

**COMPREHENSIVE NEIGHBORHOOD SAFETY STRATEGY
COLUMBUS SAFETY ADVISORY COMMISSION
Thursday, April 18, 2019**

Commissioners Present:

Chair Janet Jackson, Dr. Chenelle Jones, Dr. Vlad Kogan, Erin Synk, Emily Buster, LaShaun Carter, Oleatha Waugh, Ellen Moore Griffin, Andrea Morbitzer, Mary Wehrle, Brooke Burns, Dr. Reginald Wilkinson, Pastor Jason Ridley

Commissioners Absent:

Tammy Fournier-Alsaada, Traci Shaw, Tiffany White, Matthew McCrystal

Staff Present: Elon Simms, George Speaks, Chief Quinlan, Kate Pishotti, Jeff Furbee, Bryan Clark, Cmdr Meader, Lt Lipp

WELCOME

Chair Jackson called the meeting to order at 2:08 pm and welcomed the Columbus Community Safety Advisory Commission ("Safety Commission") to the 18th meeting of the group. Chair Jackson announced the departure of Elon Simms from the City of Columbus and thanked him for his service to the Commission. He is leaving to accept a job with the Crane Family Foundation and Chair Jackson wished him the best of everything for the future. Bryan Clark will be the main point of contact until a successor is named.

APPROVAL OF MINUTES FROM THE MARCH 27, 2019 MEETING

Wilkinson made a motion to approve the minutes from the March 27, 2019 meeting be approved as presented; seconded by Jones. Motion carried.

REPORTS FROM THE SUBCOMMITTEES – there will be a public meeting around sub-committee draft recommendations to gather input and comments – not scheduled as yet

- A. Hiring/Recruiting – continuing to review data in order to compile draft recommendations; Carter and Morbitzer participated in the ideation session with the police and fire departments around more diverse hiring practices.
- B. Training – met with representatives from Hot Topics and 21st Century Policing subcommittees today after the commission meeting and discussed overlapping topic to avoid duplication of efforts; preparing recommendations for final report.
- C. 21st Century Policing – met as described above; compiling final recommendations
- D. Hot Topics – met as described above; compiling final recommendations

**PRESENTATION FROM BROOKE BURNS, OHIO PUBLIC DEFENDER'S OFFICE
JUVENILE JUSTICE – KIDS ARE DIFFERENT**

The Juvenile Justice System

- A. In the early 1800's, children were treated the same as adult. In 1899, Illinois Juvenile Court Act was passed to process children differently from adults and this reform spread nationwide over the next 25 years.
- 1. Social Service Model
 - a. children in need of supervision
 - b. Houses of Refuge established
 - c. broad court discretion
 - d. civil in nature = less procedural protections
- 2. Introduction of Due Process
 - a. US Supreme Court cases
 - 1) Haley v. Ohio (1948) conferred due process at interrogation
 - 2) Kent v. United States (1966) conferred due process at transfer
 - 3) In re Gault (1967) conferred due process during delinquency proceedings
 - 4) In re Winship (1970) conferred due process in standard of proof
- 3. The Rise and Fall of the "Super-Predator"
 - a. in the mid-90's, the prediction of a swell of serious youth offenders, lacking in conscience, unresponsive, and irredeemable, took hold and led to increase in punitive measures in juvenile court.

- b. the predictions failed as juvenile crime has decreased with a corresponding decrease juvenile incarceration, with no negative impact to public safety.
- 4. Recent Supreme Court Precedent
 - a. Roper v. Simmons abolished the death penalty for juvenile offenders
 - b. JDB v. North Carolina created the “reasonable child” standard for determining custodial interrogation
 - 1) given the totality of the circumstances, does a “reasonable person” feel free to leave/terminate questioning?
 - 2) “reasonable child” standard defined differently from “reasonable person”
 - 3) a child’s age is more than a chronological fact – age informs perception
 - 4) children lack the capacity to exercise mature judgement and posses only an incomplete ability to understand the world around them
 - 5) no matter how sophisticated, a child cannot be compared to an adult
 - 6) these findings appear to all children as a whole
 - 7) the implications extend beyond the moment of determining custodial interrogation
 - c. Graham v. Florida abolished LWOP sentences for non-homicide offenses for youth
 - d. Miller v. Alabama prohibited mandatory LWOP for youth with homicide offenses
 - e. Montgomery v. Louisiana found *Miller* to be a substantive determination, which will lead to review of past convictions where LWOP sentences were handed down

B. The Why

- 1. Video clip from the movie, Sleepers, was shown to the group to demonstrate the juvenile group mentality and adolescent brain development. Discussion followed.
- 2. Immaturity
 - a. a lack of maturity and underdeveloped sense of responsibility are found in youth more than in adults and are more understandable in that population
 - b. diminished decision-making capacity
 - c. less risk-averse
 - d. less able to manage their impulses
 - e. less able to think towards future orientation
- 3. Peer Pressure
 - a. juveniles are more susceptible to negative influences and outside pressures, including peer pressure
 - b. more likely to make bad decisions in groups
 - c. more likely to take risks with friends
 - d. more impulsive with friends
- 4. Potential
 - a. the character of the juvenile is not as well formed as that of an adult; therefore, a greater possibility exists that a minor’s deficiencies will be reformed.
 - b. responsive to treatment/intervention
 - c. natural crime-curve (most juveniles will age out of committing crimes)

Discussion followed – please refer to video (<https://www.youtube.com/watch?v=5MwAmYCSSbo> at 44:30)

COMMISSION TIMELINES – LOOKING AHEAD

- I. Intersection of race, policing and bias – commissioners have asked for a meeting around this topic, but staff is having trouble with constructing a session to capture the spirit of this topic. What are your thoughts?
 - A. How are a sworn officers trained to deal with people of different races, socio-economic status, speech patterns?
 - B. Where/how are officer assigned and length of time they spend in any one neighborhood? Racial profiling statistics? What are the take-aways/measurables from the cultural diversity trips that officers take to Washington, DC?
 - C. What is the training offered for officers who are asked to speak at community meetings?
- II. Public Hearings on May 15, 2019 – we want to make sure these sessions are productive by setting expectations
 - A. Will not allow public venting about particular issues
 - B. Will take public comments about policing in Columbus

- C. Will provide aggregated list of topics covered at each commission meeting – what’s missing?
- D. Commissioners will not respond to individual comments
- E. It would be nice to hear from individuals with direct experience with some process of CPD
- F. Conversation should not be too restricted
- G. Can there be a public comment session after the draft report is prepared?

**PRESENTATION FROM GABRIELLA CELESTE, SCHUBERT CENTER FOR CHILD STUDIES @ CASE WESTERN RESERVE
HOW TO WE BEST EQUIP POLICE TO HANDLE YOUTH? A DEVELOPMENTAL APPROACH TO POLICING**

- I. Serious Youth Offenders: Three Key Lessons
 - A. Most youth mature out of crime
 - B. Majority not violent chronic offenders
 - C. Youth perceptions of fairness of treatment influences their future behavior
 - 1. Perception of fair treatment
 - a. increases legitimacy of police
 - b. decreases cynicism of police
 - c. increases likelihood of compliance with police
 - d. decreases likelihood of future offending
 - 2. Aggressive/"unfair" stops and frisks
 - a. increases stress/anxiety/trauma
 - b. decreases reporting/cooperation
 - c. increases "labeling effect" and likelihood of future offending

- II. Improving Youth-Police Interactions Using Developmental Approach
 - A. Promoting Fairness
 - 1. Initial contact – calm and respectful; being mindful about whether the youth is in the presence of peers
 - a. peer dynamics are important - decision-making is heavily impacted by the presence of peers
 - 2. Modeling authority and dialing back
 - 3. Voice (listen) and neutrality (benefit of the doubt)
 - 4. Warn and release
 - 5. Clarity, predictability, proportionality
 - B. Lack of guidance or training in youth engagement (based on 2013 survey of school resources officers)
 - 1. De-escalation with kids
 - 2. Dealing with trauma
 - 3. Adolescent development and psychology
 - 4. Securing respect and cooperation with youth
 - 5. Behavioral precautions with special-needs youth
 - C. Developmental Implications: in the presence of peers & stress (hot vs cold thinking)
 - 1. Potential for false confessions
 - a. how to secure a "good statement"
 - 1) child-sensitive behavioral analysis
 - 2) age-appropriate Miranda warnings
 - 3) presence of friendly adult
 - 4) length and time of questioning
 - D. Elements of a Comprehensive Police/Youth Interaction Policy – should be developmentally-appropriate, adhere to best practices and current laws and be equitable and trauma-informed
 - 1. Purpose and definitions
 - 2. Initial contact with youth and diversion
 - 3. Use of force and de-escalation
 - a. officers shall take all reasonable measures to de-escalate the situation in a manner that adheres to...age- and developmentally-appropriate approaches to juveniles in crisis. These approaches shall include but not be limited to communication and tactical techniques and strategies that best practices for reducing or eliminating the need to use force against juveniles in crisis.
 - 4. Arrest, custody and transportation

- a. Officers should be aware that a juvenile may not feel free to leave when an adult in the same circumstances would
 - b. Explanation to person being searched and/or seized, if a juvenile, should be age-appropriate and trauma-informed, and should happen in advance of actions
- 5. Miranda, interviews and interrogation of youth
 - a. when questioning a juvenile, officers shall consider the juvenile's age when determining whether the juvenile would not feel free to leave
 - b. officers shall explain the Miranda warnings one at a time in an age-appropriate manner, should be read slowly and the officer should ask the youth to explain each warning in his/her own words
 - c. Waiver considerations with an age-appropriate frame
- 6. Special circumstances and special youth populations
- 7. Juvenile-specific data collection and review
- 8. Training
 - a. normative teen behaviors
 - b. lessons from psychology and psychiatry on tactics
 - c. legal aspects of police involvement
 - d. youth demographics and implications for behavior
 - e. cultural issues affecting adult/youth interactions
 - f. asserting authority and getting compliance from teens (without arrest or use of force), includes trauma and crisis
 - g. recognizing and addressing implicit bias
 - h. developing and using community-based partnerships
 - i. youth engagement with officers
- E. Ohio Collaborative Community-Police Advisory Board
 - 1. Proposed police-youth interaction standard: Agencies shall establish written policies governing agencies' and officers' interactions with youth, that includes the following provisions:
 - a. practices that apply developmentally appropriate, trauma-informed, equitable practices for interactions with youth, including: stops, diversion, arrests, interviews and interrogations
 - b. training all agency enforcement personnel in developmentally-appropriate, trauma-informed, equitable practices for youth interactions
 - c. data collection on arrests, by charge, age, race, and if use of force
 - d. corrective action based on evaluation of agency and officers' adherence to policies
 - e. annual administrative review of agency practices, data collected on juvenile arrests and use of force

Discussion followed – please refer to video (<https://www.youtube.com/watch?v=5MwAmYC5Sbo> at 2:07:30)

Next meeting is Monday, April 29, 1-4p at Franklin University (discussion followed about whether or not this meeting is actually scheduled). Meeting adjourned by Chair Jackson at 4:50p.

Respectfully submitted,

Ellen Moore Griffin
Recording Secretary