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TESTIMONY OF CONNECTICUT LEGAL SERVICES, INC. FOR THE BIPARTISAN TASK FORCE ON GUN VIOLENCE PREVENTION AND CHILDREN'S SAFETY SUBCOMMITTEE ON SCHOOL SAFETY JANUARY 25, 2013

Sen. Boucher, Rep. Fleischmann, and members of the Task Force's Subcommittee on School Safety, Connecticut Legal Services, Inc. is a statewide, nonprofit organization representing low-income families and children. For the past 30 years, we have assisted families obtain appropriate educational and behavioral health services for their children. These cases involved working with school district personnel, families, and community-based providers.

As this Subcommittee develops recommendations for ways to make our schools safer, we urge you to focus on improvements to the physical facilities and on supports that improve the school climate, such as increased social workers and mental health professionals and not to rely on an increased police presence in the schools. An increased police presence in the schools would likely result in unintended consequences that are harmful to students and to the school climate. Even prior to the horrific tragedy in Sandy Hook, the national presence of school resource officers (SROs) has increased dramatically in the last decade due to school shootings across the country. The role of SROs is to foster a safe and secure atmosphere using the "Triad Model" consisting of law-enforcement, student counseling, and law-related education. Unfortunately, national studies have shown this increased presence of police officers in the schools has led to increased arrests and criminalization of minor behavior that could be better handled by school administrators.

We recognize that many schools in Connecticut are already utilizing SROs and that number may increase following the tragedy in Newtown. We therefore urge this subcommittee to recommend safeguards to ensure that the presence of SROs accomplishes only its purpose of making schools safer and does not lead to the increased arrest of students for minor, non-criminal behavior. Those safeguards include (1) providing appropriate training; and (2) requiring a memorandum of agreement (MOA) between school districts and police departments to set out the SROs roles and responsibilities.

In order for SROs to fulfill their intended role, it is crucial that they are provided the tools necessary to understand the student population with whom they interact and the interventions that are the most effective. Training for SROs and police interacting with the schools should include the de-escalation of student behavior, including students with behavioral health and special

education needs. Students with disabilities may require particular types of responses to behavior in order to effectively deescalate that behavior, particularly behavior that is a manifestation of their disabilities. Special education students whose disabilities require certain interventions may have “Behavior Intervention Plans” (BIPs) in their Individualized Education Programs (IEPs). In our experience, we have found that SROs are often unaware of the potential impact disabilities can have on behavior, how to intervene in disability-related behavior, and that some students have BIPs to guide intervention with problematic behavior. That lack of awareness often results in unnecessary arrests and criminalization of disability-related behavior. Understanding how to work with trauma-based disabilities is particularly important. For example, we represented a young man who had been sexually abused. Any intervention for him which included placing hands on the student caused a severe escalation of his response. When school staff became aware of this disability, they were able to de-escalate his behavior, keep the student and other students safe, and prevent his arrest.

School districts that regularly have police in their schools as SROs must have a clear memorandum of agreement (MOA) with the police department. That MOA should set out exactly what types of responses are appropriate for different types of behavior. Without that type of agreement on roles and responses to behavior that include a “graduated response model”, a police officer’s presence within the school can result in the arbitrary criminalization of minor behavior. When police are physically located in a school, it is too easy and, unfortunately too common, for an administrator to request an SRO to arrest a student for behavior that would never warrant a call to the police station, had the SRO not been present. For example, we often see students who have been disrespectful be arrested for “disorderly conduct.” This hardly seems like a best practice for educators to engage students and to teach appropriate conduct.

Consequently, we urge this Subcommittee NOT to recommend an increased presence of police in the schools and, for schools that already have SROs, to recommend requiring appropriate training and mandating the adoption of memorandum of agreement (MOUs) between school districts and police departments. Appropriate training and communication between school personnel and police is critical to keeping children safe in Connecticut schools.

Thank you for your consideration of our testimony.