CENTER FOR Children's Law and Policy

TESTIMONY OF THE CENTER FOR CHILDREN'S LAW AND POLICY IN SUPPORT OF RAISED BILL NO. 6288: AN ACT CONCERNING COLLABORATION BETWEEN BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL

April 5, 2013

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, 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.[1] The Center for Children's Advocacy is our local partner organization in this project. We meet regularly with subcommittees of the Local Interagency 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, as they represented a significant source of referrals of youth of color to the juvenile justice system. For example, arrests in Hartford public schools represented 43% of all referrals of Hartford youth for delinquency during the last quarter of 2011. Many of these referrals were for minor misbehavior that could be addressed by school administrators.

[1] Although the Tow Foundation has supposed our technical assistance to officials in the State, we did not use the Foundation's funding to support the preparation and submission of this testimony.

1701 K Street, NW
Suite 1100
Washington, DC 20006

tel: 202.637.0377
fax: 202.379.1600

www.cclp.org

During the past two years, officials in both cities have taken important steps to reduce the number of youth arrested in school. In July 2012, the Bridgeport Police Department and the Bridgeport Public Schools entered into a memorandum of understanding (MOU) that outlined the role of law enforcement at school and required the implementation of a system of graduated disciplinary responses to student misconduct. The Hartford Police Department and the Hartford Public Schools entered into their own MOU shortly thereafter. Each jurisdiction has also established a local School-Police Collaboration Team to monitor school-based arrests and to oversee implementation of the MOUs.

As a result of the MOUs and other efforts to divert youth from involvement with the juvenile justice system, school-based arrests of youth in Bridgeport and Hartford have fallen dramatically. For example, school-based referrals to juvenile court have fallen by almost 60% this academic year when compared with the same time period last year. In Bridgeport, school-based referrals have dropped by 34%. This work built upon earlier successful reforms promoted by the Office of Policy and Management and the Connecticut Juvenile Justice Alliance in Manchester, Willimantic, and Windham.

We strongly support Raised Bill No. 6288, An Act Concerning Collaboration between Boards of Education and Law Enforcement Personnel. Based on our experience in Connecticut and throughout the country, we believe that the Raised Bill will help other communities 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.

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. 6288 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, in Hartford, detailed information on race, ethnicity, gender, age, offense, and location of arrest helped officials target resources at the schools with the greatest needs. Raised Bill No. 6288 would equip communities with the same information necessary to engage in this type of analysis and response. In doing so, the legislation would help prevent youth from unnecessarily entering 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 involve law enforcement in emergency situations and those in which students pose a real threat to safety or security in the schools. Such agreements also help guard against disparate treatment of youth of color for minor misbehavior by standardizing responses to certain types of incidents.

As described above, these agreements have helped to dramatically reduce referrals to juvenile court from Hartford, Bridgeport, and other Connecticut communities. Raised Bill No. 6288 will support these agreements in schools throughout the state, which will help reduce the number of youth who unnecessarily enter the juvenile justice system. The 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. 6288 along with the proposed amendments.

Respectfully submitted,

Mark Soler
Executive Director
Center for Children's Law and Policy

Tiana Davis
DMC Policy Director
Center for Children's Law and Policy

Jason Szanyi
Staff Attorney
Center for Children's Law and Policy