Ohio Collaborative Community Police Advisory Board
Developmentally Appropriate Policing & Positive Youth Interactions

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

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

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

Commentary:
Science demonstrates that children and adolescents are not fully mature in their judgment, problem-solving, and decision-making capacities¹, and the implications present themselves in the form of risk-taking behaviors, limited capacity for self-regulation, limited capacity to anticipate consequences accurately, and heightened sensitivity to peer pressure and immediate rewards.² Because youth are psychologically, emotionally, and physically different from adults, they occupy a unique legal status that entitles them to special legal protections. The U.S. Supreme Court³ and Ohio state courts⁴ have reiterated judicial notice of these differences, providing direction for all juvenile justice system stakeholders to adopt developmentally appropriate interactions with youth.

Law enforcement officers and agencies are the gatekeepers of the juvenile justice system. They are vested with a broad range of discretion when deciding whether to charge youth with a crime. Decisions made at this initial point of contact can have a long-lasting impact, positive or negative, on the lives of youth. Officers interacting with youth should employ developmentally-appropriate,

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⁴ State v. Barker, 149 Ohio St.3d 1, 2016-Ohio-2708; State v. Pablo, 2017-Ohio-8834.
trauma-informed approaches to de-escalate encounters, reduce the likelihood of harmful emotional and physiological responses, and eliminate or reduce the need to use force. Officers must use the least amount of force necessary and only that level that is appropriate and proportional based on the age, body size, disability status, relative strength, and risk posed by the youth in order to stabilize the situation and protect the safety of the youth, officers, and the public.

Officers should make reasonable modification of their practices when responding to youth whom they identify are in mental health or substance use crisis, youth who have experienced trauma, as well as youth who have an intellectual or developmental disability. Likewise, officers should have the knowledge and skills to engage in culturally-responsive policing with youth who are members of marginalized communities, treating everyone with dignity and respect.

Special consideration should be given to youth who are victims or witnesses to crime. Sexually trafficked children and youth require special trauma-informed approaches that are trafficking-specific. Modifications should also be made in policies and practices to reduce the youth’s exposure to law enforcement actions that involve use of force, including situations where a search or arrest warrant is being executed, and when a parent, family member, or caregiver is arrested. When a parent or caregiver is arrested, collaboration between local child protective services and other key partners is essential to minimize potential trauma. When officers respond to issues involving youth in the public schools, they should refrain from engaging in disciplinary matters or school code of conduct violations.

For definitional purposes,

- The term “youth” refers to individuals under age 18.
- “Age-appropriate/developmentally appropriate”: These terms are used interchangeably to reflect a general understanding of the social, emotional, physical, neurological, behavioral and moral aspects of development in an individual under 18 years of age.
- “Trauma-informed” here refers to a general understanding of what trauma is and an awareness of the impact it can have on juvenile development and behavior. Context plays a significant role in how individuals perceive and process traumatic events, whether acute or chronic, and how these exposures influence an individual’s response to later events. A trauma-informed approach involves four key elements: 1) realizing the prevalence of trauma; 2) recognizing the signs of trauma and how it affects individuals; 3) responding by putting this knowledge into practice; and 4) resisting or avoiding re-traumatization.

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5 Ohio Rev. Code § 3313.951