
**TESTIMONY OF THE CENTER FOR CHILDREN'S LAW AND POLICY
IN SUPPORT OF RAISED BILL NO. 5432
AN ACT CONCERNING SCHOOL-BASED ARRESTS**

March 12, 2012

This testimony is submitted on behalf of the Center for Children's Law and Policy (CCLP), a national public interest law and policy organization located in Washington, DC. CCLP works to reform juvenile justice and other systems that affect troubled and at-risk children and to protect the rights of children in those systems.

From 2005 to 2011, CCLP coordinated efforts to reduce racial and ethnic disparities in juvenile justice systems (also known as Disproportionate Minority Contact, or DMC) as part of the John D. and Catherine T. MacArthur Foundation's Models for Change juvenile justice reform initiative. In that capacity, CCLP worked with juvenile justice officials in counties and parishes in the states of Pennsylvania, Illinois, Louisiana, and Washington. From 2007 to 2011, CCLP also coordinated similar efforts to reduce disparities in Kansas, Maryland, North Carolina, and Wisconsin as part of the MacArthur Foundation's DMC Action Network. Many of those jurisdictions have achieved significant reductions in racial and ethnic disparities,¹ including in the area of school-based arrests.

With support from the Tow Foundation, CCLP has been working on effective strategies to reduce racial and ethnic disparities in Connecticut since April 2011. The Center for Children's Advocacy is our local partner organization in this project. We meet regularly with subcommittees of the Local Implementation Service Teams in Bridgeport and Hartford to obtain and analyze data, identify strategies to reduce racial and ethnic disparities, and monitor implementation of reforms. One of our primary areas of focus has been arrests of children in Hartford and Bridgeport public schools.

We strongly support Raised Bill No. 5432, An Act Concerning School-Based Arrests. Based on our experience throughout the country, we believe that the Raised Bill will help Connecticut reduce unnecessary school-based arrests by (1) **providing communities with better data on the number of school-based arrests, which will help stakeholders identify interventions to keep children in school and out of the juvenile justice system;** and (2) **requiring schools to develop formal written agreements outlining the appropriate roles and responsibilities of law enforcement officials in school settings.**

¹ Mark Soler et al., *Juvenile Justice: Lessons For A New Era*, 16 GEO. J. POVERTY L. & POL'Y 483, 529-537 (2009); Mark Soler, *Missed Opportunity: Waiver, Race, Data, and Policy Reform*, 71 LA. L. REV. 17-33 (2010).

In our work with jurisdictions to reduce racial and ethnic disparities, we focus on three main goals: reducing over-representation of children of color at key decision points in the juvenile justice system (e.g., at arrest); reducing disparate treatment of children of color in the system (e.g., higher likelihood of arrest and referral to juvenile court than white youth for similar offenses); and reducing unnecessary entry and progression through the system without jeopardizing public safety.

In our experience, and in the experience of others who have successfully reduced racial and ethnic disparities in the juvenile justice system, such as the W. Haywood Burns Institute and the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative, an effective approach includes the following elements:

- 1) Designation of a governing committee or coordinating body to oversee the efforts to reduce racial and ethnic disparities.
- 2) Collection and analysis of local-level data at key decision points where disparities occur.
- 3) Identification of strategies and interventions to address disparities, including the development of written protocols and agreements that guide responses to particular situations.
- 4) Public reporting of findings and plans for reform.
- 5) Regular evaluation of progress toward reducing disparities.

Raised Bill No. 5432 will help Connecticut develop such an effective approach at the point of school-based arrests in two primary ways. First, **the bill will provide communities with the data necessary to identify appropriate reforms.** For example, Peoria, Illinois (a MacArthur Foundation DMC Action Network site) reduced the number of African-American youth sent from schools to detention by 43% in just one year. By examining school-based arrest information by race and ethnicity, offense, and school, officials were able to focus reform efforts on one high school that was generating the majority of referrals. Those referrals were for low-level offenses, such as fights between students. After implementing balanced and restorative justice programming aimed at alleviating conflict situations at the high school, officials witnessed a sharp decline in referrals to detention. Raised Bill No. 5432 would equip communities with the information necessary to engage in this type of analysis and response. In doing so, the legislation would help prevent youth from unnecessarily entering into the juvenile justice system for low-level misbehavior.

Second, **the bill will ensure that schools and law enforcement agencies together determine the appropriate role of law enforcement in school settings.** As part of our work to reduce racial and ethnic disparities, we encourage jurisdictions to develop written agreements between schools and police. The agreements outline a graduated approach by schools to youth behavior problems and limit law enforcement involvement to emergency situations or scenarios where school officials have exhausted all other options to manage potentially dangerous behavior.

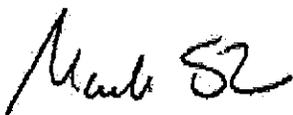
These types of agreements have contributed to significant reductions in school-based arrests. For example, Sedgwick County, Kansas, another MacArthur Foundation DMC Action Network site, reduced arrests for disorderly conduct in Wichita public schools by more than 50 percent from 2009 to 2010. Officials there pursued several reforms, including the adoption of a memorandum

of agreement among schools, law enforcement, and juvenile justice agencies. In Connecticut, the Office of Policy and Management and the Connecticut Juvenile Justice Alliance have promoted similar agreements in several jurisdictions around the state. Raised Bill No. 5432 will bring these agreements to schools throughout Connecticut, which will help reduce the number of youth who unnecessarily enter the juvenile justice system. These agreements will also help guard against disparate treatment of youth of color for minor misbehavior, a concern highlighted by new data released this month by the U.S. Department of Education.²

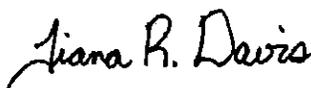
Raised Bill No. 5432 will help Connecticut adopt effective strategies such as these in towns and cities throughout the state. This legislation will help communities keep more children in school and out of the juvenile justice system.

For the foregoing reasons, we urge the committee to pass Raised Bill No. 5432 along with the proposed amendments.

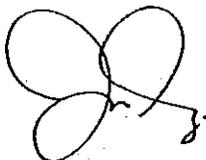
Respectfully submitted,



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² Tamar Lewin, Black Students Face More Discipline, Data Suggests, N.Y. TIMES, Mar. 6, 2012, at A11, available at <http://www.nytimes.com/2012/03/06/education/black-students-face-more-harsh-discipline-data-shows.html>.

