



**TESTIMONY OF THE CONNECTICUT JUVENILE JUSTICE ALLIANCE
FOR THE JUDICIARY COMMITTEE
APRIL 5, 2013
SUPPORTING RAISED H.B. No. 6682
AN ACT CONCERNING COLLABORATION BETWEEN
BOARDS OF EDUCATION AND LAW ENFORCEMENT PERSONNEL**

Senator Coleman, Representative Fox, and members of the Judiciary Committee, thank you for the opportunity to testify today. My name is Abby Anderson, I am the executive director of the Connecticut Juvenile Justice Alliance – a statewide, nonprofit organization working to reduce the number of children and youth entering the juvenile and criminal justice systems, and advocating a safe, effective and fair system for those involved.

The inappropriate use of school-based arrests as a discipline tool is a serious problem in our state. The Alliance fully supports Raised H.B. 6682 because it would play a meaningful role in reducing these arrests and improving overall school climate by clarifying the role of law enforcement personnel in schools. This is more important than ever, as you know, because after the tragedy in Newtown, many districts are increasing the presence of police and armed guards in schools. Without proper structure and training, we have seen nationwide that police in schools can bring unintended consequences of actually *increasing* school-based arrests for minor, non-violent offenses.

Arrests in schools occur much more frequently than most realize – they are a full 19% of referrals to juvenile court statewide.¹ The usual assumption is that this occurs because student behavior is serious, violent, or related to weapons or drugs. In reality, the vast majority of school-based arrests are for minor, non-violent misbehavior, things that are typical adolescent behavior like minor fights (where no one gets hurt), smoking cigarettes, talking back, dress code violations, and the like – things that get escalated into charges like “disorderly conduct,” “breach of peace,” “threatening,” and “assault.” Certainly the Alliance does not condone fighting, disrupting a classroom or smoking, but we know that it is possible to hold a young person accountable for their actions in a much better, more effective, and less expensive way.

School-based arrest is also a frequent occurrence across the entire state, not limited to our biggest cities. In measuring how many kids our school districts are arresting and referring to court, we know that the top ten cities account for less than half of the total school-based arrests statewide.²

This bill would require districts to have written, formal agreements regarding the roles and responsibilities of police in schools. OPM's Juvenile Justice Advisory Committee developed a model Memorandum of Agreement for school districts that codifies the role of police officers and school administrators when school resource officers are present. In requiring a specific,

¹ Judicial Branch, Court Support Services Division, School Year 2011-12.

² In SY 2011-12, the top ten referring cities for school-based arrests, in order of most referrals to fewer, were Hartford, Bridgeport, Waterbury, New Britain, Meriden, Danbury, East Hartford, Torrington, Hamden, and New Haven. These ten cities only accounted for 47% of the total number of school-based court referrals in the state for that SY.

graduated response model for student misbehavior, the MOAs help prevent the expensive and counter-productive use of law enforcement for low-level student discipline matters that are much better handled by teachers, administrators, social workers, psychologists, and the like.

Several districts have used these MOAs already. In Manchester and Windham, teams consisting of the superintendent, police chief, juvenile court judge, youth service bureau and others got together to tailor the graduated responses locally and determine how to use better utilize diversion programs like juvenile review boards as well as local human service agencies and programs (for substance abuse prevention, community service, mediation, and so on). The results of the work are clear: in one year, Manchester reduced the number of school-based arrests 61% district-wide (and by 78% in the high school), in Windham by 34% district-wide.³ Because of the new partnership and relationships, police and administrators alike are more sensitive to using arrest as a last resort, and are more aware of other options available. Further, this work was done with a very small influx of dollars, mostly for staff and SRO training through programs like the Child Health and Development Institute's School Based Diversion Initiative and OPM's *Just.Start* grants and program. Training can include de-escalation, youth development, classroom management, positive police-youth relationships, and the like (currently, no training is mandatory for a police officer serving in a school building as an SRO).

The second section of the bill would provide communities with real information about the number of school-based arrests in each school, including the demographics of the kids who were arrested. More accurate data collection in Connecticut, like that outlined in this bill, would allow us to know how race and ethnicity are affecting school-based arrests in our local schools. A recent report from the U.S. Department of Education Civil Rights Data Collection office showed that, nationally, over 70 percent of the students involved in school-related arrests or referred to law enforcement were Hispanic or black. In Connecticut, this pattern holds true; based on SY2010-11 data, black children were nearly four times as likely to be arrested as white children; Hispanic children more than three times as likely.⁴ We need accurate, regular, timely information to monitor these kinds of trends.

As you know, accurate data are critical to effective intervention and action. Currently, the data collection around school-based arrests is incomplete and scattered. The Judicial Branch has gone out of its way to provide the information it can, but its numbers are incomplete, since the arrests that are diverted from court are not counted at that point. The State Department of Education collects some data, but not all school-based arrests need to be reported, so again the information is only marginally helpful. Yet even the limited numbers available were disturbing enough to spur the Judicial Branch and many communities to action. Better and more complete data would inspire more widespread work and make all our efforts more effective.

We believe that the momentum is beginning to shift to reducing school-based arrests in Connecticut, but this is only true in communities where leaders have voluntarily committed to it. That is not the case in every community. At this time, when more communities than ever are

³ The teams also regularly review the prevalence of other forms of exclusionary discipline like suspension and expulsion, to ensure they are not substituting equal numbers in lieu of arrests.

⁴ Connecticut Voices for Children, in *Adult Decisions: Connecticut Rethinks Student Arrest*. Connecticut Juvenile Justice Alliance, January 2013, page 5.

looking to have police in schools, we need this legislation to incentivize thoughtful planning around discipline procedures and collect data from every community, in order to give all students in Connecticut the chance to be in their classrooms and take full advantage of the educational reforms underway.

Thank you for the opportunity to testify today. I am happy to answer any questions you may have.

Alliance member organizations:

AFCAMP, Center for Children's Advocacy, Center for Effective Practice, CHDI Children's Community Programs, Connecticut Association for Human Services, Connecticut Legal Services, Connecticut Voices for Children, Connecticut Youth Services Association, Community Partners in Action, FAVOR, FSW, NAMI Connecticut and the Keep the Promise Coalition, Office of the Chief Public Defender, Office of the Child Advocate, RYASAP, The Tow Foundation, The Village for Families and Children

Cops in schools: A history lesson

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Read more: <http://www.ctpost.com/opinion/article/Cops-in-schools-A-history-lesson-4257066.php#ixzz2PF6TyAdt>

Imagine signing up for a position with no job description or one that is hopelessly vague. Success would be impossible. Yet here in Connecticut and across the country, that's exactly what is happening as we put more police officers in public schools.

The overarching goal is clear and laudable: To keep kids safe. But what does that look like, eight hours a day, five days a week? Thankfully, most schools will never face anything remotely like the horror that was visited upon Sandy Hook. In those days, weeks and years when nothing dramatic happens in a public school, what will the officer stationed there do?

History provides a possible answer to that question. After the 1999 shootings at Columbine High School in Colorado, the federal government made funding available for local communities to station police officers in schools. By 2005, 70 percent of high school students reported that they attended a school with a regular police presence. Though the rationale for police presence was protection of students, officers soon became enforcers of discipline. The main enforcement tool that police have is arrest. Officers were often uncomfortable in that role. But they were stuck in a no-win situation, like that hypothetical worker without a job description.

Connecticut juvenile court judges have reported commonly seeing students come in with charges like "possession of tobacco" and "disorderly conduct," a crime so vague that it can (and far too often does) include things like running in the halls and talking back to teachers. Some will say sending a kid to court for bad behavior is "teaching him a lesson." In fact, involvement in the juvenile justice system often puts the brakes on learning of any kind. An arrest doubles the chances that a student will drop out. A court appearance quadruples the chances.

The Connecticut Juvenile Justice Alliance has spent the past two years working intensely with communities around the state where leaders did not want to see students arrested for minor, nonviolent misbehaviors. A full copy of a report on this work can be found at www.ctjja.org. A broad spectrum of professionals, including judges, police, educators and youth advocates, agreed: No one ever intended to create the situation that exists now. Intention is a powerful thing. So is the lack of it.

The Alliance worked with several communities where police chiefs and superintendents of schools signed "memorandums of agreement" that made clear what role police officers would play in schools and took them out of the business of enforcing school rules that have no safety implications. The document was developed by the governor's Juvenile Justice Advisory Committee and can be used by any community in the state. We saw some dramatic results. Manchester High School reduced its student arrest rate by 78 percent. District-wide, Windham reduced arrests 34 percent. Safety never suffered as a result.

I'm not saying that a memorandum of agreement is a panacea. These towns worked on a variety of other measures, including mentoring programs. In Manchester, the School-Based Diversion Initiative helped improve student access to mental health services. The memorandum, however, was an essential starting point -- a job description, if you like.

Just as a clear job description is a predictor of success, so is good training. No police officer should be expected to work with children or adolescents without specific training to do so. Connecticut is one of only two states that provide any training at all on adolescent development to police recruits. Considerably expanded training should be mandatory if police will be working with students on a regular basis.

History tells us that quick fixes are few and far between. The Connecticut towns that are doing the hard work of student arrest reduction have learned how to keep students safe while taking a common-sense approach to school discipline. I hope that towns contemplating increased policing in their schools will learn from their example.

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