), compared to 18% of adults ages 26 and older.⁸ A study using more expansive data sets looked at more than 16 million police interventions and found that youth ages 15–20 experienced greater stops and arrest rates than adults ages 21 and older.⁹ Another study of young men in New York City found that 85% had been stopped at least once in their lifetime although 78% had no history of criminal activity.¹⁰

Criminal and juvenile system policies in the United States have led to increased police interactions

Starting in the 1970s and gaining momentum in the 1980s and 1990s, intertwined policies have increased police surveillance of particular communities, including youth and communities of color:

- The “War on Drugs” doubled police funding and expanded police forces.
- The widespread use of stop-and-frisk practices and other proactive policing models increased police presence in neighborhoods.
- Zero-tolerance school discipline policies and school resource officers increased youth arrest.¹¹
- Privatization of prisons and jails created economic incentives for sentencing for minor infractions and over-policing.
- Increased criminalization of the homeless, sex workers, undocumented immigrants, transgender individuals, and others led to people arrested for behaviors arising in response to a decreased social safety net and policies of marginalization^{11 12}

The growth of police presence in schools — often known as school resource officers — has contributed to increased youth contact with police. In 2013–2014, 26% of schools across the nation and 17% of schools in Michigan have sworn police officers.¹³ When controlling for a school district’s poverty level, schools with officers have 5 times as many arrests for “disorderly conduct” as schools without them.⁴

Youth Misbehave, but Typically Age Out of Delinquent Behavior

The part of the brain that is responsible for advanced reasoning and managing impulses does not fully develop until age 21. Therefore, youth have less capacity for self-regulation in emotionally charged situations, increased sensitivity to environmental influences, and difficulty considering the consequences of their actions.^{14 15}

Researchers found that 1/3 of young people engage in behaviors deemed delinquent before becoming an adult.¹⁶ Youth commonly have contact with the law due to behaviors that are typical of their development — for example, acting out, trying to create boundaries with parents, or trying to differentiate themselves from others. This can be in the form of breaking curfew, running away, underage drinking, driving under the influence, shoplifting, and other common misbehaviors.¹⁷ For example, one survey found that 89% of youth say they know other kids who shoplift, and another study found that 46% of high school kids say they have shoplifted in the past year.¹⁸ Table 1 shows that these types of behaviors are common in Michigan. For more detail, including race and gender for common youth misbehaviors, see Appendix B.

Table 1. Percent of Youth Misbehaviors in High School Students

	Detroit (all HS)	Wayne County (9th/11th)	Washtenaw County (9th/11th)	Michigan (all HS)
Ever tried alcohol	55%	44%	34%	59%
Ever tried cigarettes (even 1 or 2 puffs)	33%	n/a	n/a	33%
Ever tried marijuana	42%	31%	22%	34%
Rode in a car driven by someone who had been drinking alcohol (past 30 days)	32%	13%	9%	19%
Drove a car after drinking alcohol (past 30 days)	4%	4%	3%	5%
Carried a weapon (gun, knife, club) (past 30 days)	14%	13%	11%	17%
Were in a physical fight (past 12 months)	35%	20%	11%	20%
Injured in a physical fight needing treatment by a doctor or nurse (past 12 months)	9%	3%	2%	3%

Sources: Detroit & Michigan data = 2015 Youth Behavioral Risk Surveillance; Wayne and Washtenaw = 2015 Michigan Profile for Healthy Youth (MiPHY)

The majority of youth arrests are for misbehaviors eligible for diversion

The most common type of offense that youth are arrested for in Michigan is larceny, including shoplifting, which accounts for about 1 out of 4 arrests. Some areas, such as Dearborn, have very high rates of larceny, or retail fraud (shoplifting). An investigator from the Dearborn Police Department stated, “Because we have a lot of retail, probably half of the kids I pick up are shoplifting. Usually this offense is their first involvement with the law.”^{18 19} Not considered in the youth arrest trend report are status offenses, which are misbehaviors youth are arrested for that, if they were adults, would not be considered crimes. Status offenses include things such as truancy or underage drinking. Less than 8% of youth arrests in Michigan were for violent crimes.²⁰

Youth typically “age out” of delinquent behavior

Research shows that the majority of youth naturally “age out” of delinquent behavior.²¹ Rates of delinquency peak in adolescence and decline quickly after about the age of 20.^{22 23} Whether a youth is detained or not for minor delinquency has lasting ramifications for that youth’s future behavior and opportunities: detaining youth may actually interrupt and delay the normal pattern of “aging out” since detention disrupts their natural engagement with families, school, and work.¹⁶

Youth of Color, Those Experiencing Trauma, and Girls Are at Higher Risk for Arrest

Black and Latinx youth are arrested more often than White youth

Racial inequities for youth in the system are propelled by conscious and unconscious racial bias, along with structural racism and inequity in society at large.^{24 25} Evidence of unconscious racial bias exists among teachers and school administrators,²⁶ police and juvenile probation officers,²⁷ and juvenile court officials.²⁸ For example, one study found that Black youth who did not participate in drug or other delinquent activity were more likely to be stopped and searched by police than White youth who admitted involvement in illegal behavior.²⁹ In addition, White families typically have more access to resources for things like legal representation and mental health services than Black and Latinx families.

Nationally in 2011, Black youth were almost 3 times more likely to be arrested for a drug offense, 2.5 times more likely to be arrested for a property crime, and 2.7 times more likely to be arrested for violating curfew laws than White youth.²⁹

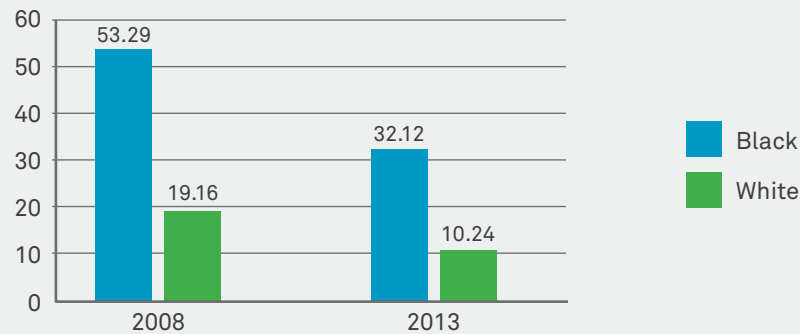
Black youth are arrested at far higher rates than Whites in Michigan and Wayne County (Figure 1). Even though the arrest rate has dropped among Black people, Black youth are still arrested at more than 3 times the rate of White youth.²⁰ Across the state of Michigan:

- **Black youth arrest rate decreased** from 53 per 1,000 youths to 32 per 1,000 youths from 2008 to 2013.
- **There is persistent disproportionality.** While in 2013 there were 32 Black youth arrests per 1,000 youths, there were 10 White youth arrests per 1,000 youths.
- **Disproportionate rates of arrest have not changed.** In 2008 Black people were arrested at a rate 2.6 times that of Whites; in 2013 the rate was 2.5 times.²⁰

*“I have been
stopped a lot by
the police.”*

*– Former Detroit
resident who was
arrested as a youth*

Figure 1. Michigan Youth Arrest Rate (per 1,000 youth) by Race, 2008 and 2013



Sources: Public Policy Associates, Inc. 2015. Michigan's Statewide Juvenile Arrests Analysis Report. Volume One: 2008-2013 Report. Prepared for the Michigan Department of Health and Human Services, Juvenile Justice Programs and the Michigan Committee on Juvenile Justice.

Youth who have experienced trauma are arrested more often

Experiencing trauma in childhood is widespread. In the United States, about 2 out of every 3 youth have been exposed to violence, crime, abuse, and/or psychological trauma.³⁰

As indicated in Table 2, a notable percentage of Michigan youth have experienced abuse, depression, physical fights, and sexual assault.

When affluent families experience ACEs like addiction or abuse, they are often able to access supportive services and interventions like counseling, medication, and legal services. By contrast, low-income families often lack adequate access to logistical and therapeutic supports when facing trauma at home or in their neighborhoods. In addition, for low-income families of color, racial bias in society creates and supports stereotypes about their experiences of trauma.

Untreated and unrecognized trauma can lead to behaviors that may end in arrest. Stress caused by these traumatic experiences can trigger a fight-or-flight response that can result in hyper-vigilance, avoidance, and other behavior patterns to protect against further physical or emotional injury.³¹

Youth with ACEs are arrested at high rates. A study of the prevalence of ACEs in the lives of youth who have been arrested found up to 84% had experienced parental separation and family violence, with girls who had been arrested at higher risk of almost every type of trauma than boys (Figure 2).³²

Adverse childhood experiences (ACEs) are potentially traumatic events that can have negative, lasting effects on health and well-being. These experiences range from physical, emotional, or sexual abuse to parental divorce, marital violence, or the incarceration of a parent or guardian.

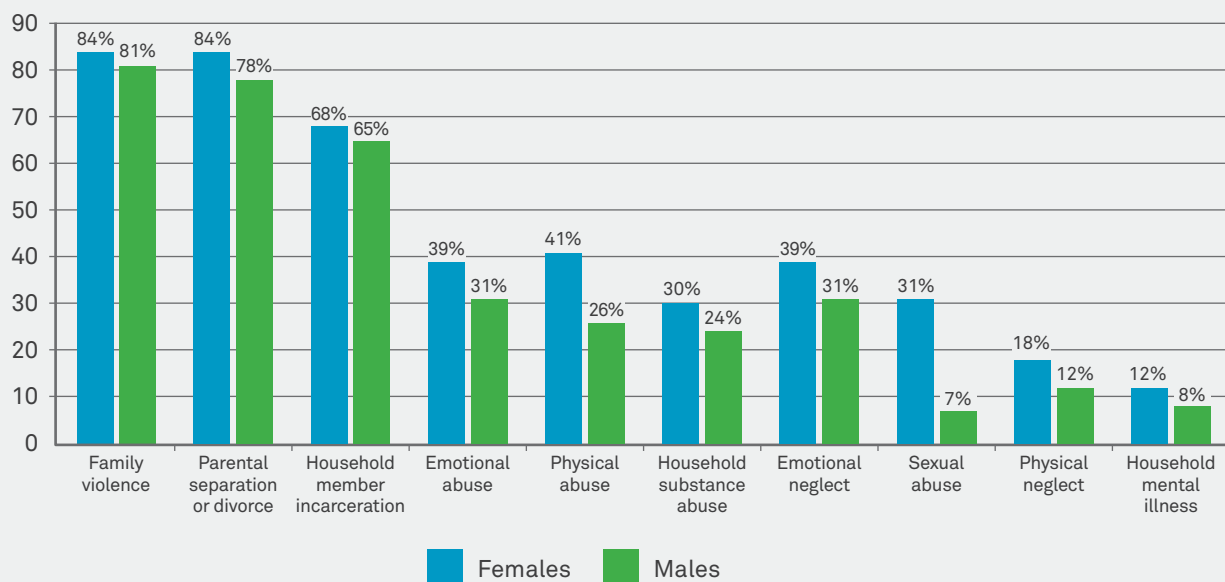
Table 2. Traumatic Experiences of Michigan Youth

	Detroit	Wayne County	Washtenaw County	Michigan
Rates of abuse and/or neglect per 1,000 children 0–17 years old*	19.2	11.6	10.9	14.9
% of students who were in a physical fight 1 or more times during the past 12 months†	35.2%	19.5%	10.8%	20.4%
% of students who felt unsafe at school or on their way (at least 1 day of past 30 days)†	11.5%	6.6%	3.6%	5.8%
% of students who have ever been physically forced to have sexual intercourse when they did not want to†	10.6%	5.6%	3.2%	8.3%

* Data from 2013. Source: MI Dept of Health and Human Services, Children's Protective Services. Obtained via: <http://datacenter.kidscount.org>. Note – this only accounts for the percentage of children who interacted with CPS and have confirmed rates of abuse and/or neglect in their home.

† Detroit and Michigan estimates are for all high schoolers, data from the 2015 Youth Behavioral Risk Survey (YRBS). Wayne and Washtenaw estimates are just for 9th and 11th graders, data from the 2015 Michigan Profile for Healthy Youth (MiPHY).

Figure 2. Prevalence of ACEs in Juvenile System–Involved Youth



Sources: Baglivio MT, et al. The Prevalence of Adverse Childhood Experiences (ACE) in the Lives of Juvenile Offenders. *J Juv Justice*. 2014;3(2).

Girls are at particular risk

Girls who engage in status offense behaviors — such as running away, skipping school, or otherwise acting out — are more likely to have experienced adverse childhood events, such as victimization and family turmoil, and to have mental health disorders or poor school performance, than boys. A recent study found that girls represent 61% of all petitioned runaway status-offender cases, and compared to boys, girls serve twice the amount of time in detention for status offenses.³³

Policy Shifts to Reduce Arrests Are Slowly Underway

Across the United States, municipalities have made huge strides in reducing the incarceration of youth. In Wayne County, the number of incarcerated youth has gone from an average of over 2,000 per day in 1999 to about 372 per day in 2016.³⁴ Much has been written about the health impacts of incarcerating youth — including in Michigan³⁵ — and decision makers responded with a mandate to create community-based solutions that focus on treating and providing services to help youth with the issues that get them into trouble. Despite these advances, many young people continue to be arrested and have contact with law enforcement.

Youth arrest has declined in Michigan, but not far enough

Between 2008 and 2013, the rate of youth arrests in Michigan decreased by 44%, in Wayne County by 49%, and in Washtenaw County by 45%.²⁰ However, 12,254 youth in Michigan were arrested in 2014.³⁶ In Wayne County there were 3,012 youth arrests in 2013 and 340 in Washtenaw County.²⁰

Michigan created diversion programs, but most diversion happens post-arrest

In 1988, Michigan lawmakers passed the Michigan Juvenile Diversion Act, giving law enforcement agencies and juvenile courts authority to create diversion programs to prevent delinquency and/or provide services to youth who have committed delinquent acts. Diversion programs can help youth avoid formal court jurisdiction,³⁷ and are a way of connecting youth with services needed to prevent further misbehavior.³⁸ In 2015, more than 10,000 youth across Michigan were offered a diversion option³⁹ instead of traditional juvenile processing, which included differing levels of access to community-based interventions — all after arrest.

The primary funding source for juvenile diversion programs is the Michigan Child Care Fund, which reimburses for youth diversion programs only after a petition has been filed through the prosecutor's office. The result is that diversion out of the juvenile system is only available to youth who have already entered the juvenile system via an arrest. Because courts are reimbursed for youth diverted post-arrest, the State has incentivized post-arrest diversion. In most counties in Michigan, access to diversion happens after arrest and court contact.⁷⁴⁰ See the “Youth Arrests Lead to More Arrests” chapter starting on page 21 for benefits of pre-arrest diversion.

Police Are the Gatekeepers of the Juvenile System

Most youth engage in behaviors that could be considered delinquent or criminal, and police have the discretion to arrest or not arrest.²² The most common way a youth ends up in court is because of an interaction with law enforcement, who account for 86% of “delinquency” referrals. Police can be called by school officials, retail establishments, concerned or frightened neighbors, parents, or youth themselves, but police are the principal gatekeepers of the justice system and play a central role in

the processing of youth. Police have more contact with at-risk youth than any other official in the juvenile system. Most of these contacts are undocumented and of low visibility.⁴¹

Some police departments have a practice of arresting youth as rarely as possible. A Dearborn Police Department (DPD) School Resource Officer stated in an interview that his department does not arrest youth unless necessary. The most common interaction with a youth that DPD has is “warn and release to a responsible caretaker.” He said that much of their role is about “the educational side of it rather than the penalty side of it,” teaching youth about the potential repercussions of their actions.⁴²

Promising practices: Creating positive police-youth interactions

StopWatch⁴³

From 2004 to 2006, the Massachusetts Bay Transportation Authority Police in Boston embarked on an effort to train officers in youth development, communication, and how to improve youth interactions in response to a lawsuit by 11 youth. It worked — in 2001 there were 680 arrests of youth on the subway, and in 2009, there were 84.⁴⁴ Over 180 MBTA police officers have undergone an intensive 2-day training taught by doctors and health experts from area medical institutions, where they learn why teens think the way they think and act the way they act.

Police-youth interaction programs⁴⁵

Programs and initiatives that work to build trust between youth and police can yield high value for the effort. Implementation of non-school police-youth interaction programs including team building, youth leadership, and community service resulted in improved youth attitudes about police and more youth community involvement. Both police and youth enjoyed participating in the program and learned to see each other as “normal” human beings. A program called Strategies for Youth encourages police to educate youth with Think About It First! Cards, a simple tool that police can use to start a conversation about the consequences of youth actions.⁴⁶

Police training

In 37 states, police academies spent 1% or less of total training hours on issues relating to youth. In states with training, the majority of the curricula focus on juvenile codes and legal issues, with no communication or psychological skills for officers working with youth.⁴⁷ Training can help police have more positive interactions with youth, de-escalate situations, link youth to needed services, and decrease youth arrest. Examples of police training and capacity building include learning about:

- Youth mental and emotional development⁴⁸
- Communication techniques
- Adverse childhood events (ACEs)
- How to provide trauma-informed services
- Implicit bias, cultural humility, procedural justice, and communication skills^{49 50 51}
- CIT-Y – Crisis Intervention Training for Youth⁵²

Youth Arrests Lead to Poor Physical and Mental Health Outcomes

“... Many young people of color feel ‘over-policed, undervalued, and unsafe’ in their own communities... The result is entire generations growing up in constant fear, which affects their lives and can limit their potential in so many ways.”⁵³

The process of arresting youth can result in both short-term and long-term health impacts on a young person and their family. This section focuses on the negative physical and mental health impacts of police surveillance, the arrest process, and detention before court conviction, and some positive impacts of police-youth interactions designed to build trust.

Police Surveillance and Contact Can Be Traumatizing, Especially for Youth of Color

Police surveillance and arrest processes are stressful and stigmatizing

Over the past century, government surveillance and policing in communities of color and in schools has expanded significantly.^{11 54} Living in a community with frequent government surveillance increases levels of psychological stress and alters behaviors.⁵⁵ Youth who are involuntarily stopped by police reported experiencing high rates of distress, perceived injustice, hopelessness, and dehumanization.^{56 57} Trauma and anxiety symptoms increase with the frequency of police contact, especially if contact was “intrusive” or the individual felt unfairly stopped by police, and levels of police intrusion are predictive of PTSD symptoms.¹⁰ One study found that 4 out of 10 young women reported having had male police officers flirt, whistle, or “come on to them” in the past 12 months, and most of these women felt more at risk by the sexualized harassment.⁵⁸

“Common theme in the interaction with police — there are a lot of them, it’s a tense moment. I always think: this is where I get thrown in jail.”

— Former Detroit resident who was arrested as a youth

Being detained by police — whether at one’s home, at school, on the street, or in another public location — can be stigmatizing for youth. Even if the young person is innocent, being placed in handcuffs, put into a squad car, brought down to the police station, and/or booked can all contribute to them being perceived and subsequently treated differently by their family, friends, and authority figures.

Even if it doesn’t result in an arrest, police contact may involve harsh language (including racial insults or taunts about sexuality), physical contact (in the form of physical frisks, aggressive holds, or punches), and/or the use of batons, tasers, chemical sprays, or firearms.^{10 59} For the 75% to 93%

of youth in the juvenile system who have already experienced some degree of trauma,⁶⁰ the act of processing during and after arrest can be traumatizing and may trigger stress responses and depressive symptoms, especially if the contact is associated with perceived or anticipated racism.¹⁰

Youth of color are more likely to report harassment and distrust of police

The disproportionality of how police interact with youth has led to a cycle of distrust, where youth, particularly Black and Latinx boys, feel betrayed and mistrusted by adults.³¹ White youth tend to trust the police and have more positive interactions with police, and Black youth tend to have more negative and hostile feelings toward police, seeing them as a force of oppression rather than community protection, with Latinx youth falling somewhere between these two populations.⁶¹ A national sample of young people ages 18–29 found that:

- 55% of Black youth report harassment by the police, nearly twice the rate of other young people
- 44% of Black youth trust the police, compared to 76% of Asian American, 72% of White, and 60% of Latinx youth.⁶²

Racial trauma can change behaviors and interactions

Interactions with law enforcement officials can result in negative mental health impacts, both for those who have direct encounters as well as those who directly or indirectly witness events. Recognizing the additional impacts of racism and discrimination on health, researchers have defined “racial trauma” as symptoms of depression, anxiety, low self-esteem, feelings of humiliation, poor concentration, or irritability resulting from racial harassment, witnessing racial violence, or experiencing institutional racism.⁶³

While not everyone who experiences racism and discrimination develops symptoms of race-based trauma, repeated exposure may lead to:

- **Increased vigilance** — avoiding eye contact, trusting only social and family networks, avoiding new situations and taking risks
- **Increased suspicion** — of social institutions like schools, government
- **Increased aggression** — defiant behavior, gang involvement, domestic violence, and appearing tough and impenetrable to cope with danger and control one’s environment
- **Increased sensitivity to threats, being disrespected or shamed** — using defensive postures
- **Psychological and physiological symptoms** — Depression, anxiety, emotional detachment, and other symptoms from unresolved trauma and chronic stress
- **Increased alcohol and drug use** — to help manage pain of unresolved trauma
- **Narrowing sense of time** — lack of a sense of future, dying is an expected outcome⁶⁴

As noted by public health advocates, “Institutional racism is a determinant of health that contributes to high rates of poverty and unemployment among communities of color, in turn leading to the kinds of illegal activities that, when seen in isolation, can make police presence appear justified. Studies examining predictors of police force size provide evidence that policing exists to uphold existing hierarchies. Communities of color with cultural dissimilarities are seen as a threat to the social order, and thus the criminal justice system is used as a mechanism of control.”¹¹

Stress and racial trauma increase likelihood of future risky behaviors

A participatory study in 5 urban areas about barriers to youth wellness found that young people reported that they experience stress, lack of safety, mistrust, and fear of police. They cited stereotyping and racial bias as reasons they feel unsafe and engage in risky behaviors to cope with stress.⁶⁵ Multiple studies show that when stressed, youth may engage in risky behaviors such as using alcohol, cigarettes, and having unprotected sex.^{66 67}

Promising practice: Trauma-informed approaches⁶⁸

A trauma-informed approach can be implemented in any type of service setting or organization and is distinct from trauma-specific interventions or treatments that are designed specifically to address the consequences of trauma and to facilitate healing.

A program, organization, or system that is trauma informed:

- Realizes the widespread impact of trauma and understands potential paths for recovery
- Recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the justice system
- Responds by fully integrating knowledge about trauma into policies, procedures, and practices
- Seeks to actively resist re-traumatization

A trauma-informed juvenile system:⁶⁹

- Uses trauma screening and assessment and evidence-based trauma treatments designed for justice settings
- Partners with families to reduce the potential traumatic experience of justice involvement
- Collaborates across systems to enhance continuity of care
- Creates a trauma-responsive environment of care
- Reduces disproportionate minority contact and addresses disparate treatment of minority youth

Detaining Youth Can Impact Mental and Physical Health

Not all youth who are detained by police or held in detention centers have been convicted of a crime. Sometimes youth are held in a police squad car or placed in detention while awaiting a parent or guardian's release, until they can receive psychiatric care or social services, until there is a clear resolution of the charges being leveraged against them, or for other reasons. Youth who are detained awaiting a court date or a placement can spend a few hours, a few days, or up to a few months in a locked facility. Initial police contact, including arrest and detention, can result in labeling a youth as delinquent, impacting how parents, peers, law enforcement, and others view them.¹

Data collected on youth detention does not indicate how many youth are held pre-adjudication or pre-conviction and for what length of time. However, there is evidence in the research literature to

illustrate that youth detention — even for short periods of time — can negatively impact a youth’s mental and physical health.

Detaining youth can cause trauma, PTSD

A special investigation by the U.S. House of Representatives found that 2 out of 3 juvenile detention facilities were holding youth who were waiting for community mental health treatment, and that “on any given night, 7% of all youth held in detention were waiting for community mental health services.”^{70 71}

Even if detained for short periods of time, youth in detention facilities may be exposed to verbal, physical, or sexual aggression (from other youth and from staff), loss of privacy, isolation, or confinement. These exposures can exacerbate mental illness, PTSD, and fear, particularly among previously victimized youth.⁶⁰ Among detained youth, 1 out of 3 of those diagnosed with depression reported experiencing the onset of depression during their stay in the correctional facility,⁷² causing researchers to note that “the transition into incarceration itself may be responsible for some of the observed effects” of increased mental illness in detention.⁷³

As noted in one report, “At best, detained youth are physically and emotionally separated from the families and communities who are the most invested in their recovery and success. Often, detained youth are housed in overcrowded, understaffed facilities — an environment that conspires to breed neglect and violence.”¹⁶

Youth who have experienced sexual assault are particularly at risk for victimization and further trauma if they are detained. A national survey of 26,000 youth in custody found that those who previously experienced sexual assault were more than twice as likely (24% vs. 10%) to report sexual victimization in correctional facilities than those with no sexual assault history.⁷⁴

Shackling youth can cause mental and emotional harm

Once youth have been detained, they are sometimes placed in shackles during transport to the court. For children who have experienced physical or sexual abuse, have mental illness or retardation, or have other disabilities, the use of shackles can cause “serious mental and emotional harm, and undermine the court’s very objectives in preventing delinquency or rehabilitating a child.”⁷⁵ Importantly, researchers have found that there is no statistical difference in youth behavior in the courtroom if they are completely shackled or if they are un-cuffed at the hands.⁷⁵

Injury or Death from Use of Force Is Rare But Harmful and Racially Disproportionate

Arrests are sometimes made with some level of force.ⁱⁱⁱ According to the National Institute of Justice, “Law enforcement officers should use only the amount of force necessary to mitigate an incident, make an arrest, or protect themselves or others from harm.”⁷⁶ Most law enforcement agencies are trained in a “use of force continuum,” where officers learn to use appropriate levels of force depending on the circumstances.⁷⁷ See Appendix C for a description of each level of force on the continuum and its potential health impacts. In general, police violence and use of force has been associated with a range of negative health impacts including assault-related ear damage, spinal cord injuries, broken ribs and teeth, internal injuries, and death.⁷⁸

ⁱⁱⁱ Use of force can include the use of the officer’s hands, placing a pedestrian on the ground, placing a pedestrian against the wall, drawing the officer’s weapon, pointing the weapon at the pedestrian, and use of baton, handcuffs, pepper spray, or other physical object to control a pedestrian.

Use of force is rare, but youth and people of color experience disproportionate use of force

According to the Office of Justice Programs, an estimated 1.4% of individuals who had contact with law enforcement had force used or threatened against them in 2008.⁷⁹ Younger people (ages 16–25) were twice as likely (2.6%) to experience a threat or the use of force by police than people 26 years or older (1.3%).⁸

People of color experience disproportionate use of force by police compared to their White counterparts.⁸⁰ The Bureau of Justice Statistics confirms this finding (Table 3). Black people are twice as likely to experience nonfatal force and 3 times as likely to experience a personal search or deadly force compared to White people. Latinx people experience slightly less use of force than Black people but more police force in almost all categories when compared to Whites.

Table 3. Prevalence of the Use of Force during Police Contact, 2002–2011

	White*	Black*	Latinx
Experienced nonfatal force during most recent contact	1.4%	3.5%	2.1%
Experienced nonfatal force during street stops	6.9%	13.7%	5.9%
Experienced personal search	2.8%	9.4%	3.6%
Experienced deadly force (killed by police)	0.0003%	0.0014%	0.0009%

Source: BJS Report on Police Use of Non-Fatal Force 2002–2011.

* White not including Latinx, Black not including Latinx

Black and Latinx people are more likely to experience lethal use of force

People of color are more likely to experience lethal use of force than Whites. Recent analysis of national vital statistics data found that Black people were 2.8 times and Latinx people were 1.7 times more likely to die from a “legal intervention” than Whites.⁸¹ An investigation by the Washington Post drawing on media reports, not vital statistics data, found that compared to Whites, unarmed Black men are 7 times more likely to die by police gunfire.⁸² In 2016, there were 13 adults (and no youth under 18) who were shot and killed by police in Michigan. Of those 13 adults, 7 were White, 5 were Black, and 1 was Latinx.⁸³

Most use of force results in non-lethal injuries, and youth are injured less often than adults

Injury rates from use of force range from 17% to 64% across the United States. The majority of injuries by police are minor bruises, strains, and abrasions.⁷⁷ For example, the use of handcuffs can cause bruising and contusions, swelling, pain on impact, discoloration of the skin around the injured areas,⁸⁴ fractures, lacerations, and injuries to the radial, ulnar, and median nerves resulting in pain, weakness, and debilitation.⁸⁵

All told in 2012, an estimated 55,400 people were killed or treated in a hospital for a “legal police intervention,” and of these roughly 15% were under the age of 21. Of those 15%:

- 2% experienced fatal injuries
- 5% were admitted to the hospital but survived
- 93% were treated in the emergency room and released

Put another way, there was 1 hospital-treated injury or death of a suspect or bystander for every 291 arrests or stops by police.⁹ Youth who are under the age of 21 are less likely to visit the ER, be admitted to a hospital, or die from police intervention than older individuals.⁹ There is no data on injuries from the use of force in the state of Michigan, in Wayne or Washtenaw Counties available at the time of this writing.

While those under age 25 experience greater use of force than people ages 26 and over, the data on injuries from use of force is not measured in the same age brackets. Because of this, it is not possible to discern whether rates of injury from use of force differ between those under age 21, those ages 21–25, and those ages 26 and older.

Detroit Police Department is decreasing excessive use of force

Over the past decade, in response to federal investigations and court decrees, the Detroit Police Department has been implementing measures to reduce excessive use of force among its staff.⁸⁶ According to a 2014 report by the U.S. Department of Justice and U.S. Attorney’s Office, the Detroit Police Department has decreased the number of fatal shootings (47 people died between 2004 and 2009 vs. 17 people between 2009 and 2014), the use of chemical sprays (460 incidents in 2000 vs. 50 in 2014), and the use of force incidents (873 in 2010 vs. 473 in 2013).⁸⁷

The Detroit Police Department makes citizen complaints against police and their outcomes publicly available. In 2016, of over 3,700 complaints filed, 640 of them were from young people ages 10 to 25. Complaints are an interesting subset because while a small portion of the total are for use of force (250 out of 3,700), other complaints are about arrest, demeanor, harassment, procedure, search, and service.⁸⁸

Youth Arrests Lead to Lower Educational Attainment and Fewer Job Options

Juvenile arrest can have “turning point” consequences that shape inequality in America.²²

Higher Rates of Education, Jobs, and Income Lead to Better Health

More education leads to better health

People with more education can expect to live 7 years longer, on average, than their less educated peers.⁸⁹ For example, men and women with no high school degree have a 23% and 32% higher risk of death, respectively, than those with a high school degree. Further education is even more health-protective.⁹⁰ Education can increase health knowledge and coping skills, enabling a person to make better-informed choices regarding medical care and adopt and maintain healthy behaviors (e.g., less alcohol and drug use and more exercise).^{91 92} Overall, Black and Latinx populations have lower levels of education than other racial/ethnic groups, due to systemic policies that have limited educational resources and quality for generations, leaving them without as much education to protect their health.^{93 94}

More education leads to better job outcomes

Education leads to a greater likelihood of being employed, having better working conditions, and having better employer benefits such as health care, paid sick days, and higher wages.⁹¹ Each additional year of education, for example, leads to roughly an 8% increase in earnings.^{89 95 96}

Higher income leads to better health

Income is one of the strongest and most consistent predictors of health and disease in the public health research literature.⁹⁷ Higher incomes afford individuals and their families the benefit of economic security and wealth accumulation, which reduces stress, makes it easier to obtain health care when needed, increases access to healthy food, promotes physical activity, and makes it easier to find a home.⁹¹ Similar to education, Black and Latinx populations have lower rates of employment and income than other racial/ethnic groups due to a multitude of structural and interpersonal forms of discrimination, leaving them more vulnerable to health challenges.^{98 99}

In sum, the negative consequences of getting arrested, experiencing official labeling, and/or being incarcerated as an adolescent increasingly mortgage one's future, especially later life chances molded by schooling and employment.¹ Researchers have described the detrimental consequences of labeling as effectively “knifing off” one's opportunities for a conventional life.¹⁰⁰

Detroit Struggles with Lower Educational Engagement and Attainment

As Table 5 shows, Detroit and Wayne County have higher absenteeism rates than the state of Michigan and Washtenaw County. Graduation rates vary widely by city and the type of school. Detroit Public Schools are only slightly lower than the graduation rate of the state. However, when considering educational attainment, there are significantly lower numbers of people with a high school and bachelor's degree in Detroit than in the State.

Table 5. Educational Outcomes in Select Locations in Michigan

	Detroit	Wayne County	Washtenaw County	Michigan
Absenteeism, 2015–2016*	68%	37%	23%	28%
4-year Graduation Rate, 2015–2016†	78%	N/A‡	N/A‡	80%
Educational Attainment, 2011–2015				
Adults with HS graduation or more	80%	87%	95%	90%
Bachelor's degree or more	14%	30%	53%	27%

Sources: State of Michigan Center for Educational Performance and Information - Student Count: Attendance. <http://www.michigan.gov/cepi/0,4546,7-113-21423---,00.html>
United States Census. Quick Facts.

* Percentage of students missing 10 or more days

† County average graduation rates were not available. County estimates illustrate ranges by city and by type of school.

‡ No average available because graduation rates are given by each school, without an aggregate average. In Wayne County, graduation rates range from 5% to 98%, and in Washtenaw from 10% to 97%.

Youth Arrests Lead to Lower Educational Attainment

Youth arrests trigger school exclusion policies that lead to school dropout

Arrests can have a negative impact on high school graduation — not as a result of poor student engagement, but as a result of the school's reaction to the arrest.²² High school dropout often occurs because schools find out about the arrest and initiate exclusionary policies that lead to academic disengagement and sometimes expulsion.²² Even though juvenile arrests are usually sealed, schools can find out about a student's arrest when it occurs on school grounds, when the young person must attend an alternative high school in a juvenile facility, or if a probation officer checks for the student's attendance.²²

Once a school is aware that a student has had contact with the juvenile system, they may label the student as having a negative influence on the school's test scores, truancy rates, or graduation rates and work to exclude them as a means to enhance the school's accountability measures.²²

“Sometimes they would just bring the police into the Detroit Public Schools to frisk us.”

– Former Detroit resident who was arrested as a youth

Youth arrests reduce the likelihood of completing high school

Youth who are first arrested at a young age — 13, 14, or 15 — experience the most detrimental effects. They are 25% more likely to drop out of high school, 20% more likely to be incarcerated, and 10–12% more likely to be arrested again after the age of 18.²³ Overall, youth who are arrested are nearly twice as likely to drop out of high school,¹⁰¹ and they average 1 to 1.5 fewer years of education.^{22 23}

Arrests create barriers to admission into colleges

In 2009, a survey was sent out to over 3,000 colleges and universities in the U.S. to inquire about their admissions process.¹⁰² Out of the 273 that responded, 66% reported that they collect information about criminal records in their admissions process, and most said they used the questions that are included on the Common Application.¹⁰² Some schools made answering the criminal history questions optional, and some schools only reviewed the information after preliminary admissions decisions had been made.¹⁰² Many colleges report that they use the information to address liability issues, but data suggest that crimes on campus are not disproportionately committed by students with a criminal history.¹⁰³

Applicants who indicate they do have a criminal history are often asked to comply with various additional actions, such as paying for and submitting a criminal background check, writing a separate letter of explanation, or submitting a letter from a correctional or probation/parole professional.¹⁰² Sometimes these actions are financially or logistically not feasible for potential students, and many times they add a layer of burden to the application process that becomes an insurmountable deterrent. Applicants who indicate they have a criminal record may also be at risk to lose their eligibility for federal financial aid.¹⁰⁴

Private and 4-year schools are more likely to collect information on criminal history than 2-year schools.¹⁰² This creates pressure for applicants with a criminal history to focus their efforts on community colleges.¹⁰² The Wayne County Community College District does not collect criminal history information from its applicants.¹⁰⁵

Promising practice: Beyond the Box¹⁰⁶

To help colleges and universities remove barriers that prevent people with criminal records from pursuing higher education, the United States Department of Education has created a “Beyond the Box” Resource Guide. The U.S. DOE advises colleges and universities to:

- Consider deleting the question on college applications about criminal records.
- If the question is necessary, delay considering the question until after the admission decision has been made.
- If inquiring about criminal history, narrow and clearly define the focus of the question so it is not vague and catch-all.
- Give prospective students the opportunity to explain criminal justice involvement and preparedness for study.
- Provide admissions personnel and counselors training on effective use of criminal justice information.

Black students are arrested more than White students

According to the U.S. Department of Education Office of Civil Rights, nationally, Black students are referred to law enforcement and subjected to school-related arrests at a higher rate when compared to White students.¹⁰⁷ As Table 4 shows, despite being 16% of enrolled students in the U.S., Black students make up 31% of kids with a school-related arrest.

Table 4. Disproportionate School-Related Arrests in the United States

	Student enrollment	Students referred to law enforcement	School-related arrest
Black students	16%	27%	31%
White students	51%	41%	39%

Sources: U.S. Department of Education Office for Civil Rights, “CIVIL RIGHTS DATA COLLECTION Data Snapshot: School Discipline.”

Arrests Limit Employment Options and Earnings, Especially for Black People

Youth typically face higher unemployment rates

When employment options are limited for adults (ages 25+) such as during recessions, adults will take jobs usually filled by youth and young adults (ages 16–24), resulting in higher unemployment rates for youth.¹⁰⁸

Youth in Detroit face higher rates of unemployment compared to Michigan as a whole

Between 2010 and 2014, 15% of Detroit teens ages 16–19 were not attending school or working, compared to 7% across Michigan.^{109 110}

A criminal history reduces the likelihood of getting a job

Studies show that having a criminal record limits employment options. The Society for Human Resource Management found that nearly 7 out of 10 employers used criminal background checks on all candidates.¹¹¹ Job applicants who report having a criminal record are 50% less likely to receive a callback or job offer.¹¹² Thirty-one percent of employers reported that even having an arrest with no conviction would be “somewhat influential” in making a decision about hiring.¹¹¹

Promising practice: Project Clean Slate

In Detroit, *Project Clean Slate* helps residents get their criminal records expunged to assist in better job opportunities, and *100 Volunteer Lawyers* handles qualifying nonviolent criminal expungements for free if applicants agree to sign up with City’s Workforce Development job readiness program. A Stanford University study of a Record Clearance Project (RCP) in Santa Clara County, California, found that the average change in yearly income after expungement was almost \$6,200. This cost-benefit analysis found that RCP participants had a net benefit from increased income, increased tax revenues, reduced government assistance, and higher contributions to the gross domestic product.¹¹³ A Michigan State University paper considering outcomes of expungement for youth found a sizable positive effect of expungement on college attendance and future earnings.¹¹⁴

Black people already experience hiring discrimination, and a criminal history makes it worse

As mentioned above, a criminal record reduces the likelihood of a callback or job offer by 50%, but that number differs by race. Black applicants are 60% less likely to receive a callback or job offer, compared to 30% for White applicants.¹¹² In fact, White applicants with a criminal history generally receive as many job offers as Black applicants with no criminal history.¹¹⁵ Criminal background checks can actually reduce this disparity, because employers often engage in statistical discrimination and assume less-educated Black men have a criminal history unless proven otherwise.¹¹⁵

Employers ask about criminal history to reduce liability

Although some employers ask about a criminal history because they wish to ensure a safe work environment or to assess trustworthiness, the number-one reason employers ask about a criminal history is to reduce legal liability. More than half of employers (52%) ask for this reason.¹¹¹

Reducing employment options leads to lower earnings and higher likelihood of being on public assistance

Youth who are charged with a crime between the ages of 14 and 22 will experience approximately 20% lower earnings as adults.¹¹⁶ They also have almost twice the odds of being on general assistance by age 29.¹⁰⁰ Poverty and income level is well known to impact health directly, e.g., from malnutrition or exposure to extreme heat or cold, to the less obvious effects of the chronic stress of having to make ends meet. Additionally, studies looking at self-rated health at various income levels show a drastic gradient with people who make less reporting higher rates of poor or fair health.¹¹⁷

Many youth not understand future impacts of arrest records or opportunities to seal/expunge^{118 119 120}

Many youth do not know that they can expunge their juvenile arrest record and that they have to seal their records to prevent subsequent impacts on their lives due to schools or employers accessing the arrest record.¹²² Although youth arrest records are supposed to be accessible only by courts and law enforcement, the arrest record is not confidential and does not disappear when the case closes or when the young person becomes an adult. As noted by the Juvenile Law Center, “These records interfere with children’s opportunities to move ahead in life and demonstrate their ability to make better choices. Children’s juvenile court records tell the story of what they once did — not the story of who they are.”¹²²

In Michigan, since 2012, individuals with juvenile records are allowed to ask courts to expunge a limited number of misdemeanor or felony offenses from their records each year.¹¹⁹ Expungement and record sealing can reduce the lifetime consequences of an arrest record, but often these processes require legal assistance that can be prohibitively costly. However, very few criminal history background checks performed by private companies use data from original sources, meaning that even if a court order exists to expunge or seal a record, that information can resurface in background checks into the future.

Promising Practice: Sealing and expungement of juvenile arrest and conviction records¹²³

According to the National Juvenile Justice Network, law enforcement, court, juvenile facility, and adult jail records for youth should:

- Not be available for inspection by the public and should never be available online
- Be automatically sealed when the young person is discharged from court supervision, even if they're older than 18 at that point

In addition:

- Sealed records should be completely closed to the general public.
- Youth records should become eligible for expungement at the time youth are discharged from court supervision.
- Both sealing and expungement should be available free of charge; youth should not be responsible for initiating the process; and youth should be notified when the process is complete. If the state determines that the young person's records can't be sealed or expunged, they should be notified and appointed an attorney to assist in appealing the decision.

Youth Arrests Lead to More Arrests

Arrest is a Negative Health Exposure

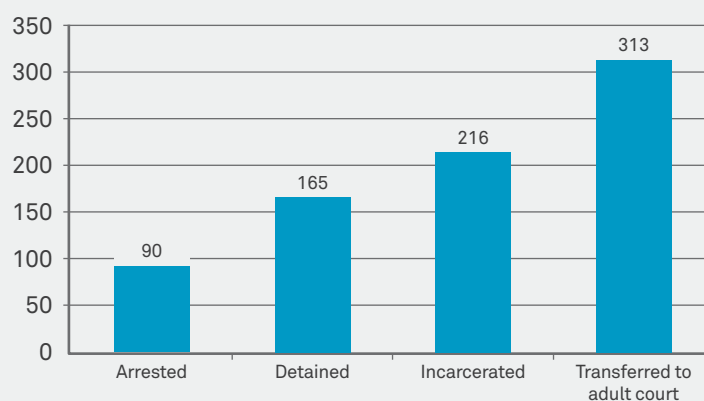
Youth recidivism, whether measured by re-arrest, re-conviction, or re-incarceration, means that a young person engaged in some behavior that reengages law enforcement. Certain behaviors, such as substance use or fighting in school, are themselves potentially risky to health. However, any encounter with the juvenile system — even if the behavior is not a direct health risk — means that youth are placing themselves in what public health terms a “negative health exposure”: the juvenile system.

“The deeper a child penetrates the formal system, the less likely he or she is to desist from offending. The key to reducing offending lies in minimal intervention and maximum diversion.”¹²⁴

Deeper penetration into the system means higher risk of premature death

More juvenile system exposure means harsher sanctions, more restrictive placement, and less access to behavioral health services.¹²⁵ The deeper a youth penetrates into the juvenile system, the higher the risk of premature death. Youth involved in the juvenile system have a premature mortality rate almost 1.5 times higher than non-involved community youth.¹²⁶ Figure 3 shows data from a study tracking youths for 12 years after they were involved in the juvenile system. Each step (arrest, detention, incarceration, adult system transfer) is more harmful than the last.¹²⁵ Given this, programs that help lower recidivism are health interventions, protecting youth from participating in risky behaviors and decreasing exposure to the harmful environment of the juvenile system.

Figure 3. Mortality Rate for Youth at Various Stages of the Juvenile System, per 100,000 youth



Source: Aslsma M, Lau K, Perkins A, et al. Mortality of youth offenders along a continuum of justice system involvement. Am J Prev Med. 2016;50(3):303-310.

Juvenile system programs should measure outcomes beyond just recidivism

While recidivism is the most commonly measured outcome of any program in the juvenile system, other outcomes are just as important to health. Educational attainment, family relationships, and accessing treatment for substance use disorder or mental health issues all have scientifically proven connections to better health outcomes. Not only are they important to health outcomes, they are highly related to recidivism as well. Specifically:

- The more education one attains, the less likely one is to recidivate.¹²⁷
- Family unity and support decreases recidivism.¹²⁸
- People receiving treatment for substance use disorders have lower rates of recidivism.¹²⁹
- Providing treatment to youth with mental health issues is more effective than punishment.^{130 131}

Youth Arrest Leads to Further Arrests

Being arrested and having contact with the juvenile system as a youth can sometimes result in a snowball effect — once a youth is in the system, they are labeled “delinquent,” making them more likely to be picked up by police for subsequent misbehaviors, have more contact with law enforcement, experience reduced tolerance of future transgressions, and receive harsher punishments.¹ Basically, labeling a youth as delinquent creates an expectation by external actors of continued antisocial behavior and increases the likelihood that they will be treated differently than others who were not arrested.¹³² For example, youth misbehaviors that could have previously resulted in police turning a blind eye to misconduct could now result in an arrest.¹

Youth re-arrest rates are much higher than any re-offending would suggest

Researchers have been able to separate the effect of prior arrest on actual re-offending behavior from the labeling effect. One study found that if a youth had been arrested earlier in their life they were almost 7.5 times more likely to be re-arrested, but only 1.6 times more likely to take illegal drugs in the past year, and only 1.8 times more likely to have been truant more than 5 times. Researchers determined that this effect was completely independent of any current involvement with offending behaviors. By controlling for offending behaviors, authors concluded that later arrest was not due to criminal behavior but occurred simply because the young person had the label of a past arrest and thus was judged by police to likely be a troublemaker.¹²⁴

A recent study in Chicago was able to tease this out further by controlling for neighborhood-, individual-, and family-level influences as well as using statistical modeling to parse the difference between a first arrest’s effect on offending behaviors and re-arrest’s. Youth with a previous arrest, when compared to similar youth without an arrest, were more likely to be arrested in the future even if they engaged in similar levels of future delinquency (55% of those arrested previously were re-arrested vs. 9% of those not arrested previously). The authors determined that these effects are separate processes — again, that re-arrest happens because of labeling by law enforcement.¹ The authors state, “That the difference in re-arrest ... is considerably larger than differences in reoffending suggests that the two effects are distinct.”

Youth Arrest Is Likely to Cause Criminal Behavior

A 2013 meta-analytic review of the impact of the juvenile system concluded, “Involvement with the juvenile system, holding all factors constant, is associated with an increased likelihood of offending behavior.”¹³² Many researchers note that contact with the juvenile system itself is inherently criminogenic.^{132 133} Early police contact or arrest increases the probability that youth will be involved in illegal behaviors some 15 years or more later — it is not a short-term phenomenon.¹⁰⁰ Having experienced formal police contact or arrest in adolescence more than triples the odds of being arrested in young adulthood.¹⁰⁰

Juvenile court processing increases the likelihood of future crime compared to arrest and release

Youth who undergo official juvenile court processing, versus being arrested but simply released, have a higher rate of future crimes and are more likely to have an adult criminal record. A study following youth from age 6 until age 25 showed that 1 of every 4 youth who had been arrested but released without going further into the juvenile system ended up with an adult criminal record, compared to 1 out of 2 youth who had been arrested and processed through court. As adults, youth going through the courts committed more crimes compared to youth who were arrested but released.¹³⁴

Age at first arrest, prior arrest, and first contact with the law are all found to be “risk factors” for recidivism in criminal justice literature. Reports using law enforcement data tend to interpret contact with the law as an outcome related to individual risk factors (race, education level, gender) rather than an “exposure” that leads to deeper and further involvement with the juvenile or criminal justice system.^{127 135 136} In the language of public health, contact with the juvenile system is a negative exposure, and decreasing the dose will improve health.

Pre-arrest Diversion Programs Have Better Recidivism Outcomes

Since the mid- to late 1990s, efforts to divert youth and adults from further involvement in the justice system have grown exponentially. Youth can be diverted away from the juvenile system before any law enforcement involvement takes place. Intervention by schools, child welfare agencies, behavioral health agencies, or other people involved in a youth’s life can lead to a young person receiving prevention services that can address behaviors that, if continued, would draw them into the juvenile system.¹³⁷

The Michigan Council on Crime and Delinquency’s 2017 report about juvenile diversion⁷ identifies programs according to where on the law enforcement spectrum the diversion occurs:

- **Pre-arrest diversion** occurs when a youth has contact with a law enforcement officer after committing an offense, but they are not arrested or detained. Typically, youth diverted before the point of arrest are warned and released, referred to community-based services, or issued a civil citation.
- **Pre-petition diversion** occurs after a youth is arrested but before a petition has been filed with the juvenile court. Youth are often required to admit responsibility for breaking the law and voluntarily agree to comply with the requirements set forth by the diversion program. If successful, they avoid judicial processing altogether, and the charges are dismissed.
- **Post-petition diversion** occurs after a petition is filed with the juvenile court and involves the young person and family having contact with juvenile court staff but before the commencement of a formal hearing.

It is telling that the term “true diversion” has been applied to pre-arrest programs because these programs and practices limit the use of the traditional juvenile system the most.¹³²

One meta-analysis of 73 juvenile diversion programs found that diversion programs had 10% lower recidivism rates on average than traditional juvenile system processes (31.5% for diversion programs compared to 41.3% for traditional juvenile justice processing).¹³² Meta-analyses are important because they closely consider many evaluations of different diversion programs and include only the most rigorous studies for analysis.

Pre-arrest diversion participants are less likely to re-offend than post-arrest diversion participants

Another key finding from the meta-analysis is that low-risk youth participating in pre-arrest diversion programs were almost 2.5 times (2.44) less likely to re-offend, while low-risk youth in post-arrest diversion programs were 1.5 times (1.49) less likely than traditionally processed youth to re-offend.¹³²

It is important to note that pre-arrest diversion programs do not guarantee better racial proportions in the juvenile system, but if implemented well, they can. For example, of those diverted from arrest through Florida’s civil citations program, over 90% are youth of color.¹³⁸ One reason for this success was ongoing data collection — when the data showed that certain counties were using the citation process more with White youth, the counties made changes.¹³⁸

Promising practice: Civil citations programs

Civil citations programs give law enforcement an alternative to arrest or formal processing that diverts a young person before arrest, holds them accountable, involves parents in sanctioning, and prevents further involvement in the juvenile system. Police use their discretion to issue a citation rather than a formal complaint.

Youth participate in a needs assessment, perform community service, and complete various sanctions that may include treatment and reparations. Civil citations processes have one coordinating agency; however, the success of the process depends on the collaboration of law enforcement, judges, community health and service providers, public defenders, state attorneys, and the Department of Juvenile Justice.¹³⁹

Florida has the most advanced civil citations program for youth in the nation,¹³⁸ which started out as a pilot and was left to each community to implement. This has led to varied and unfair implementation by geography, with some youth arrested for behaviors for which youth in other locations [only] receive citations.¹⁴⁰ Due to successes in high-implementation communities in Florida — very low recidivism rates and large cost savings — legislators in Florida have proposed mandatory civil citations for 11 specific offenses in the current legislative session.¹⁴¹

From 1998 to 2008:¹⁴⁰

- Miami-Dade County reduced juvenile arrests by 46%.
- In all of Florida, juvenile arrests declined by 3%.
- The use of civil citations reduced the number of first-time youth offenders who are stopped by the police again within the first year by 80%.
- Florida youth who were issued citations were 50% less likely to re-offend than those who were arrested for similar offenses.

Civil citations programs in Florida: 5% recidivism rate
Compared to post-arrest diversion for similar crimes: 9% recidivism

Michigan's youth diversion programs are offered to White youth more often than Black youth

As stated earlier, Black youth in Michigan are arrested at a higher rate than White youth. Then, once contact with the justice system is made, Black youth are less likely to be offered diversion and are more likely to have a petition filed, be detained, and transferred to the adult system.⁷

Responses Outside of the Juvenile System Work Best for Low-Risk Misbehaviors

The juvenile system can do more harm than good by actively intervening with youth who are at low risk of re-offending.¹⁴² In one example, youth in Florida's juvenile system assessed as low risk were placed in confinement and subsequently were re-arrested at a higher rate than low-risk youth placed on probation or diversion.¹⁴³

Youth with no/minimal justice system contact are the least likely to re-offend

Studies mentioned above showing that pre-arrest programs decrease recidivism more than post-arrest programs support the conclusion that less contact with the juvenile system yields better re-offending outcomes. Another study of the impact of juvenile system contact found that the largest reductions in youth re-offending were with youth who had either no or minimal contact with the juvenile system. Youth drawn further into the system, even with the aim of receiving interventions intended to address their behavioral problems, had no significant reduction in frequency of serious offending.¹²⁴

A separate meta-analysis of service delivery for youth found that therapeutic interventions delivered in community settings are more effective than those delivered in juvenile institutional settings.¹⁴⁴ This conclusion held all other factors constant and offers even more support for diverting youth out of the criminal justice system.

The Risk-Needs-Responsivity principle, commonly used in juvenile system settings, states that the level of intervention must match a measured risk in youth. Intensive intervention should be reserved for medium- and high-risk youth, with minimal intervention — or no intervention at all — reserved for low-risk youth.^{132 142}

Civil Citations Programs Show Lower Recidivism Rates

In general, the less contact a youth has with the juvenile system, the less they are re-arrested and re-convicted. Table 6 summarizes some relevant recidivism rates in Michigan and Florida. While comparing recidivism rates is inherently fraught with differences in measurement and definition, we have attempted to be transparent with those factors.

Table 6. Recidivism Rates for Various Levels of Youth in the Juvenile System, 2016

	Traditional Processing	Adjudicated	Post-arrest diversion	Pre-arrest Civil Citation
Recidivism rate	33%*	11%†	8%‡	5%§
Definition	Any new conviction	Any new felony conviction	Any new conviction	Subsequent adjudication or adult conviction
Time frame	2 years	1 year	1 year	1 year
Geography	Michigan	Wayne County, Mi	Wayne County, Mi	Florida
Year of study	2016	2016	2016	2016

Sources:

* Michigan Supreme Court State Court Administrative Office.¹⁴⁵

† Wayne County Department of Health, Veterans & Community Wellness, Juvenile and Youth Services Division.³⁴

‡ Assured Family Services (Juvenile Assessment Center). Annual Performance Report October 2015 – September 2016.^{137 146}

§ Florida Department of Juvenile Justice.¹⁴⁷

Promising practice: Wayne County Right TRAC and AFS prevention services¹³⁷

Right TRAC (Taking Responsibility and Accepting Consequences) is a post-arrest diversion program for youth arrested with low-level or first-time offenses. With the goal of preventing further penetration into the juvenile system, youth are:

- Referred via the prosecutor's office
- Assessed at the Juvenile Assessment Center as to their risk level and needs
- Assigned to a Youth Assistance Program for targeted services relating to school attendance and performance; family life; negative, aggressive, or risky behaviors; behavioral health; and substance use

In 2016, 71% completed the program successfully and only 8% recidivated within 1 year. In 2016, 655 youth participated in Right TRAC.

Assured Family Services (AFS), the agency that coordinates the Right TRAC program, also provided over 6,000 youth with prevention services in 2016. AFS oversees and operates a vast array of mental and physical health care, counseling, case management, educational support, after school, and group programming to youth with needs who are referred through schools, child welfare, police, and a variety of other sources. Prevention programming does not require an arrest or referral through the Prosecutor's Office, and the goal is to increase youth, family, and community well-being.

Decreasing Youth Arrests Saves Municipalities Money

“With so much of the court’s docket spent on minor, non-violent crimes, prosecutors are left with little time to adequately investigate and prosecute more serious offenses, leading to lower conviction rates.”¹³⁸

Unnecessary youth arrests for misdemeanors use valuable court time

The time spent prosecuting youth misbehaviors clogs the courts and reduces time available to spend on other cases.¹³⁸ From analyses done by the American Bar Association on the potential of increasing the use of civil citations in the adult system, defense attorneys are able to spend, on average, about 1 hour on each case they have. In Atlanta, public defenders have a caseload of about 2,400 cases per year, and in Washington State, lawyers prosecute 29 cases per day (Table 7).¹³⁸

Unnecessary misdemeanor prosecutions take time and money away from prosecuting more serious offenses that could have a greater impact on public safety.¹³⁸ In Washington State, 1 in every 5 cases prosecuted are for alcohol possession, a health issue that does not need to use court time.¹³⁸

Juvenile arrests cost time for the police and related services, and having a Juvenile Assessment Center reduces police time spent on processing youth

Arresting juveniles also uses up valuable time for the police, as well as staff who provide related services in probation supervision, juvenile processing, and residential supervision. Compared to pre-arrest civil citations programs, arrest and processing take much more time. Nationwide, arrests take an average of 86 minutes while civil citations take an average of 24 minutes. At one extreme, in Gwinnett County, Georgia, arrests take about 127 minutes compared to 35 minutes for a civil citation process.¹⁴⁸

In Florida, police officers were averaging 6 hours for each juvenile arrest before the Juvenile Services Department was created to coordinate referrals and manage cases. After, police streamlined arrests to 45 minutes each. In Lake Charles, Louisiana, police were able to streamline the process even further, down to just 12 minutes to refer a youth to a similar Multi-Agency Resource Center.¹⁴⁹

The average cost of an arrest per youth in Florida was more than twice the cost of a civil citation process

In Miami-Dade County in Florida, the cost of a youth arrest is about \$3,561, while the cost of issuing youth a civil citation is about \$1,351.¹⁵⁰ Estimates vary per county, but civil citations typically save counties in Florida between \$1,467 and \$4,680 per youth.¹⁵¹ By issuing civil citations in 43% of eligible instances statewide in 2014–2015, Florida saved \$13 million to \$41 million. The range accounts for how far into the juvenile system a youth who was diverted by receiving a civil citation instead of being arrested might progress; some may have been arrested and then released, while others may have been detained and had to use court time. Cost savings were reinvested into preventing and handling felonies, and resulted in nearly 9,000 youth who were not arrested.¹⁴⁰

Even post-arrest diversion in Wayne County is less expensive than the typical juvenile justice process

Assured Family Services' post-arrest diversion program saved between \$7,500 and \$22,000 per youth in 2008.¹⁴⁶ Table 7 shows estimated costs for differing types of programs and interventions for youth who are involved in the juvenile system.

Table 7. Wayne County Costs for Various Youth Dispositions

Disposition	Cost per youth
Diversion	\$1,838
Probation after adjudication	\$6,845
45-day stay in detention	\$26,000
6-month residential care (detention – private placement)	\$49,603

Source: Wayne County Dept. of Health, Veterans & Community Wellness- Juvenile Services Division. (2016). *Annual Report Juvenile Justice Services Through Fiscal Year 2015*. Wayne County Government.

Closing and Recommendations

If we are looking for a healthy society, there is no better place to start than by supporting our youth. If we want to preserve opportunities for youth to succeed, improve community safety, and save cities and counties money, avoiding youth arrest in the first place is a common-sense direction for the state of Michigan and its counties.

The following recommendations respond to the findings of this report and reflect input from the Michigan Youth Arrests and Health stakeholders who participated in the course of the research.

Top 5 Recommendations

- ▶ **Divert youth pre-arrest.** Michigan Police and Sheriff's Departments should formalize practices that divert youth pre-arrest to services and treatment (if needed) or simply "warn and release to a responsible guardian." Civil citations programs are a promising example of this.
- ▶ **Train all agencies to be trauma informed and knowledgeable about youth brain development.** All agencies dealing with youth, including law enforcement and all first responders, should receive training in trauma-informed principles and practices and be evaluated on their use of these skills. Law enforcement personnel should also receive training on youth development and cultural humility.
- ▶ **Seal youth records automatically and make them eligible for expungement.** Automatically when a young person is discharged from their court supervision, the law enforcement body responsible should seal the arrest records and notify them that the record is eligible for expungement. These processes should be free of charge and the responsibility of the appropriate law enforcement agency to notify the young person.
- ▶ **Require pre-arrest diversion by state law.** State legislators should amend the Michigan Juvenile Diversion Act to define and require pre-arrest and pre-petition diversion in every county. State legislators should also revise the funding structure to incentive this by allowing eligibility for state reimbursement to other agencies besides the courts, such as police, behavioral health services directly, or social service agencies.
- ▶ **Change state sentencing laws.** State and local decision makers should amend youth sentencing laws and practices to decriminalize adolescent behaviors. Specifically, shoplifting/retail fraud for youth should be decriminalized and targeted for diversion from arrest.

Additional Recommendations

- ▶ **Monitor race, gender, health, and health-related outcomes.** Agencies incorporating pre- and post-arrest diversion programs should monitor and publicly report on racial and gender outcomes to ensure equitable access to diversion programs for youth of color and youth of all genders. In addition, since educational and employment outcomes as well as treatment completion and outcomes are all related to decreased recidivism and better health, agencies and organizations delivering those services should monitor and publicly report those outcomes as well.
- ▶ **Elevate school restorative justice.** The Michigan Department of Education should support the implementation of restorative justice practices (instead of zero-tolerance policies) in schools across the state.
- ▶ **Change the Common Application to eliminate the question about criminal history.** Following the United States Department of Education guidelines¹⁰⁶ released in 2016, colleges and universities should not use the Common Application in order to remove barriers that could prevent those with criminal records from accessing higher education, including removing any questions on the Common Application about a criminal record.
- ▶ **Expand the Use of Fair Chance Policies.** The American Civil Liberties Union of Michigan is working to expand the use of Fair Chance work in Michigan, which advocates for only considering the answers about criminal records *after* an offer of a job or an acceptance for admission to college.
- ▶ **Reduce liability for employers.** Local governments should publicize the federal bonding program — federal insurance that protects employers from theft due to hiring people with a criminal history. Educate all employers, not simply those participating in Michigan's Prison Reentry Program, about this option.
- ▶ **Increase police-youth programming.** Local police departments should increase and improve programs that encourage positive youth-police interactions and understanding, such as Think About It First! and other Strategies for Youth programming. As part of this, police should prioritize educating youth about the impact of arrest on their education and employment.
- ▶ **Monitor outcomes beyond recidivism.** Law enforcement, diversion, and community-based agencies should monitor and report on outcomes beyond recidivism, such as injury and death due to police interaction, mental health, substance use, employment, and educational achievement.
- ▶ **Target services and treatment specific to youth needs.** Minimize juvenile system supervision and services for youth who are at a low risk of re-offending and ensure that only those of medium to high risk are targeted for services or treatment that are responsive to their assessed needs. All jurisdictions should incorporate the use of a validated risk assessment tool that considers criminogenic, behavioral health, and academic needs, physical health screening, and LGBTQ identity, and is trauma informed. While risk assessments are done for youth to varying degrees, this practice should be evaluated by a statewide academic institution for compliance with evidence-based practices and effectiveness.

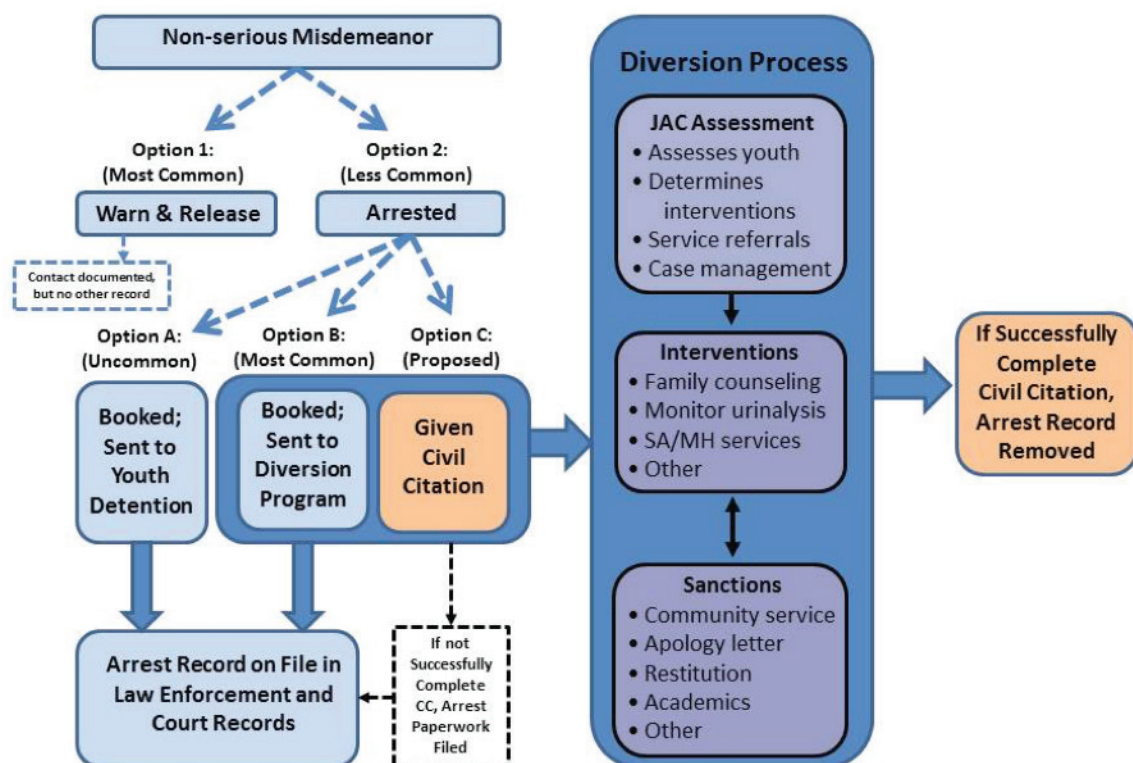
Appendices

Appendix A. Pathway Diagram

A Health Impact Assessment (HIA) is defined as “a collaborative and systematic approach used to consider the effects of a policy, plan, or project on the health of a population” and involves completing 6 steps: screening, scoping, assessment, recommendations, reporting, and monitoring. An HIA is a systematic, flexible approach that uses data, research, and stakeholder input to assess the potential health impacts of policies or projects.¹⁵²

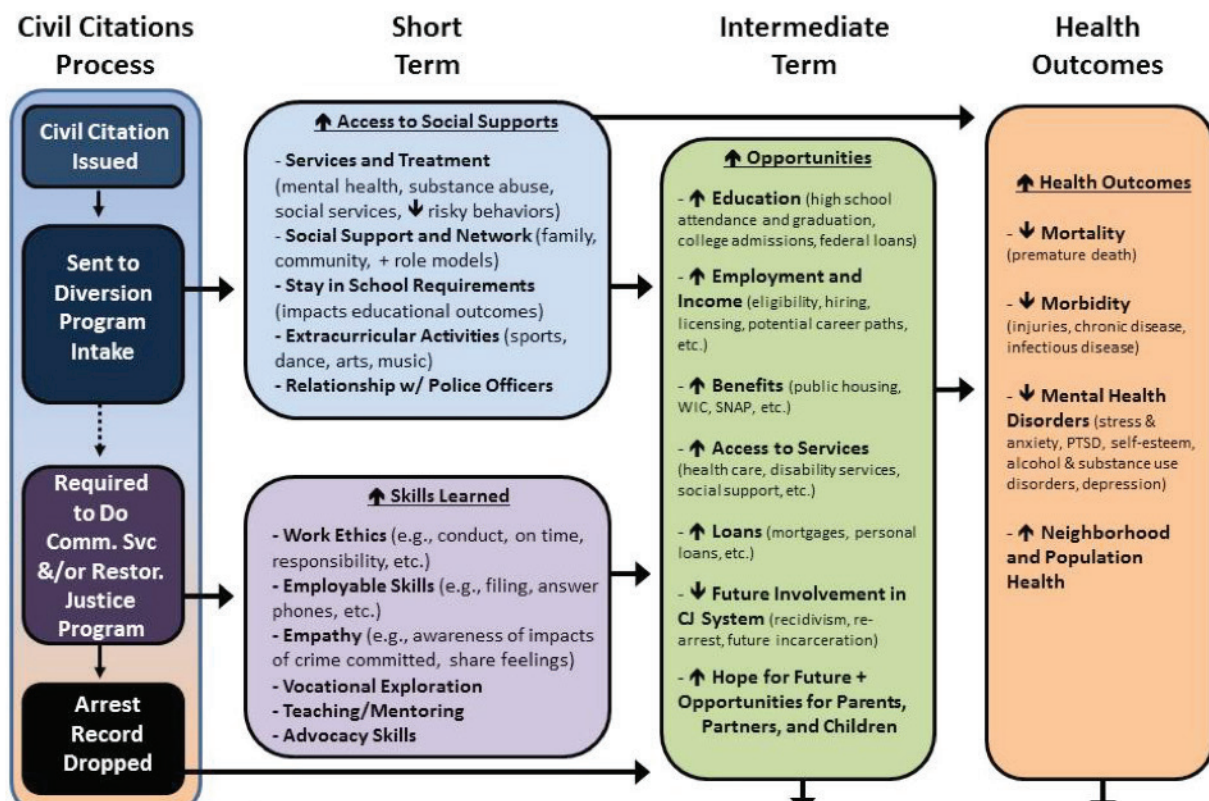
The scoping step often involves creating a pathway diagram to envision how the policy under consideration could impact health in a step-wise fashion. For this report, this process began with considering how a civil citations ordinance might impact health, so the HIA team began with the model below of how a youth could go through the juvenile system, with a hypothetical civil citations option inserted (Figure 4).

Figure 4. Juvenile System Diversion Process and Potential Process for Civil Citations



Once the HIA team had elaborated the juvenile system process and vetted it with advisors, the team created a diagram of the ways that a civil citations option might impact health, as shown in Figure 5.

Figure 5. Michigan Civil Citations Pathway Diagram: Potential Impacts on Health



Through the course of vetting the juvenile system process and pathway diagram, the HIA team and advisors decided that the focus of the report would be the health impact of arresting youth with civil citations as a potential promising practice, but not the focus of the research. There were several reasons for this. First, a Health Impact Assessment requires an active policy proposal, and there was not any written document or active debate in any jurisdiction in Michigan with decision makers about civil citations at the time of writing. Second, the health concern that led to interest in civil citations had to do with youth having an arrest on their record and the impact that had on a youth's life, a concern that MOSES had heard from their youth organizers and literature bore out. For this reason, the HIA team moved forward with a health assessment of the impact of youth arrest instead of a Health Impact Assessment of a civil citations ordinance.

Appendix B: Youth Misbehaviors by Gender and Race/Ethnicity

Table 8. Youth Misbehaviors by Gender and Race/Ethnicity

Michigan

	Gender			Race/Ethnicity					
	Total	Female	Male	Black	White	Latinx	AI/AN + NHOPI	Asian	Multiple Race
Ever tried alcohol	58.7%	60.7%	56.6%	59.0%	58.7%	60.9%	N/A	27.7%	61.5%
Ever tried cigarettes (even one or two puffs)	32.5%	31.5%	33.6%	33.5%	31.1%	41.9%	N/A	18.5%	38.3%
Ever tried marijuana	33.9%	33.2%	34.6%	42.4%	31.6%	41.2%	N/A	12.2%	39.7%
Rode in a car driven by someone who had been drinking alcohol (past 30 days)	18.7%	18.2%	19.3%	28.0%	16.7%	18.1%	N/A	12.1%	16.8%
Drove a car after drinking alcohol (past 30 days)	5.4%	3.0%	7.8%	3.5%	5.9%	5.4%	N/A	N/A	7.6%
Carried a weapon (gun, knife, club) (past 30 days)	16.6%	8.1%	24.8%	14.3%	17.2%	16.9%	N/A	12.7%	13.0%
Were in a physical fight (past 12 months)	20.4%	14.3%	26.4%	34.2%	16.7%	23.8%	N/A	10.6%	22.2%
Injured in a physical fight needing treatment by a doctor or nurse (past 12 months)	2.7%	2.3%	2.9%	5.7%	1.6%	2.5%	N/A	3.9%	2.5%

Washentaw County

	Gender			Race/Ethnicity					
	Total	Female	Male	Black	White	Latinx	AI/AN + NHOPI	Asian	Multiple Race
Ever tried alcohol	34.4%	30.2%	38.9%	32.9%	34.8%	47.2%	37.5%	22.1%	32.6%
Ever tried cigarettes (even one or two puffs)	9.3%	9.5%	9.0%	9.6%	8.9%	16.7%	25.0%	3.1%	15.3%
Ever tried marijuana	22.2%	21.7%	22.7%	30.1%	21.2%	31.6%	31.3%	11.0%	30.6%
Rode in a car driven by someone who had been drinking alcohol (past 30 days)	9.1%	8.6%	9.8%	10.6%	8.5%	16.7%	5.9%	4.4%	10.2%
Drove a car after drinking alcohol (past 30 days)	3.1%	3.1%	3.1%	4.3%	2.9%	5.6%	0.0%	1.9%	9.1%
Carried a weapon (gun, knife, club) (past 30 days)	10.5%	14.8%	5.9%	10.0%	10.8%	14.1%	23.5%	4.8%	20.7%
Were in a physical fight (past 12 months)	10.8%	14.1%	7.4%	17.3%	9.5%	14.8%	17.6%	5.4%	25.3%
Injured in a physical fight needing treatment by a doctor or nurse (past 12 months)	1.6%	2.2%	1.0%	3.0%	1.1%	5.3%	0.0%	0.0%	8.3%

Wayne County

	Gender			Race/Ethnicity					
	Total	Female	Male	Black	White	Latinx	AI/AN + NHOPI	Asian	Multiple Race
Ever tried alcohol	43.8%	40.1%	47.6%	41.7%	45.9%	52.2%	35.5%	13.4%	32.1%
Ever tried cigarettes (even one or two puffs)	15.5%	15.6%	15.3%	9.7%	17.5%	19.5%	23.4%	6.1%	15.7%
Ever tried marijuana	30.6%	30.2%	30.8%	34.3%	30.0%	36.2%	29.3%	6.8%	25.1%
Rode in a car driven by someone who had been drinking alcohol (past 30 days)	12.5%	10.9%	14.2%	16.7%	10.8%	15.9%	11.7%	4.7%	12.6%
Drove a car after drinking alcohol (past 30 days)	3.6%	4.2%	2.8%	3.3%	3.3%	5.5%	4.4%	1.8%	7.2%
Carried a weapon (gun, knife, club) (past 30 days)	12.9%	18.1%	7.3%	10.8%	13.2%	15.7%	14.3%	4.4%	12.7%
Were in a physical fight (past 12 months)	19.5%	24.3%	14.4%	31.0%	14.7%	23.8%	28.3%	6.9%	24.4%
Injured in a physical fight needing treatment by a doctor or nurse (past 12 months)	2.8%	3.6%	1.8%	3.5%	1.9%	5.0%	2.2%	1.8%	8.4%

Detroit, MI

	Gender			Race/Ethnicity					
	Total	Female	Male	Black	White	Latinx	AI/AN + NHOPI	Asian	Multiple Race
Ever tried alcohol	54.9%	59.6%	49.0%	54.9%	N/A	62.5%	N/A	N/A	N/A
Ever tried cigarettes (even one or two puffs)	33.1%	32.8%	33.5%	32.2%	N/A	37.1%	N/A	N/A	N/A
Ever tried marijuana	41.7%	41.4%	41.5%	42.0%	N/A	38.6%	N/A	N/A	N/A
Rode in a car driven by someone who had been drinking alcohol (past 30 days)	31.6%	31.8%	30.9%	31.9%	N/A	29.4%	N/A	N/A	N/A
Drove a car after drinking alcohol (past 30 days)	4.4%	2.5%	5.5%	3.6%	N/A	N/A	N/A	N/A	N/A
Carried a weapon (gun, knife, club) (past 30 days)	14.4%	10.2%	19.5%	14.7%	N/A	10.1%	N/A	N/A	N/A
Were in a physical fight (past 12 months)	35.2%	31.3%	39.7%	36.8%	N/A	21.7%	N/A	N/A	N/A
Injured in a physical fight needing treatment by a doctor or nurse (past 12 months)	9.4%	9.6%	9.0%	10.0%	N/A	5.1%	N/A	N/A	N/A

Sources: Detroit & Michigan data = 2015 Youth Behavioral Risk Surveillance; Wayne and Washtenaw = 2015 Michigan Profile for Healthy Youth (MiPHY)

Notes:

- 1) Detroit and Michigan Data are surveys of all high schoolers, Wayne and Washtenaw are tables of just 9th and 11th graders.
- 2) N/A - data not available due to small sample size, insufficient survey responses
- 3) Note that the race/ethnicity categories vary slightly between the YRBS and MiPHY data sources.

Appendix C. Health Impacts of the Use of Force Continuum

Table 9 describes the police use of force continuum and its potential impacts on health. The Detroit Police Department defines force by an officer as including any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of firearms; the use of chemical spray, choke holds, or hard hands; the taking of a subject to the ground; or the deployment of a canine. The term does not include escorting or handcuffing a person, with no or minimal resistance. Use of force is lawful if it is objectively reasonable under the circumstances and the minimum amount of force necessary to effect an arrest or protect the officer or other person.¹⁵³

Although police officers are empowered to use force, they are supposed to use the minimal amount of force needed to “control an incident, effect an arrest, or protect themselves or others from harm or death.”¹⁵⁴ However, a recent study found that “law enforcement agencies apparently do not rely on empirical evidence in determining which approach is best or even better than another.”¹⁵⁵ As a result, the use of force is very subjective and dependent upon the context and the police officer’s perceptions.

Table 9. Police Use of Force Continuum and Its Potential Impacts on Health

	National Institute of Justice Description of Use of Force Methods	Potential Health Impacts
Officer Presence	No force is used. Considered the best way to resolve a situation. Presence intended to deter crime or diffuse a situation. Officers’ attitudes are professional and non-threatening.	<ul style="list-style-type: none"> Police surveillance has been associated with increased stress, anxiety, and trauma among residents being surveilled.^{10 11} Police presence could result in prevention or intervention of unhealthy activities such as drug use, physical abuse, etc.¹⁵⁶
Verbalization	Force is not physical. Officers issue calm, non-threatening commands, such as “ <i>Let me see your identification and registration.</i> ” Officers may increase volume and shorten commands to gain compliance, such as “ <i>Stop</i> ” or “ <i>Don’t move.</i> ”	<ul style="list-style-type: none"> May result in fear, anxiety, or stress, and for those who have experienced trauma, can be triggering of past experiences.⁶⁰ Racial profiling and surveillance can cause differential commands and escalation from verbalization to lethal use of force.⁸²

Empty-Hand Control	<p>Officers use bodily force to gain control of a situation</p> <p>Soft technique: Officers use grabs, holds, and joint locks to restrain an individual.</p> <p>Hard technique: Officers use punches and kicks to restrain an individual.</p>	<ul style="list-style-type: none"> Physical force may result in assault-related ear damage, spinal cord injuries, broken ribs and teeth, and internal injuries, as well as death.⁷⁸
Less-lethal Methods	<p>Less-lethal technologies to gain control of a situation.</p> <p>Blunt impact: Officers may use a baton or projectile to immobilize a combative person.</p>	<ul style="list-style-type: none"> Blunt impact may cause bruising, swelling, sprains, fractures, open wounds, broken bones, internal bleeding, and/or traumatic brain injury.⁹
	<p><i>Tasers or Conducted Energy Devices (CEDs)</i> can immobilize an individual. CEDs discharge a high-voltage, low-amperage jolt of electricity at a distance.</p>	<ul style="list-style-type: none"> Can cause puncture wounds, burns, loss of vision, and muscle incapacitation, which may result in falls, head injuries, or fractures. Unlikely to result in serious injury or death.¹⁵⁷
	<p>Chemical sprays or projectiles embedded with chemicals to restrain an individual (e.g., pepper spray).</p>	<ul style="list-style-type: none"> Temporary blindness, eye pain, burning throat, wheezing, shortness of breath, inability to speak or breathe, gagging. May result in acute hypertension, increasing risk of stroke or heart attack. In rare cases, can reduce blood flow and oxygen, apnea, or respiratory arrest.¹⁵⁸ Pepper spray is controversial. Some sources report that the use of excessive force and injuries to police and suspects declined after the introduction of pepper spray.¹⁵⁹ Other studies found that pepper spray contributed to the death of individuals (who had asthma, were intoxicated, or had other impacts), although cause of death was not firmly linked to oleoresin capsicum exposure.¹⁵⁸
Lethal Force	<p>Lethal weapons (such as firearms) to gain control of a situation. Should only be used if a suspect poses a serious threat to the officer or another individual.</p>	<ul style="list-style-type: none"> Firearms almost always result in injury and often times death. Misuse can cause injury and death to both suspects and bystanders.^{82 160} Injuries include severe bleeding, damage to vital organs and/or nervous system, temporary or permanent disability, disfigurement, respiratory distress, and/or death.^{161 162}

Source for use of force methods: National Institute of Justice: The Use of Force Continuum. Available at <https://www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/Pages/continuum.aspx>.

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