

**State of Connecticut**  
**GENERAL ASSEMBLY**



**COMMISSION ON CHILDREN**

Testimony

January 25, 2013

Honorable Chairs and Members of the School Security Working Group [of the Task Force on Gun Violence Prevention & Children's Safety]:

My name is Steven Hernández. I am the Attorney for the CT Commission on Children. Thank you for the opportunity to present the Commission's testimony on the issue of school security and children's safety.

Today you will hear recommendations on various ways to address school security and child safety in our schools in light of Newtown. The Commission's testimony will focus on the potential role of the school resource officer ("the SRO") in helping to create more secure and safer schools.

Specifically, we will speak to (1) the renewed interest, as you've heard today, in many communities for an SRO presence in their schools, (2) challenges that may arise as a result, (3) and ways to mitigate those challenges based on local and national best-practices.

While police officers have long played an educational and security role in Connecticut communities, often including our schools in their "beat" or foot patrol, the modern SRO emerged in the mid-90s as a result of the federal and

state response to increased drug and weapons violations in our schools. These laws, such as the 1994 Gun Free School Act, were collectively known as zero-tolerance policies.

These SROs first came to Connecticut as a result of federal grants stemming from those policies. After Columbine, the Clinton administration created the COPS in Schools grant program to provide federal dollars for local SRO funding. According to Department of Justice sources, during that time period Connecticut received more than \$9 million over the next several years to pay for a cadre of SROs throughout the state.

During that time, the role of the SRO was loosely defined and communities took very different approaches on how they utilized officers in schools, and the officers' roles as law enforcement. According to the Justice Policy Institute, in communities where SROs were simply extensions of the police house in the school, SROs began to apply zero-tolerance policies to all types of behaviors, with draconian punishments meted across the board, including for lesser infractions such as fights.

According to the ACLU, without "clearly defined objectives that are well understood by all stakeholders; adequate training requirements; and periodic outcome-based monitoring and evaluation mechanisms that permit program administrators and the public to gauge SRO programs' performance accurately" an SRO presence in schools simply resulted in more arrests and increase introduction of children into the school-to-prison pipeline.

Any consideration of increasing police presence in our schools should take into account the complex relationship identity of the resource officer as a

school professional and as a law enforcement officer. At an unprecedented Senate hearing on ending the school-to-prison pipeline, the American Psychological Association and the Council of State Governments, among others, identified the links between exclusionary discipline and students being held back a grade, dropping out, and coming into contact with the juvenile and criminal justice systems. These impacts are often disproportionately experienced by minority students.

In 2008, the ACLU and the ACLU of Connecticut reviewed the SRO programs in three Connecticut Towns: Hartford, East Hartford and West Hartford. In essence the report "revealed structural problems likely to diminish SRO program performance, as well as troubling school-based arrest practices in all three districts."

Specifically, the report found that at the time SROs in West Hartford and Hartford were not subject to any agreement of what their role was in the community of promoting school safety. In East Hartford, where a memorandum of understanding was in place which defined the role of the SRO in school, there was limited awareness of its requirements among the officers or staff. ACLU.

The report also found that that school resource officers in all three jurisdictions received uneven training, even where required, and all three districts failed to keep adequate arrest data, making program evaluation impossible.

In the three schools studied by the ACLU, this led to an increase in school-based arrests, higher out-of-school suspension rates. The report further found that these impacts were experienced disproportionately by minority youth.

"In West Hartford and East Hartford, students of color were arrested at school at a rate far out of proportion to their numbers. In 2006-07, for example, African American and Hispanic students together accounted for 69 percent of East Hartford's student population, but experienced 85 percent of its school-based arrests. Likewise, the same year, in West Hartford, African American and Hispanic students accounted for 24 percent of the population, but experienced 63 percent of arrests.

In West Hartford and East Hartford, students of color committing certain common disciplinary infractions are more likely to be arrested than are white students committing the very same offenses. For example, over the two years for which data are available, African American students involved in physical altercations at school in West Hartford were about twice as likely to be arrested as similarly situated white students.

And during the same time period, in East Hartford, both African American and Hispanic students involved in disciplinary incidents involving drugs, alcohol, or tobacco were ten times more likely to be arrested than were similarly situated white students.

In early 2010, the General Assembly began to grapple with some of these disparities and need for training and considered legislation to require a state-driven a plan for a school resource officer training in:

- the role and responsibility of school resource officers

- relevant state and federal laws
- security awareness in the school environment
- counseling, mediation and conflict resolution
- disaster and emergency response
- deescalation of student behavior, including, but not limited to, students with behavioral health and special education needs
- child and adolescent psychology and development,
- cultural competence, and
- gender-responsive strategies.

More recently, Court support services, the State Department of Children and Families and the Department of Education, funded the School-Based Diversion Initiative, which trains school staff on behavioral interventions and how to recognize mental health issues instead of resorting to law enforcement. Hartford joined three other communities across the state in agreeing to reduce the number of city students who are arrested at school for minor offenses.

Hartford's agreement is based on a model memorandum of understanding that has been distributed by the Juvenile Justice Advisory Committee, a panel under the state Office of Policy and Management that has been among several groups aiming to reform the juvenile justice system in Connecticut. This initiative is being implemented at Hartford Public and Weaver Schools this year, after being implemented in communities such as Bridgeport, East Hartford and Southington.

These MOUs outline a graduated response model in which schools "should involve the police as a last line of defense" after first opting for in-school

intervention for misbehavior such as defying school rules, truancy and harassment.

Communities such as Hartford which have used these agreements in creating relationship with school resource officers have experienced a dramatic drop in school-based arrests.

President Obama's preliminary recommendations after Newtown include a renewed plan to incentivize local police departments to train and hire SROs. Throughout Connecticut, we have also seen a renewed interest in the SRO model. This is not surprising in light of recent events in Newtown and across the country.

While the evidence shows that SROs can help improve school climate and safety when they form part of a community of school safety and they are trained to act first as a "teacher," "counselor," and as a last resort as a "law enforcer", simply placing **more** police officers in our schools is not the answer.

After the tragedy at Newtown, Superior Court Judge Carol A. Wolven, chief administrative judge of juvenile matters, and a member of the Commission on Children, reported to the Commission that there had been a sharp increase in school-based arrests for relatively minor infractions. She noted that an unfortunate response to the insecurity created by the Newtown shooting was a spike in the number of children entering the system that simply "shouldn't be there."

Renewed interest in the role of the SRO in promoting positive and secure school climate and children's safety, should be seen as an opportunity for the state to revisit best practices for promoting positive school climate and security at our schools, such as those proposed in the 2010 bill on school resource officers and the School-Based Diversion Initiative, while avoiding some of the pitfalls historically associated with having police officers in schools.

## **Conclusion**

The National Center for Mental Health Promotion and Youth Violence Prevention states the challenge succinctly. In order to partner successfully with school resource officers we need to "understand the challenges that exist when it comes to law enforcement working in partnership with schools. Because law enforcement and school personnel differ in so many ways, they face challenges in the areas of communications, perception, roles, responsibilities, and data sharing."

"The challenge of school safety belongs to the community." With a renewed commitment to in-school discipline and interventions as alternatives to arrest, and proper training and resources for SROs, we can ensure the school resource officer plays a productive role in improving student climate and security in our schools.

As the ACLU recommended in its report on SROs in three of our towns, School resource officer programs should include MOUs that outline clear objectives on the role of SROs in schools; ensure adequate training, including training in counseling, mediation, child and adolescent

psychology, cultural competence, and applicable legal principles; and mechanisms to monitor and evaluate performance.

Concurrent to buttressing the positive role of the SRO in the school safety and security community, communities should invest in and expand preventive steps such as positive behavioral intervention and supports, addressing the disproportionate targeting of vulnerable populations, and improve data collection and transparency.