



## **WARRIOR VS. GUARDIAN**

### **A Paradigm Shift in Youth Policing**

#### **Background**

The relationship between community and police and, more specifically for this brief, youth and police is a complicated one. Research studies have documented this relationship as especially inequitable for youth who are 1) from urban environments, 2) from lower socio-economic areas, 3) male, and 4) a minority. <sup>1</sup> “Black boys are policed like no other demographic. They are policed on the street, in the mall, in school, in their homes, and on social media. Police stop black boys on the vaguest of descriptions – “black boys running,” “two black males in jeans, one in a gray hoodie,” “black male in athletic gear.” Young black males are treated as if they are “out of place” not only when they are in white, middle-class neighborhoods, but also when they are hanging out in public spaces or sitting on their own front porches.” <sup>2</sup>

For many youth, their first encounter with the justice system, whether it be in schools, their neighborhoods or social service settings, is with the police. These interactions can lead to a youth’s entry into the juvenile justice system or could be an opportunity for positive intervention. “The nature and circumstances of this contact can have a significant and lasting impression on a young person.” <sup>3</sup>

To create the opportunity for a positive interaction requires an understanding of the unique characteristics of the teen brain and the impact of trauma. Rather than responding in what may be perceived as adversarial, police officers can:

- Create a safe environment to help the child re-establish a sense of security and stability.
- Play an important role in helping the child and family begin to heal and thrive.
- Shape children’s attitudes in the moment, or plant a seed to reshape attitudes towards police in the future.
- Develop a foundation of trust between the police, youth, families, and the community.
- Improve officer safety due to enhanced community-police relations.
- Feel more effective and satisfied in their work. <sup>4</sup>

The Harvard Kennedy School and the United States National Institute of Justice issued a report titled “The Future of Youth Justice: A Community-based Alternative to the Youth Prison Model” that provides a framework for instilling a tra-



trauma-informed approach which they refer to as the four R's: 1) A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for recovery; 2) recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; 3) responds by fully integrating knowledge about trauma into policies, procedures, and practices, and 4) seeks to actively resist re-traumatization by not confining care to the behavioral health specialty service sector only, but looking holistically to other systems.<sup>5</sup>

## What doesn't work – The Warrior

The warrior mindset in policing “started with the best of intentions – officer safety. When officers find themselves in a dangerous situation, they must have the mental mettle to never give up, fight on and prevail against all odds.” (26) This warrior perception has been played out recently during Black Lives Matter protests. Demonstrations hoping to raise awareness of the damaging treatment to the black community by law enforcement, have been overshadowed by a biased media framing that all demonstrations have turned violent, warranting a significant police presence and response. Pictures and videos of police responding to these events with use of force and military type action and equipment have created a false narrative about both protesters and officers.

“American law enforcement seems to have drifted off the course of building close community ties”, “in some cases substituting equipment and technology as the preferred means of gathering information about crime and addressing threats to public safety.” State and local police receive billions of dollars of military equipment from the federal government each year and “while military equipment can be used effectively in hostage situations and active shooter scenarios, when it is used routinely, communities feel that they are “under military occupation”. Overuse of military equipment can easily damage police-community trust and safety.<sup>6</sup> “In some communities, the friendly neighborhood beat cop — community guardian — has been replaced with the urban warrior, trained for battle and equipped with the accouterments and weaponry of modern warfare.”<sup>7</sup> “If an officer sees himself only as a warrior he’s more likely to use only those tools that a warrior would use.”,<sup>8</sup> leading to the perception of detachment and separation from the community, and missing opportunities to build trust and confidence based on positive interactions. Many people in communities who have been victims of crime, “report less crime and fail to provide information that would help solve cases because they distrust” police.<sup>9</sup>

As previously mentioned, police are frequently the first responders to situations that threaten the safety and well-being of children and families and are therefore in an ideal position to help the process of recovery. The Justice Collaboratory and Center for Policing Equity discusses that “community development and reconciliation, is necessary to undo past trauma.” Thankfully, conversations about how law enforcement can best engage youth, both in schools and in communities, continue to evolve.<sup>10</sup>

## What works – The Guardian

*In a republic that honors the core of democracy—the greatest amount of power is given to those called Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy. – Plato<sup>11</sup>*

The guardian police officer operates as part of the community, demonstrating empathy and employing procedural justice principles during interactions.<sup>12</sup> When law enforcement adopts a guardian mindset, they build trust and legitimacy.<sup>13</sup> Strong police-community ties are essential for police to do their jobs effectively. “The ability of the police to perform their duties is dependent upon public approval of police actions.”<sup>14</sup> Research on the topic of procedural justice has shown that “even though individuals may not always like a specific outcome (such as a traffic stop), if they view the processes through which decisions were made as fair and appropriate, they are more likely to accept the outcome.” (22) Research also shows that police can build mutual trust and a reputation for fair, neutral policing by “giving offenders a chance to speak and treating them with respect.”<sup>15</sup>

This view of guardian education is humanistic. It takes shape through criminal justice education that is not only voca-

tional but also stresses ethics, theory and the nature of virtue. “If an officer sees himself as a guardian, he is more likely to look at a much broader set of tools to improve safety.”<sup>16</sup> “Structural changes and reconciliatory initiatives that recognize the victimization of individuals who reside in neighborhoods as well as the harms to the whole community can prevent these harms from happening again and build capacity for communities to flourish.”<sup>17</sup> Officers are called repeatedly to situations involving individuals struggling with mental illness, drug addiction, and homelessness. Drug users and dealers frequently cycle through the criminal justice system in what is sometimes referred to as a “revolving door.” Arresting them does little to change their behavior.<sup>18</sup> As first responders to these situations that threaten the safety and well-being of children and families, police officers are in an ideal position to help the process of recovery through a guardian lens. Diversion programs offer police a tool to bring these individuals into intensive support programs that can resolve root causes.<sup>19</sup>

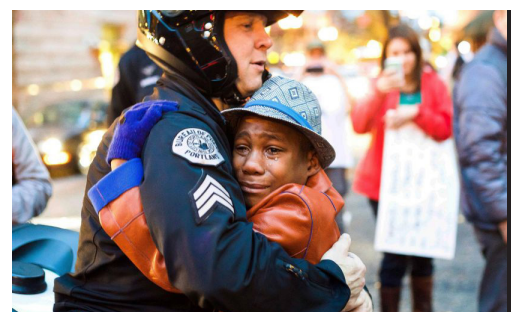
By communicating effectively with youth to reduce, rather than increase, the likelihood of conflict or violent response, and recognizing triggers and key indicators of trauma and exposure to violence, police are able to think about the need to incorporate social supports such as education, mental health services, housing and other factors that will drive public safety. If a child or youth’s exposure to trauma is not identified and supported in recovery following exposure to violence, they are at greater risk for:

- School failure
- Mental health disorders such as anxiety, depression, post-traumatic stress disorder (PTSD), and personality disorders
- Substance abuse disorders
- Involvement with the juvenile and criminal justice systems
- Repeated victimization, and perpetration of, sexual and physical violence, and domestic violence
- Perpetration of community violence
- Higher rates of chronic physical illness
- Early death.<sup>20</sup>



An example of a successful implementation of diversion strategies is Seattle’s Law Enforcement Assisted Diversion (LEAD) program. “A non-randomized controlled evaluation was conducted to examine LEAD effects on criminal recidivism (i.e., arrests, criminal charges). The sample included 318 people suspected of low-level drug and prostitution activity in downtown Seattle: 203 received LEAD, and 115 experienced the system-as-usual control condition. Analyses were conducted using logistic generalized estimating equation models over both the shorter term (i.e., six months prior and subsequent to evaluation entry) and longer term (i.e., two years prior to the LEAD start date through July 2014). Compared to controls, LEAD participants had 60% lower odds of arrest during the six months subsequent to evaluation entry; and both a 58% lower odds of arrest and 39% lower odds of being charged with a felony over the longer term. These statistically significant differences in arrests and felony charges for LEAD versus control participants indicated positive effects of the LEAD program on recidivism.”<sup>21</sup>

A sometimes forgotten impact of violent interactions of officers and the community are the effects on the officers themselves. Many officers develop post-traumatic stress disorder (PTSD) and other mental health issues due to work-related stressors, yet routinely hide their symptoms. As a result, untreated PTSD can make them a danger to themselves and others.<sup>22</sup> The Law Enforcement Action Partnership states that to ensure that officers have access to counseling, departments must make counseling confidential and establish a culture that encourages them to seek help. They have identified four types of solutions key to improving police





effectiveness: 1) improving support for officers, 2) equipping them with tools to prevent rather than react, 3) focusing efforts on public safety priorities, and 4) directly engaging the community.<sup>23</sup>

## National Movement

In 2015, the Final Report of the President’s Task Force on 21st Century Policing identified six main topic areas, or pillars, found to be essential to healthy community-police relations: 1) building trust and legitimacy, 2) policy and oversight, 3) technology and social media, 4) community policing and crime reduction, 5) training and education, and 6) officer safety and wellness.<sup>24</sup>

Since that time, there has been significant momentum at a national level in identifying the best practices in those areas. The National Initiative for Building Community Trust and Justice centered their evaluation on three core areas they suggest could yield measurable improvements in officer behaviors, public safety, and community trust in the police.

1. Procedural justice (PJ) focuses on how interactions between police officers and members of the public impact community members’ views of the police and their willingness to comply with the law and partner on crime prevention practices, as well as crime rates.
2. Implicit bias (IB) focuses on how unconscious biases may shape police officers’ interactions with members of the public and result in racially disparate outcomes even when those interactions are not overtly racist.



3. Reconciliation, focuses on how candid conversations about law enforcement’s complicity in historic and present-day racial tensions and harms can repair relationships and foster trust between law enforcement agencies and the communities they serve.<sup>25</sup>

The Justice Collaboratory at Yale Law School notes that “procedural justice is not a project or program to be completed, nor a goal to be achieved; it is a comprehensive change to the ways in which police departments do business and a constant work in progress.”<sup>26</sup> Additionally the OJP Diagnostic Center and Strategies for Youth, in their First Do No Harm report, have identified model practices for a) Calls

for Service, b) Interagency Teams, c) Data Collection and d) Training.<sup>27</sup>

In 2019, the Heritage Foundation held a Policing Strategy Summit to provide police departments an opportunity to reflect on the 21st Century Policing pillars. They identified and discussed topics including a) why departments should follow their established procedures to maintain credibility; b) new thinking such as “Wait a minute. Let’s see what we have; let’s slow things down and use time and distance.”; c) doing a better job educating the public about what police resources are available to them, as well as the difficult steps police sometimes have to take to do their jobs; d) using new technologies and using smart phones so officers can facilitate quicker and easier police–community communication; e) utilizing social media as a tool for public education, outreach, and engagement, in addition to improving relationships with community leaders; and f) establishing new potential partnerships with private businesses.<sup>28</sup>

## Connecticut Movement

Even more exciting momentum has been happening in Connecticut. In October 2016, the Juvenile Justice Policy and Oversight Committee’s Diversion Workgroup formed a Police Training Subgroup that consisted of several representatives from the diversion workgroup, State Police, and POST staff. The police training subgroup was tasked to work with the State Police and POST to ensure compliance with Sec. 10 of PA 16-147 “An Act Concerning the Recommendations of the Juvenile Justice Policy Oversight Committee”. The subgroup conducted a brief review of the training objectives currently being provided by the State Police and POST, where only three hours of youth justice are covered as part of its curriculum. They determined that Techniques for Handling Trauma and Adolescent Development were training areas that needed further development. In addition, while the POST “Connecticut Juvenile Justice Trends” expanded its scope, the number of hours did not expand to accommodate the increased curriculum. This is an area the state needs to revisit.



In 2018, conversations began at the University of New Haven with the Tow Youth Justice Institute and the Center for Advanced Policing about the development of a police-youth relations training program. The Connecticut Institute for Youth and Police Relations was created in response to these conversations which will promote reforms led by police leaders who will become the vectors of change in Connecticut. The goals are to a) create community within the cohort, as well as across local departments and youth serving organizations, and b) coordinate resources and information needed to support reform efforts. The training will include:

- Intensive seminars on the criminological research and best practices for police interactions with youth, as well as highlight agency successes in other parts of the country;
- Provide examples and support in the development of comprehensive, developmentally appropriate, trauma-informed, racially equitable policies for adoption by local police agencies;
- Innovative programming for police agencies to build relationships with youth;
- Leadership skill building, and intensive coaching;
- A cohort of police leaders who become the voice for reform and support each other's success and protect each other confronted with obstacles and setbacks

In addition, police cohort members will receive:

- Administrative coaching to inform their visions for change in their police agencies in the unique legal and cultural context of Connecticut's other reforms.
- Skills to address the obstacles to implementation through the experience of police who are skilled in the administration of police agencies.
- A cohort of leaders to provide sustained peer support in Connecticut.
- The ability to build demonstrable successes that are scalable and replicable and lead to state -level reforms and changes in practice.

In August, 2020, lawmakers in Connecticut passed H.B. 6004, an Act Concerning Police Accountability that outlined the state's commitment to improved police accountability. "These reforms are focused on bringing real change to end the systemic discrimination that exists in our criminal justice and policing systems that have impacted minority communities for far too long", Governor Lamont.<sup>29</sup>

While these legislative changes relate to the criminal justice system in Connecticut, it is worth reviewing them as a reminder of why Raise the Age laws are important in the juvenile justice system. It is important to use alternative approaches with youth that will lead to better outcomes than arrest, which may ultimately lead to a cycle of continued, more serious criminal activities. A key place where this begins is the interaction with police.



The 71-page bill included the following mandates:<sup>30</sup>

- A new Office of the Inspector General will be created specifically to investigate and prosecute deadly use of force by police.
- Expand police review boards prevalence by allowing any city or town in the state to create such a board simply by passing an ordinance. The boards will be able to have subpoena power to force individuals to sit for interviews and

police departments to turn over documents.

- Police departments will be immediately barred from obtaining certain excess military equipment from the federal government.
- Use of choke-holds and other neck restraints will be severely limited, only be used in instances where an officer reasonably believes his or her life is immediately in danger.
- Police will be required to step in if they see a fellow officer using excessive force and attempt to stop the officer from doing so. Officers who fail to intervene can be prosecuted and punished for the same acts as the officer using excessive force.
- The bill expands the reasons for which the state Police Officer Standards and Training Council (POST) can revoke or suspend a police officer's certification to include discriminatory conduct, racial profiling in violation of state law and excessive use of force.
- "Qualified immunity," would only be held liable for "malicious, wanton or willful" acts
- Beginning July 1, 2022, all police officers in the state will be required to wear body cameras as well as have dashboard cameras in their vehicles.

## Conclusion

Connecticut has led the way nationally in implementing reforms at various levels of youths' points of contact with the juvenile justice system. With the substantial progress taking place in the area of police reform and 21st Century Policing Strategies, Connecticut will again be in the national eye as a leader in this field. As John DeCarlo, Associate Professor in the Henry C. Lee College at the University of New Haven stated in a 2015 NPR interview, "Don't ever accept the status quo. Be an anarchist, and you will change a system that is in need of change. You will bring it to new levels of legitimacy. You will bring it to new levels of caring."

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***This Issue Brief is a Collaboration with Lisa Dadio, M.S., M.S.W., Executive Director of the Center for Advanced Policing and Senior Lecturer at the University of New Haven. We are grateful for her expertise and passion.***

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## Footnotes

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The Tow Youth Justice Institute is a university, state and private partnership established to lead the way in juvenile justice reform through collaborative planning, training, research and advocacy.

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