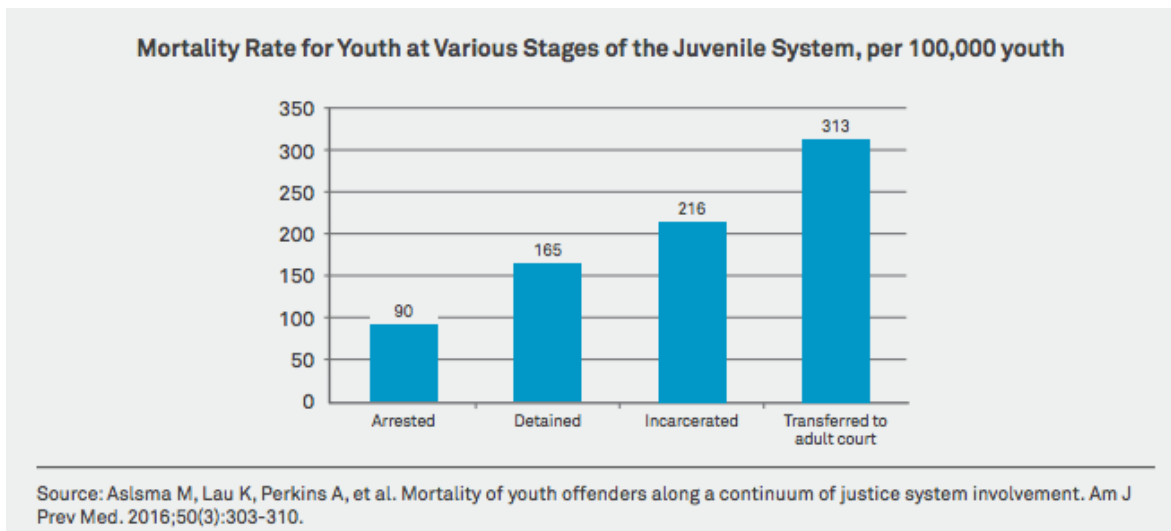


In the US, 1 in 3 youth have been arrested by the time they turn 23.¹

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.²

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.^{1 3} The longer someone stays in the detention facility, the greater likelihood there is of mental, physical, emotional, or sexual harm to the person detained.⁴ 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.⁴



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.^{5 6} 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.^{7 8 9} Arrests make an event reportable, creating a document that schools or employers can access.¹⁰ Once a school or a potential employer finds out that a student, applicant, or

People arrested as teens are **25% more likely to drop out of high school.**¹³

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

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^{11 12} — fueling the cycle of system involvement.

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.¹⁴ In turn, diverting youth from the traditional juvenile system is more effective at decreasing re-arrest.¹⁵ Studies show that diversion is even more effective before arrest than post-arrest.¹⁴

Youth in pre-arrest diversion programs are **2.5 times less likely to re-offend.**¹⁶

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 in Florida.^{17 18 19} Florida **saved at least \$13 million** by issuing civil citations in 43% of eligible instances in 2014–2015.¹⁷

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.”⁶

Train all agencies to be trauma informed and knowledgeable about youth brain development.²⁰ 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.²¹ Professionals trained in this approach could recognize signs and symptoms of trauma and engage in ways that don’t re-traumatize. Law enforcement personnel should also receive training on youth development,²² implicit bias, and cultural humility.^{23 24 25}

Require pre-arrest diversion by state law. State legislators should define and require pre-arrest and pre-petition diversion in every county.²⁶ 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 — especially shoplifting and retail fraud.. Specifically, shoplifting/retail fraud for youth should be decriminalized and targeted for diversion from arrest.

Best Practices

- **StopWatch** — In Boston, from 2004 to 2006, transportation authority police received training on the trauma, youth development, implicit bias, and cultural humility. Youth arrests on the subway dropped from 680 in 2001 to 84 in 2009.²⁵
- **Post-arrest diversion** — The Right TRAC (Taking Responsibility and Accepting Consequences) program in Wayne County, Michigan is designed to prevent further penetration into the juvenile justice system for youth who have been arrested. Services include assessment and targeted assistance for challenges with school, family life, and health.¹⁸
- **Beyond the Box** — The United States Department of Education has created the Beyond the Box Resource Guide to advise colleges and universities remove barriers that prevent people criminal records from pursuing higher education.³⁰

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