

## School Arrests Bring New Scrutiny, Reforms

by Lisa Chedekel | Dec 13, 2011 10:30 pm

As a fifth grader at a New Haven magnet school in 2009, Jacob was watching a lot of “Ed, Edd n Eddy” shows on TV—a slapstick cartoon that features adolescent equivalents of the Three Stooges. Maybe too many shows, his mother says.

That October, she received a call saying her 10-year-old son was in the principal’s office with a police officer who was preparing to arrest him for giving a younger student—a girl—a wedgie on the school bus. His parents were dumbfounded. “It was just surreal. You’re going to arrest a little boy over this?” said his mother, who asked that her name not be used to protect her son. She said Jacob, who had special education needs that she believed were not being addressed by the school, had been punched and injured in prior incidents that had never resulted in arrests. “It still brings up such anger and even tears at this point,” she said.

A C-HIT review of data collected by the Connecticut judicial department suggests that Jacob’s arrest, which was later dropped, is not unusual, especially in inner-city or overcrowded schools. From March through May of this year, more than 700 arrests were made in Connecticut schools, two-thirds of them for minor offenses such as breach of peace or disorderly conduct, according to data obtained from the Court Support Services Division (CSSD).

<b>School Arrests: Top 15 Schools by Rate</b>			
Data, collected from March-May 2011, represents a snapshot of school-based arrests.			
RANK	TOWN	SCHOOL	ARRESTS
1	Waterbury	State Street School**	13
2	Manchester	Manchester Regional Academy**	6
3	Manchester	New Hope Manor/Summit School**	2
4	Hartford	Weaver High School	11
5	New Haven/Hamden	Domus Academy**	2
6	Waterbury	Enlightenment School**	10
7	New Haven	New Horizons School**	3
8	Hartford	Milner School	11
9	Hartford	Burns Latino Stud./Elementary	17
10	Bloomfield	Bloomfield High School	10
11	Meriden	Lincoln Middle School	10
12	Enfield	Public Safety Magnet School	4
13	Manchester	Manchester High School	23
14	New London	Bennie Dover Jackson Middle School	7
15	Waterbury	West Side Middle School	13

\* Rating is based per 1,000 students enrollment data  
 \*\* Alternative/special education school  
 Source: Court Support Services Division, judicial branch

In Hartford alone, 87 arrests were made in schools, including 54 at grade K-8 schools. One Hartford elementary school, the Latino Studies Academy at Burns, recorded 16 arrests in the 2 1/2 month period. Similarly in Waterbury, 59 arrests were reported, more than half at elementary and middle schools. Offenses run the gamut from possession of tobacco, to swearing at a teacher, to fist-fighting.

The arrest data, which provides only a preliminary snapshot since the state began collecting it last spring, “blows out the myth that kids get in trouble after school or over the summer, when they’re idle,” said Abby Anderson, director of the Connecticut Juvenile Justice Alliance, which has been working to reduce school-based arrests. “If you look at how kids get in trouble, it makes sense: They get in trouble as a group—especially in overcrowded, under-resourced schools.”

Connecticut is one of a handful of states trying to tackle school-based arrests, which experts say fuel recidivism in the criminal justice system and often are used in place of interventions that can lead to better outcomes for children. School arrests have become increasingly commonplace in the post-Columbine era, with many districts imposing “zero tolerance” policies on student misbehavior. Zero tolerance, originally coined in the 1980s for strict drug-seizure policies, has been expanded to include punishment for fighting, swearing, disrupting class, disobedience, truancy and other forms of misbehavior.

In Connecticut, juvenile justice advocates have begun addressing the issue one district at a time, starting this school year. Pilot programs are in place in three communities—Manchester, Willimantic and Stamford—through which the school districts have partnered with police, the courts and community groups to stem arrests by developing a formal, graduated protocol on discipline, creating alternative interventions, and re-training school-based police, known as school resource officers.

In Bridgeport and Hartford, the Center for Children’s Advocacy is working with a national group on a Disproportionate Minority Contact project that identifies schools that are heavy on arrests, then presents that data to school leaders and police, in an effort to encourage alternative interventions.

In the courts, Bill Carbone, head of the Court Support Services Division (CSSD), has directed his staff to begin screening all police summonses of juveniles and kick back those that are deemed insufficient or inappropriate for prosecution. Carbone said he began looking closely at school-based arrests last year, after a review of juvenile court cases found that 41 percent of re-arrests were occurring during the school day. A closer look revealed that the bulk of those arrests were for minor incidents, including carrying cigarettes, refusing to take off a hat, talking back to a teacher, even wearing pants too low, Carbone recounted. Such offenses can be labeled as breach of peace or disorderly conduct.

“These are the things that happened back when we were in school, that would typically be handled by a trip to the principal’s office and some kind of school discipline—not through the courts,” Carbone said. He said recidivism rates suggest that children who are arrested once are more likely to re-offend. “All the research says that when you send a kid to the court system, it doesn’t act as a deterrent. It actually escalates the risk of more misconduct,” Carbone said. “By handling these incidents this way, we may be increasingly steering these kids on the wrong path. . . It caused us to step back and say, ‘OK, something different has to happen here.’”

## **Strategies To Stem Arrests**

Nationally, Connecticut is ahead of the curve in wrestling with the school arrest issue, juvenile justice advocates say. Similar efforts have been made in counties in Georgia and Alabama, driven by juvenile court judges there, and in cities such as Denver and Baltimore, driven by parents and community leaders. In July, the U.S. Departments of Justice and Education announced an initiative to address “the rising rates and disparities in discipline in our nation’s schools” by encouraging new strategies to stem the “school-to-prison pipeline.” But with many districts grappling with budget cuts and test-score pressures, the effort has been slow to gain momentum.

In Connecticut, preliminary data suggests that the pipeline runs strongest in inner-city schools and some larger suburban schools: The schools that reported the highest arrest rates from March through May were located in Waterbury, Hartford, New Haven, Manchester, Bloomfield and Meriden.

Even within districts, arrest rates swing widely from school to school, indicating that discipline is building-based, not town-wide. Hartford Public High School had 15 arrests from March to May, for example; Hartford’s Bulkeley High had only three. One school might arrest a child for bringing a Boy Scout knife to school; another might confiscate the knife and contact parents, Anderson said. There is no statewide policy on the role of police in schools. Some towns refer youths who commit minor offenses to community Juvenile Review Boards, in order to divert them from juvenile court; others have no such boards.

Close to 75 percent of Connecticut schools had three or fewer arrests last spring, CSSD data shows, indicating that the school-to-court trend is concentrated in certain places. A sampling of police reports collected by CSSD

shows that at one Connecticut school, a boy who became “embarrassed” in a chorus class after being yelled at for not singing loudly enough threw a French fry at another boy who had made fun of him. The other boy threw a French fry back. Both boys then stood up and spit at each other. A teacher broke up the fight, but at least one boy was arrested on charges of interfering and resisting arrest.

At Middletown High School in September, 17-year-old Zahrod Jackson was Tased by a school resource officer and arrested for sixth-degree larceny, breach of peace and interfering with an officer, after he allegedly took a Jamaican patty from the school’s cafeteria without paying, then tangled with the officer.

While the arrests follow no clear pattern, data suggests that special education and minority students make up a significant portion of those who land in Connecticut’s juvenile courts. A study published in 2011 found that in a sampling of juveniles held in Connecticut detention centers, 60.2 percent were identified as either needing special education services or having learning disabilities.

“From what we see, a lot of these kids are undiagnosed special education students, or they’re in failing school systems,” said Martha Stone, executive director of the Center for Children’s Advocacy, which represents juveniles in the court system, while working on systemic reforms. Why aren’t students diagnosed? “Schools don’t want to do all those evaluations,” she said.

The center—working with school, police, court and community leaders—has collected arrest data on schools in Hartford and Bridgeport, where the student body is largely minorities, and has presented those findings to school administrators in hopes of stemming arrests for minor offenses. The 10 schools with the most arrests have been receptive to finding alternatives, Stone said. Milner School in Hartford, K-8, had 17 school-based arrests from March to June; that number had dropped to two from September through early December, data shows. “I think that by shining the light on the issue, school by school, the data is driving some alternative interventions,” Stone said.

## **Reforms Move Ahead**

The Connecticut Juvenile Justice Alliance is guiding similar efforts in Manchester, Willimantic and Stamford. The three communities were chosen because they expressed a willingness to re-think school discipline, said Lara Herscovitch, the alliance’s senior policy analyst. The alliance brought in two judges who had led juvenile reform efforts in their Georgia and Alabama counties to consult on Connecticut efforts. Community teams in the three towns worked through the summer to develop detailed protocols on discipline, and school resource officers, teachers and school support staff received training.

The cost? “There’s really not much money needed,” Herscovitch said. “It’s about collectively deciding to do things a different way.” The new protocols adopted by the districts—with help from the Connecticut Juvenile Justice Advisory Committee and others—offer detailed discipline guidelines, depending on the nature of the offense.

In Manchester, there are four disciplinary tiers, ranging from minor misbehavior that is to be handled by teachers, to chronic or more disruptive behavior that calls for social workers and guidance counselors to become involved, to serious behavior posing safety concerns that has administrators taking action. But instead of the old system of suspensions, expulsions and arrests, the schools now have a variety of alternative programs in place, including a substance abuse program, a community service program, a school safety review board and a “SAFE Center,” run by the youth services bureau, which works directly with troubled children and families.

Serious incidents—those involving injuries, threats of violence, weapons or drugs—are still referred to police, said Heidi Macchi, outreach social worker for the Manchester schools. She said staff training has been a key component.

“Our staff members work very hard now to de-escalate a situation,” she said. “Before, we could have a situation where a staff person tells a student to take off his hat, the student refuses, the staff member may get up closer, the situation could escalate. That’s the kind of thing we’re working to avoid.”

Macchi said the changes stirred some debate, with some school staff members worried that students would not face adequate consequences for bad behavior. "It's a huge buy-in. But there are ways, other than arrest, for students to get the message—more productive ways," she said.

In Willimantic, a similar formal discipline policy has been put in place at Windham High School and Middle School. The addition of a full-time school resource officer at the high school, as well as staff training, has helped to reduce arrests, as the emphasis has shifted to "de-escalation," said Alexandra Lazzari, assistant principal at the high school.

In one incident in October, Lazzari said, a group of female students was involved in a clash during class changeover time. A few of the girls were arrested, but the school resource officer defused the situation before it became a full-blown fight, she said.

"You still get the kind of behaviors where it's appropriate to arrest or expel," Lazzari said. "But when you have a (school resource officer) who actually knows these kids, knows the families, knows the dynamics, it plays out very differently than when you just call in the police."

The number of Connecticut schools that have resource officers on-site has declined in recent years due to budget cuts, said South Windsor police Officer Caleb Lopez, president of the Connecticut School Resource Officer Association. He said most officers use arrests as a last resort, especially when other interventions, such as local Juvenile Review Boards, are available. But many towns lack such alternatives, he noted.

Lopez said some schools have high arrest rates for valid reasons: Officers are weeding out students who pose a threat to safety, or school administrators want to make sure that students face consequences for disruptive behavior. "Sometimes it's like, 'I really don't want to arrest this kid, but there's no other way to hold that kid accountable,'" Lopez said.

Anderson said changing the way Connecticut handles school discipline is a "slippery slope" because it involves not just the criminal justice system, but education policy. The state, with its local school districts and police departments, has no uniform policies on training for school resource officers, disciplinary rules or diversion programs. Judges have limited authority. And there is little incentive to keep troublemakers around, when they drain school resources, crowd classrooms, and don't help test scores, she said.

"In some schools, administrators have essentially abdicated all disciplinary actions to the police," Anderson said. "In others, they handle all but the really serious incidents themselves... "When you have such local control, it's hard to make systemic change. That's one of our challenges in Connecticut."

To read *Agreement between Manchester Public Schools and Police*, go to:  
<http://www.newhavenindependent.org/archives/upload/2011/12/Manchester.pdf>

This story was underwritten by a grant from the Center for Public Integrity iWatch News.

To read *An Epidemic of Expulsions*, go to:  
<http://www.iwatchnews.org/2011/12/11/7625/epidemic-expulsions>