OBJECTIVES

- This presentation will discuss the intersectionality of Cognitive and Communication Disorders and youth’s involvement with the justice system, from school to confinement
- How communication and cognitive disorders can impact all critical points in the youth’s life and result in unfavorable outcomes
- How communication disorders are sometimes confused, overlooked and disregarded as “negative” behavior in justice-involved youth (from the initial hearing through post-disposition)
- The limitations and risks that communication and cognitive disorders can manifest
- Strategies for juvenile justice professionals who are in contact with this population of youth

WHAT ARE ZERO-TOLERANCE POLICY?
WHAT ARE MANIFESTATION/DUE PROCESS HEARINGS?
HOW DO THEY CONTRIBUTE TO THE STCP FOR YOUTH WITH CCD?
ZERO TOLERANCE POLICY INFRACTIONS

STATUS OFFENSES
truant (skipping school)  
violating a city or county curfew  
underage possession and consumption of alcohol  
underage possession and use of tobacco  
running away  
un governability (being beyond the control of parents or guardians)

ZERO TOLERANCE POLICY STATUS OFFENSES

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>WHITE</th>
<th>AFRICAN AMERICAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>VIOLENT</td>
<td>1.1</td>
<td>5.8</td>
</tr>
<tr>
<td>SIMPLE ASSAULT</td>
<td>4.0</td>
<td>12.5</td>
</tr>
<tr>
<td>PROPERTY OFFENSES</td>
<td>9.3</td>
<td>15.5</td>
</tr>
<tr>
<td>OTHER PROPERTY</td>
<td>2.2</td>
<td>4.1</td>
</tr>
<tr>
<td>DRUG LAW VIOLATIONS</td>
<td>4.7</td>
<td>6.0</td>
</tr>
<tr>
<td>PUBLIC ORDER OFFENSES</td>
<td>13.6</td>
<td>16.0</td>
</tr>
<tr>
<td>ALL DELINQUENT OFFENSES</td>
<td>32.2</td>
<td>73.8</td>
</tr>
</tbody>
</table>

Disconnected youth with CCD?
In Boston and Springfield, MA, youth with behavioral and learning disabilities were disproportionately affected by the policing practices. The schools with the highest rates of arrest (arrests per 1000 students) in these districts were for students with diagnosed learning and behavioral disabilities, raising serious questions about the manner in which these schools are administered.

THE SCHOOL-TO-CONFINEMENT PIPELINE

<table>
<thead>
<tr>
<th>State</th>
<th>Total Arrests</th>
<th>Percentage of Arrests</th>
<th>Number of</th>
<th>Percentage of</th>
<th>Number of</th>
<th>Percentage of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>10,000</td>
<td>1.00%</td>
<td>1,000</td>
<td>1.00%</td>
<td>100</td>
<td>1.00%</td>
</tr>
<tr>
<td>State A</td>
<td>1,000</td>
<td>1.00%</td>
<td>100</td>
<td>1.00%</td>
<td>10</td>
<td>1.00%</td>
</tr>
<tr>
<td>State B</td>
<td>900</td>
<td>1.00%</td>
<td>90</td>
<td>1.00%</td>
<td>9</td>
<td>1.00%</td>
</tr>
</tbody>
</table>

JUVENILE OFFENDING RISK FACTORS

1. Low intelligence, poor school performance, limited involvement in positive extracurricular activities, hyperactivity, impulsiveness and risk taking, early antisocial behavior (including aggression and bullying), few bonds to conventional society (friends, family, parents, teachers, ministers, coaches).

2. Family factors - poor parental supervision, harsh and/or inconsistent discipline, physical abuse, child neglect, low parental involvement, parental conflict, broken/divorced families, single parent families, criminal parents, delinquent siblings.

3. Socio-economic factors - low family income, lack of roots/stability (high mobility coefficient), rents vs. own home, high aggregate socio-economic inequity coefficient in the community, limited opportunity structures.
CRITICAL THINKING BRAIN WORK

- Assault

CRITICAL THINKING BRAIN WORK

- Violating Curfew

CRITICAL THINKING BRAIN WORK

- Ungovernable
Teachers and school officials are more likely to accuse students of color than white students of subjective infractions AND EVEN MORE LIKELY TO ACCUSE STUDENTS OF COLOR WITH DISABILITIES THAN OTHER STUDENTS.

Triggers harsh disciplinary punishments such as school arrests, zero tolerance policies, expulsions, and suspensions secondary.
CRITICAL THINKING BRAIN WORK

- Possession of a Weapon

CRITICAL THINKING BRAIN WORK

- Elopement

CRITICAL THINKING BRAIN WORK

- Truancy
Children entering a juvenile correction facility may come from schools that did not appropriately identify students with special education needs.

Statistically students in a correctional facility are more than three times as likely to have a learning disability than their counterparts in general education.

How does JJDPA align with IDEA?
IDEA/MANIFESTATION RIGHTS

- Due Process/Manifestation – IDEA
- Zero-Tolerance Policies
  - JJDPA

A Youth's behavioral intervention plan must be reviewed and modified as necessary to address the behavior no later than 10 business days after either first removing the child for more than 10 school days in a school year or commencing a removal that constitutes a change in placement.

If the LEA did not previously conduct a functional behavioral assessment and intervention plan, it must convene an IEP meeting to develop plans to address the behavior.

Overall, the public agency must provide services to the extent required under section 300.121(d).

SPED Advocates and Advocacy Groups, School LEAs, Clinicians are the best resources/consultants/stakeholders.

INTERDISCIPLINARY ACTION

<table>
<thead>
<tr>
<th>Scale</th>
<th>Standard Score</th>
<th>95% Confidence Interval</th>
<th>Percentile Rank</th>
<th>Qualitative Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal Comprehension (VCI)</td>
<td>90</td>
<td>55.16</td>
<td>9</td>
<td>Low Average</td>
</tr>
<tr>
<td>Perceptual Reasoning (PRI)</td>
<td>79</td>
<td>34.86</td>
<td>8</td>
<td>Borderline</td>
</tr>
<tr>
<td>Working Memory (WM)</td>
<td>77</td>
<td>90.00</td>
<td>52</td>
<td>Average</td>
</tr>
<tr>
<td>Processing Speed (PS)</td>
<td>81</td>
<td>75.91</td>
<td>10</td>
<td>Low Average</td>
</tr>
<tr>
<td>Full Scale (FSM)</td>
<td>79</td>
<td>58.43</td>
<td>8</td>
<td>Borderline</td>
</tr>
</tbody>
</table>
INTERDISCIPLINARY ACTION

Youth’s Impaired Cognitive and Communication Characteristics

<table>
<thead>
<tr>
<th>Domain</th>
<th>Standard Score (95% Confidence Interval)</th>
<th>Age Equivalence</th>
<th>Grade Equivalence</th>
<th>Percentile Rank</th>
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</thead>
<tbody>
<tr>
<td>Reading Comprehension</td>
<td>0.7 (0.4-1.1)</td>
<td>3rd</td>
<td>9th</td>
<td>10%</td>
</tr>
<tr>
<td>Writing</td>
<td>0.8 (0.5-1.2)</td>
<td>3rd</td>
<td>9th</td>
<td>20%</td>
</tr>
<tr>
<td>Mathematics</td>
<td>0.7 (0.4-1.1)</td>
<td>3rd</td>
<td>9th</td>
<td>10%</td>
</tr>
<tr>
<td>Language and Communication Skills</td>
<td>0.7 (0.4-1.1)</td>
<td>3rd</td>
<td>9th</td>
<td>10%</td>
</tr>
<tr>
<td>Social Skills</td>
<td>0.7 (0.4-1.1)</td>
<td>3rd</td>
<td>9th</td>
<td>10%</td>
</tr>
</tbody>
</table>

Increased delinquency/School related infractions

- Organizational Planning
- Cultural Linguistic Diversity
- Social skills
- Pragmatic skills
- Comprehension of rules and repercussions
- Fluid Reasoning
- Theory of Mind
- Non-literal language
- WH Questions (concrete vs. abstract)
- Impulsivity
- Following Directions
- Abstract Concepts & Ideas

Drop-Out = Involvement with law enforcement
Retention = drop-out = involvement with law enforcement

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