

FROM PLAYGROUNDS TO PRISONS

Police Involvement in School Discipline



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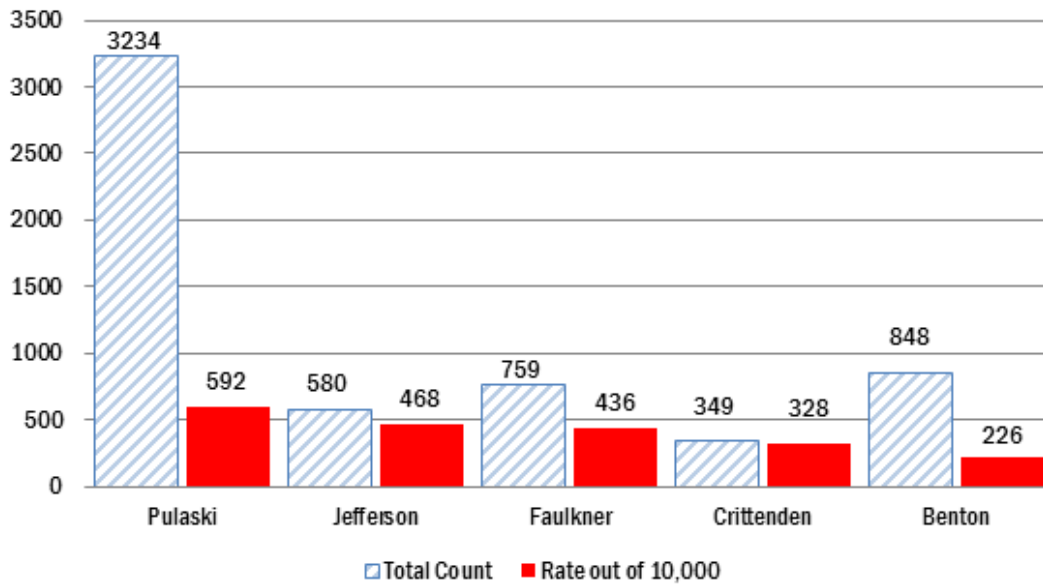
Across the state, officers of the law protect Arkansas children from significant threats, but what happens when police are charged with the task of enforcing the law and school policy on school grounds? Quite simply, police officers do their job and write-up and arrest minors. When youth misbehave at school, school teachers and officials often turn to police for help. In fact, Pat Arthur and Tim Roche note that delinquency courts are “the default means of managing school misbehavior.”¹ When youth are policed in schools, they are more likely to be written up for non-felony offenses such as simple assault, therefore more likely to be arrested and detained for these non-felony offenses. This is typically referred to as the “school-to-prison pipeline.” As a result of school disciplining attempts, youth who misbehave in school are vulnerable to being funneled into the justice system.

Arresting and detaining youth for school misbehavior is an excessive use of the juvenile court system, and a detrimental one as youth who are arrested and taken to court are less likely to “age-out” of delinquent behavior, according to the Annie E. Casey Foundation.² Arthur and Roche suggest that the majority of those who are arrested will not have any more encounters with the system.³ Therefore, it seems unnecessary to arrest these youth at all, as they do not pose a long-term threat and can be safely reintegrated into school. Not only is police involvement generally unnecessary, it is potentially harmful as encounters with police and the court system may foster a sense of disengagement and lack of care in school, contributing to worsening grades. The use of police in schools, and other harsh “zero-tolerance” disciplinary policies, can make schools a hostile and unfriendly environment, which does not facilitate learning and engagement.⁴ Arrests and court involvement take youth out of school, which makes it difficult for them to re-enter, stay in school, and maintain good grades. For all of these reasons, it is important to investigate the disciplinary systems in schools, and to analyze data regarding encounters with police officers on school grounds.

The following charts allow us to pinpoint what districts may be experiencing issues with school discipline. Roughly half of the data for each year from 2009-2011 was excluded because offenders were over 18 and thus not juveniles, or because the age of the offender was not listed. Therefore this data actually minimizes the reality of youth encounters with law officers. The three Pulaski County school districts have the largest enrollment population from kindergarten through high school and also have the largest total count of offense reports made by an officer. The county also has the highest rate of offense reports per 10,000 enrolled students. From 2009-2011, 592 students out of every 10,000 had an encounter that resulted in an offense report being filed by an officer. This rate would increase with a more complete data set. The figure suggests that Pulaski, Jefferson, Faulkner, Crittenden, and Benton Counties are all areas of concern, and may be overusing police action as a disciplinary tool.

Figure 1⁵

Offense Rate and Count by County 2009-2011



1. We are assuming that all of those written-up on school grounds were enrolled in school, and thus use as a reference the total enrolled k-12 population.
2. It's important to note that some counties may be better recording the offenses, which would account for part of the differences between counties.

Offenses Recorded by Race

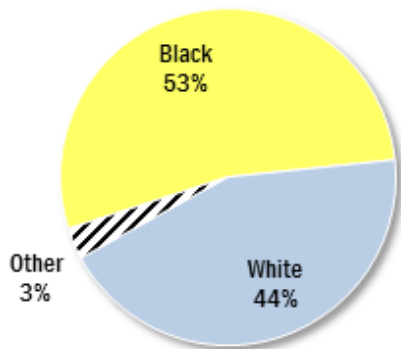


Figure 2

Over a period of three years, students who had interactions with police that led to an offense report were disproportionately black. Over 50 percent of all offense reports listed a black alleged offender, while black students make up only 21 percent of the total enrolled population.⁶ It does not follow that more black students are behaving in disruptive manners. We must take into account the racial disparities in school disciplining strategies, as noted in an earlier report by Arkansas Advocates for Children and Families. The overrepresentation of African American students in the offense reports do not signal some cultural predisposition to misbehavior, rather this data point signals that the assumption of cultural differences and the assumption

of misbehavior placed on black students may lead school officials to report black students more to law officials.⁷ This overrepresentation in school disciplinary actions is significant as it may impact the racial achievement gap present in schools. More black students are being written-up by police, and are thus more likely to be arrested, sent to court, and detained, taking them away from their studies in school and further inhibiting their chances for higher achievement.

Additionally, students are being written-up and arrested for offenses that are not particularly serious or dangerous to the public. The majority, approximately 55 percent, of all offenses are made up of “Simple Assault,” and “Intimidation” charges. Simple Assault is typically described as a physical altercation that does not involve weapons or serious bodily injury, and Intimidation involves situations like bullying. In addition, “Drug and Narcotic” violations make up 14 percent of offenses. Legally, drug offenses tend to be treated as a more serious issue than Simple Assault and Intimidation. But the possession and use of drugs and narcotics is primarily harmful to the individual offender, as opposed to Simple Assault and Intimidation. In the case of drug use, rather than writing-up and arresting youth, schools and parents should address the individual motivations for use so that a process of treatment, rather than punishment alone, may begin. These relatively minor issues likely do not have long term damages, emotional or otherwise. However, when police are called, such occurrences may result in arrest and detention. These sorts of altercations should certainly be addressed, but by school counselors and parents, not police officers. Aggravated Assault, which is listed in the Violent Crimes Index and is considered a felony offense, makes up only three percent of the total documented offenses.

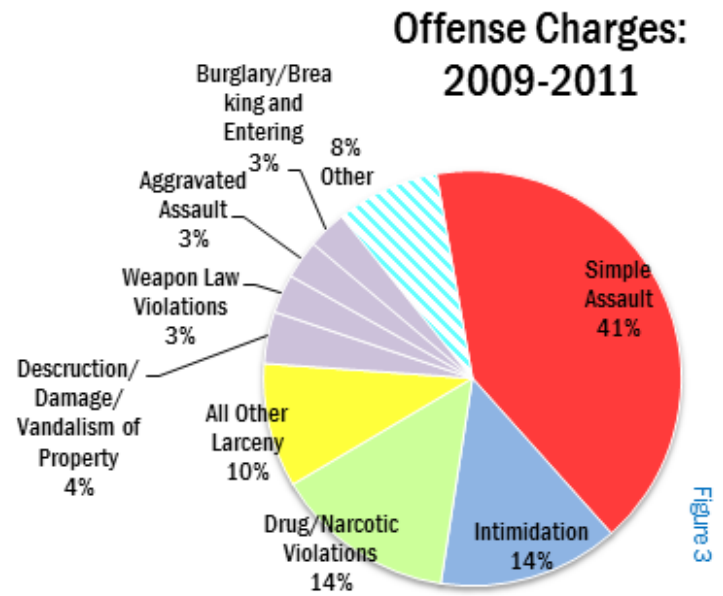


Figure 3

There are many different tools that can be utilized when students misbehave, alternatives that do not involve the police, juvenile court, or detention centers. These options should be used in the majority of offense incidents, which do not involve major injury or threat. For instance, the Positive Behavioral Intervention and Support System (PBIS) focuses on implementing positive reinforcement techniques. This is a prevention tool, in that it rewards students for having good behavior, meaning the students have a very clear interest in behaving well.⁸ Rewarding students for their work creates a sense of support and appreciation, making students less likely to act out. It would be important to implement a preventative program similar to PBIS, as well as a restorative justice program. The arrest and detention of youth does not necessarily teach youth accountability and responsibility. Instead of having to face the people that have been hurt, the student accused of misbehavior is taken out of school and away from a potential learning experience. Restorative justice seeks to acknowledge the full complexity of social interaction, of contexts outside of an individual’s control that may have facilitated inappropriate behavior, while at the same time holding the individual accountable for repairing the situation.⁹ This empowers youth to take control of their own lives and patterns of behavior, while giving them the support and tools they may need in this process. To provide an example of restorative justice, a student who spray-painted graffiti on a school building would be tasked to remove the damage and write a report on the use of property laws. Together, PBIS and restorative justice techniques would help decrease the use of law enforcement in schools, lessening the referrals to the juvenile court system, and allowing youth to obtain their education and stay out of detention centers.

Notes

- ¹ Arthur, Pat and Tim Roche. 2008. "Juvenile Justice Reform In Arkansas: Building a Better Future for Youth, their Families, and Community." Little Rock, Ar: The Arkansas Division of Youth Services. www.arkansas.gov/dhs/dys
- ² Mendel, Richard A. 2011. "No Place for Kids: The Case for Reducing Juvenile Incarceration." Baltimore, MD: The Annie E. Casey Foundation. www.aecf.org/noplaceforkids
- ³ Arthur, Pat and Tim Roche. 2008. "Juvenile Justice Reform in Arkansas: Building a Better Future for Youth, their Families, and Community." Little Rock, Ar: The Arkansas Division of Youth Services. www.arkansas.gov/dhs/dys
- ⁴ American Civil Liberties Union. 2008. "Locating the School-to-Prison Pipeline." <http://www.aclu.org/racial-justice/school-prison-pipeline-fact-sheet-pdf>
- ⁵ Offense records provided by ACIC data, enrollment population data provided by the ADE Data center: <https://adedata.arkansas.gov/statewide/Counties/EnrollmentByGradeSpan.aspx>
- ⁶ ADE data, 2010-2011 enrollment statistics: <https://adedata.arkansas.gov/statewide/State/EnrollmentByRaceGradeLevel.aspx?year=21&search=&pagesize=10>
- ⁷ Derlilkowski, Jerri. 2013. "Keeping Kids in School: Racial Disparities in School Discipline." Little Rock, Ar: Arkansas Advocates for Children and Families.
- ⁸ Arthur, Pat and Tim Roche. 2008. "Juvenile Justice Reform In Arkansas: Building a Better Future for Youth, their Families, and Community." Little Rock, Ar: The Arkansas Division of Youth Services. www.arkansas.gov/dhs/dys
- ⁹ NSBA. 2013. "Addressing the Out-of-School Suspension Crisis: A Policy Guide for School Board Members."