

# 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 Latinx<sup>i</sup> 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.



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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.

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

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<sup>i</sup> 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.

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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.

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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](http://www.humanimpact.org) to read the full report including a set of alternative promising practices and all data citations.