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Colleen Thomas

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# POLICING IN SCHOOLS: TOO MUCH LAW ENFORCEMENT?

*by* COLLEEN THOMAS

Today, police officers can be found in 35 percent of elementary, middle and high schools across the country.<sup>1</sup> As the presence of law enforcement officers in schools has increased, so too have arrests and referrals to the juvenile justice system.<sup>2</sup>

One reason for the increase is the vast implementation and strict adherence to “zero-tolerance” policies by public schools nationwide.<sup>3</sup> These policies allow no exceptions and therefore require punishment for every infraction of a rule.<sup>4</sup> William Hook, principal of the Chicago High School for Agricultural Sciences, notes, “At our school, we have a zero-tolerance [policy], but we employ it with common sense and with a purpose in mind.”<sup>5</sup> Not all schools take that same approach.

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As applied, some zero-tolerance policies treat every infraction and violation the same, whether major or minor, and often without consideration of context.<sup>6</sup> This means that a student could face suspension, expulsion or even arrest for an act as simple as overturning a classroom desk,<sup>7</sup> participating in a food fight, or dyeing his or her hair an uncommon color—situations that could easily and effectively be handled by school administrators.<sup>8</sup> Ultimately, researchers say, such “harsh school discipline policies and law enforcement policies intersect to feed young people into the prison system.”<sup>9</sup>

#### THE “SCHOOL-TO-PRISON PIPELINE”

A recent study by Project NIA, an advocacy center working to end youth incarceration, suggests that Chicago is a prime example of this alarming trend, often referred to as the “school-to-prison pipeline.”<sup>10</sup> In 2010, there were 5,574 juveniles arrested at schools, accounting for 20 percent of all juvenile arrests that year in Chicago.<sup>11</sup> These arrests were conducted by the more than 1,700 security officers staffing Chicago Public School (CPS) campuses,<sup>12</sup> and stemmed in large part from offenses such as simple battery and disorderly conduct.<sup>13</sup> These statistics are an increase from the nearly 3,200 juvenile school-based arrests in 2003 for simple assault or battery with no serious injuries, most of which were ultimately dismissed.<sup>14</sup>

Similarly, a study by Texas Appleseed, a nonprofit public interest advocacy group that promotes social and economic justice, noted that the increase in the number of police officers assigned to campuses in Texas’s largest school districts has increased the amount of misdemeanor citations issued to students for offenses like disrupting class, misbehaving on the bus and using profanity.<sup>15</sup> These “[s]chool discipline issues quickly turn into police records” and can have serious, long-lasting effects.<sup>16</sup>

For most students, missing school for court appearances and paying legal fees are the least of the problems stemming from school disciplinary issues.<sup>17</sup> Youth engaged with the law “consistently struggle with school, have higher levels of mental and emotional trauma.”<sup>18</sup> There is also evidence that they are more likely to commit crimes in the future as a result.<sup>19</sup>

In some school districts, arrest or referral to the juvenile justice system can lead to suspension or even expulsion—but even if it does not, the consequences of

juvenile arrests can still cause these students to miss out on important social, educational and developmental experiences that promote positive life outcomes.<sup>20</sup> Additionally, those who enter the juvenile justice system face an increased likelihood of dropping out of school altogether, which in turn can lead to a higher risk of future incarceration.<sup>21</sup>

Unfortunately, this seeming “cycle” of juvenile incarceration does not stop once students reach adulthood. According to an Illinois Juvenile Justice Commission study, the state’s juvenile justice system serves as a “feeder system” to the adult criminal justice system and a cycle of crime, victimization, and incarceration.<sup>22</sup>

#### THE QUESTION OF AUTHORITY

With so much at stake, the question of whether police officers and school resource officers should be in schools continues to be a controversial issue. While many school officials maintain that there is a great need for police and security in schools, the extent and scope of their authority has been questioned.<sup>23</sup>

Recently, Chicago Police Superintendent Garry McCarthy expressed his reservations about having police officers inside schools, saying, “I’m not a big proponent of having cops in schools . . . discipline within the school becomes the responsibility of the school principal.”<sup>24</sup>

Principal Hook agrees with this sentiment, noting that “there are rare occasions when our assigned police officers intervene in situations but we do NOT delegate our authority to the police. Situations that should be handled by the school are handled by the school.”<sup>25</sup>

Although police officers will be posted at Chicago’s public schools for the foreseeable future,<sup>26</sup> the question of what can be done to create safe schools without law enforcement remains a pressing question. Options include hiring more counselors and psychologists to mentor and work with students, striving to build quality relationships with students and their families, training staff on behavior management so they can more safely and effectively manage their classrooms and promoting conflict resolution as a guiding principle for dealing with problems.<sup>27</sup> Through peer mediation, conversations and meetings of

those involved, students can be empowered “to resolve conflict or harm themselves, without involving law enforcement or the justice system.”<sup>28</sup>

While having police and other law enforcement officers in schools can serve to promote safety and prevent crime, the reality is that police presence in schools is also having serious and long-lasting effects on students. With no apparent evidence that the school-to-prison pipeline will soon be broken, consideration must be given to the many plausible alternatives to policing in schools, and a more effective and less harmful solution must soon be reached.

#### NOTES

1 MARIAME KABA & FRANK EDWARDS, PROJECT NIA, POLICING CHICAGO PUBLIC SCHOOLS: A GATEWAY TO THE SCHOOL-TO-PRISON PIPELINE 3 (2012), available at <http://policeinschools.files.wordpress.com/2011/12/policing-chicago-public-schools-final2.pdf>.

2 AMANDA PETTERUTI, JUSTICE POLICY INST., EDUCATION UNDER ARREST: THE CASE AGAINST POLICE IN SCHOOLS 13 (2011), available at [http://www.justicepolicy.org/uploads/justicepolicy/documents/educationunderarrest\\_fullreport.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/educationunderarrest_fullreport.pdf).

3 *Id.* at 145.

4 *Zero-Tolerance Policy Definition*, DICTIONARY.COM, <http://dictionary.reference.com/browse/zero-tolerance-policy> (last visited Apr. 20, 2012).

5 Email interview with William E. Hook, Principal of Chi. High Sch. for Agric. Scis. (Mar. 14, 2012).

6 Radley Balko, *School Police Have Uncertain Impact on Student Arrests, Crime Prevention*, EDUCATIONVIEWS (Dec. 22, 2011), <http://educationviews.org/2011/12/22/school-police-have-uncertain-impact-on-student-arrests-crime-prevention/>.

7 PETTERUTI, *supra* note 2, at 15.

8 Barbara Pinto & Devin Dwyer, *School Safety: 'Zero Tolerance' Policies Common Sense?*, ABCNEWS (Nov. 12, 2009), <http://abcnews.go.com/WN/education-school-safety-tolerance-polices-lack-common-sense/story?id=9053934#.T1fcMfU8CS0>.

9 KABA & EDWARDS, *supra* note 1, at 3.

10 *Id.* at 3.

11 *Id.* at 9.

12 *Id.* at 5.

13 *Id.* at 11.

14 PETTERUTI, *supra* note 2, at 14.

15 *Id.*

16 KABA & EDWARDS, *supra* note 1, at 5.

17 PETTERUTI, *supra* note 2, at 17-19.

18 CAITLIN PATTERSON & MARIAME KABA, PROJECT NIA, ARRESTING JUSTICE: A REPORT ABOUT JUVENILE ARRESTS IN CHICAGO 2009 & 2010 21 (2011), available at <http://arrestjustice.files.wordpress.com/2011/06/arrestingjusticefinal21.pdf>.

19 *Id.*

20 PETTERUTI, *supra* note 2, at 18.

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21 *Id.* at 17-19.

22 Ryan Haggerty, *Illinois' Juvenile Justice System is Failing, State Report Says*, CHI. TRIB. (Dec. 13, 2011), [http://articles.chicagotribune.com/2011-12-13/news/ct-met-juvenile-recidivism-1213-20111213\\_1\\_juvenile-justice-system-youth-offenders-community-based-rehabilitation-programs](http://articles.chicagotribune.com/2011-12-13/news/ct-met-juvenile-recidivism-1213-20111213_1_juvenile-justice-system-youth-offenders-community-based-rehabilitation-programs).

23 *Id.*

24 Jay Levine, *McCarthy Moving Some Cops From Inside Schools to Outside*, CBS NEWS (Oct. 5, 2011), <http://chicago.cbslocal.com/2011/10/05/mccarthy-moving-some-cops-from-inside-schools-to-outside/>.

25 Hook, *supra* note 5.

26 Sarah Karp, *Citing Safety, Most High Schools Keeping Police*, CATALYST CHI. (Oct. 28, 2011), <http://www.catalyst-chicago.org/notebook/2011/10/28/citing-safety-most-high-schools-keeping-police/>. Recently, Tim Cawley, Chief Administrative Officer for Chicago Public Schools, expressed reservations about having police and other security officers in schools, especially given the high price: about \$75,000 annually per officer. Still, during the summer of 2011, over 100 Chicago public schools refused to give up their police officers in exchange for a hefty sum of money).

27 PETERUTI, *supra* note 2, at 24-28.

28 *Id.* at 28.