



Connecticut Rethinks Student Arrests

*New York State Leadership Summit
on School-Justice Partnerships:
Keeping Kids in School and Out of Court*
Hofstra University
April 11-12, 2013



Reducing the number of children and youth entering the juvenile and criminal justice systems, and advocating a safe, effective, and fair system for those involved

Strategies



- Small Staff, Big Coalition
- Legislative Education and Advocacy
- Community Organizing & Capacity Building
- National / State / Local Partnerships
- Strategic Communications

Priorities



- RTA successful
- Keep supports in jj system so kids can succeed
- Ensure a child's race or ethnicity does not negatively affect how s/he is treated
- Reduce school-based arrests (keep kids in school)

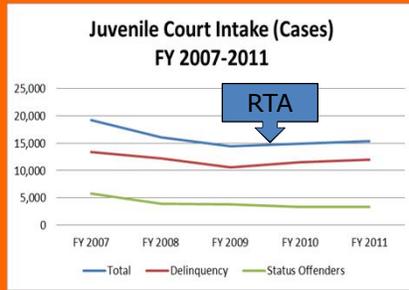
**Context:
Trends and Issues in
Connecticut's Juvenile
Justice System**



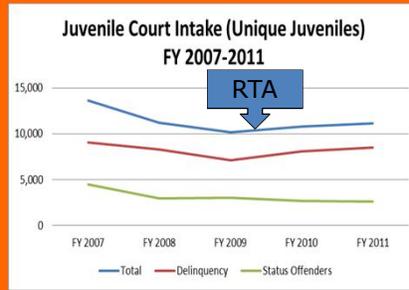
Shrinking *and* Expanding

- Smart investments in prevention and diversion
- Home-based interventions, a commitment to least restrictive environment
- Older youth included, average age increasing

Court Intake



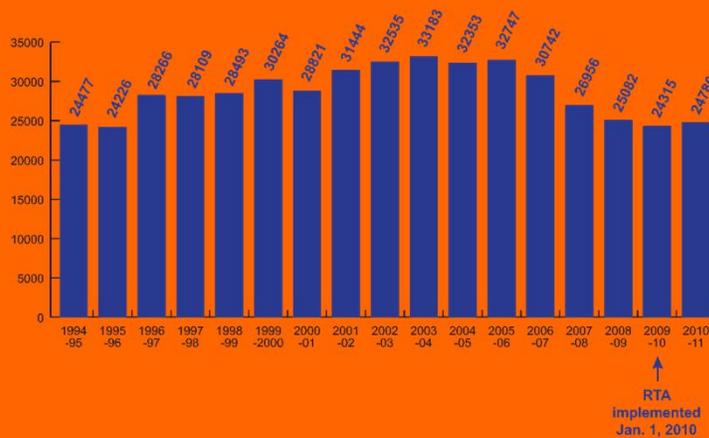
Case intake is down 20 percent over the past five years, even after Raise the Age



The number of unique juveniles referred to the court is down 18 percent since 2007

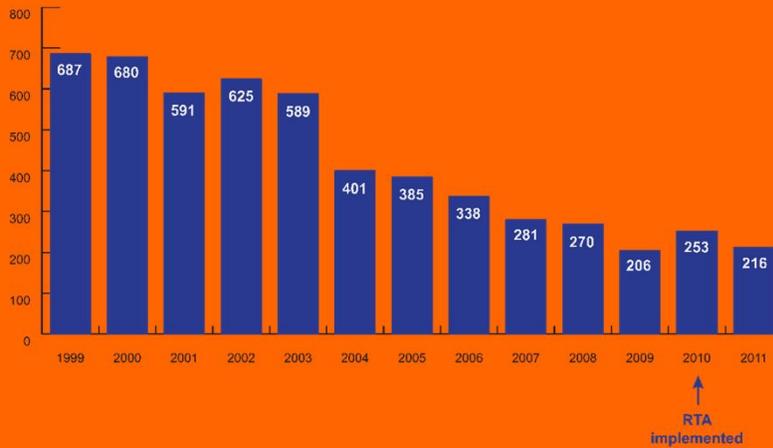
Source: Judicial Branch Court Support Services Division

New Juvenile Court Cases 1995-2010



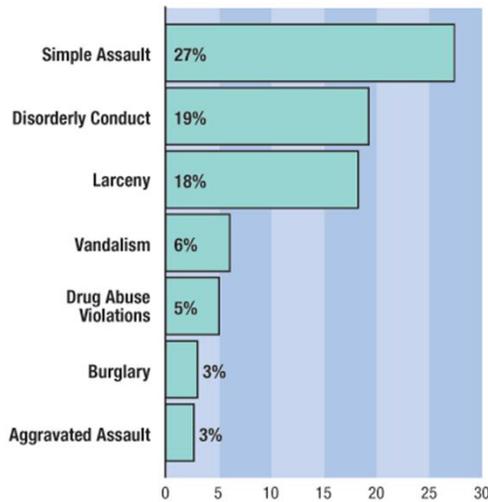
Source: Judicial Branch Court Support Services Division

Juveniles Committed Delinquent to DCF 1999-2011



Source: Judicial Branch Court Support Services Division

Arrests in Connecticut 2009 * Most common charges for <16 year olds * (the most serious charge for the arrest)



The charge types in the chart on the left are based on the national Uniform Crime Reporting (UCR) System and do not directly align with specific statutes in the State of Connecticut. A summary of the UCR descriptions are provided below.

Simple Assault	Assaults which are not of an aggravated type and do not result in serious injury
Disorderly Conduct	Behavior that disturbs the public peace, scandalizes the community or shocks the public sense of morality
Larceny	The unlawful taking, carrying, leading or riding away of property from another
Vandalism	Willful or malicious destruction, injury, disfigurement or defacement of property without the consent of the owner or person having custody or control
Drug Abuse Violation	Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs
Burglary	The unlawful entry of a structure to commit a felony or a theft
Aggravated Assault	Attack by one person upon another to inflict severe bodily harm often accompanied by the use of a weapon

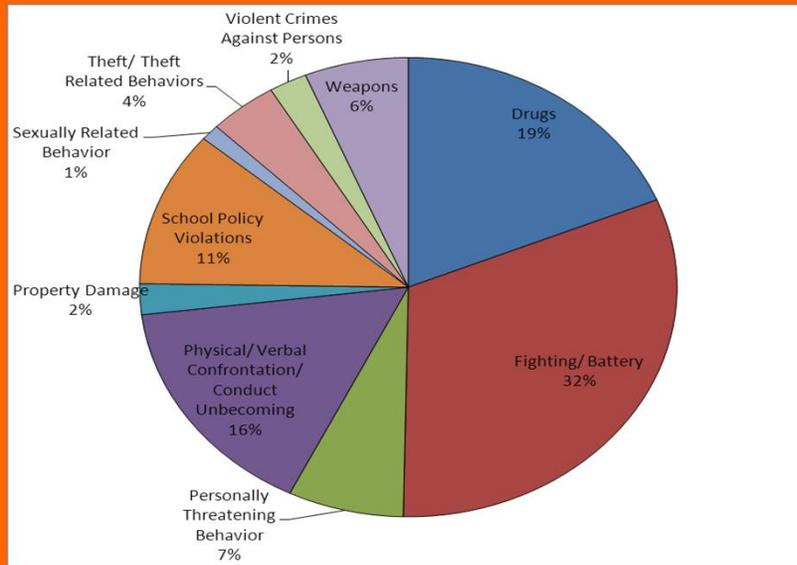
* The charges listed include those that account for 2% or more of the arrests for <16 year olds.

Source: Connecticut Department of Public Safety Crime in Connecticut 2009 Report – <http://www.dpsdata.ct.gov/dps/ucr/ucr.aspx>

looking for JJ system feeders: found school-based arrests

- Too many children referred to the jj system from public schools
- Most for misdemeanor offenses
 - School Policy Violations** escalate into delinquency charge or probation violation: Insubordination (swearing; dress code)
 - Delinquency Charges:**
 - Disorderly conduct, Breach of peace (fighting, talking back, running in halls, loud music)
 - Trespass (skateboarding, bicycles)
 - Smoking
- Children of color referred at disproportionately higher rates

Reasons for School-Based Arrest by General Category, SY2010-11



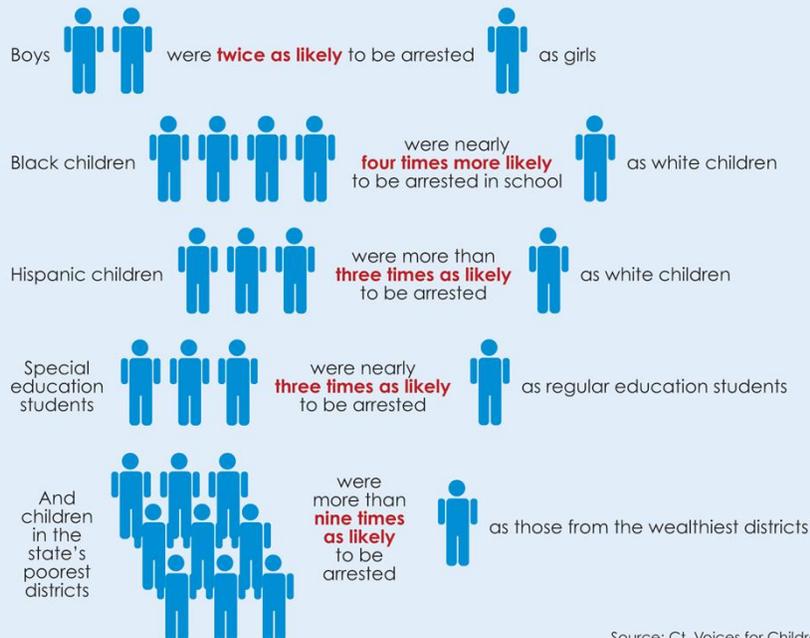
Source: SDE data analyzed by Connecticut Voices for Children

Reasons for School-Based Arrest, SY2010-11

Rank	Sub-Category of Incident Leading to Arrest	Total Number of Arrests	Percent of All Arrests
1	Fighting/Altercation/ Physical Aggression	672	21%
2	Drugs/Alcohol/Tobacco	598	19%
3	Physical Altercation	377	12%
4	Battery/Assault	258	8%
5	Weapons	199	6%
6	Threat/Intimidation/ Verbal Harassment	142	4%
7	Theft/Stealing	99	3%
8	Serious Disorderly Conduct	73	2%
9	Breach of Peace	52	2%
10	Insubordination/ Disrespect	51	2%
11	Threats of Bodily harm	51	2%
12	Vandalism	47	1%
13	Disorderly Conduct	45	1%
14	Disruption/Disruptive Behavior	43	1%
15	Verbal Altercation	42	1%
16	Skipping Class	41	1%
17	Obscene Language/Profanity	26	1%
18	School Threat/Bomb Threat	25	1%
19	Inciting a Fight/Riot	24	1%
20	Foreign substance (Illegal drugs)	22	1%

Source: SDE data analyzed by Connecticut Voices for Children

During the 2010–2011 school year in Connecticut ...





CTJJA's Response: Educating, Inspiring, Capacity Building

- Educational forums: moderated panels on jj/ed connections, CPTV *Education vs. Incarceration*



- Work closely with SAG (JJAC)
- Brought Judges Teske (GA) and Huff (AL) to raise awareness and inspire replication
- Goal of *statewide* reform though a very local issue and infrastructure – demonstrate local success

Good News: Replication *is* Possible

The process:

- SAG (JJAC): model MOA
- Fall 2010, JJAC and Alliance invited Judges Teske (GA) and Huff (AL) to present arrest reduction initiatives
 - CT communities met in small groups and re-convened for report-out: police, educators, providers, DCF, court
 - Could their towns and cities achieve the same kinds of results? Were they willing to put in the work to get there?
- Summer 2011, 3 cities ready to launch collaboratives
- Fall 2011, implementation of MOA & graduated response model
- Ongoing: regular collaborative meetings to fine-tune, add and subtract initiatives, review data, discuss issues, successes, trends, gaps, (re) train / orient school and police personnel

Results: Manchester

Manchester				
District Overall				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	614	694	80	13
Out of School Suspension	389	416	27	7
Expulsion	30	11	-19	-63
Arrest (PD)	137	53	-84	-61
Illing Middle School				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	207	244	37	18
Out of School Suspension	132	101	-31	-23
Expulsion	4	3	-1	-25
Arrest (PD)	missing data	23	n/a	n/a
Manchester High School				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	407	450	43	11
Out of School Suspension	257	315	58	23
Expulsion	26	8	-18	-69
Arrest (PD)	137	30	-107	-78

Results: Windham

Windham				
District Overall				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	1563	1477	-86	-6
Out of School Suspension	515	532	17	3
Expulsion	16	18	2	13
Arrest (Schools)	56	37	-19	-34
Windham Middle School				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	825	716	-109	-13
Out of School Suspension	171	263	92	54
Expulsion	3	0	-3	-100*
Arrest (Schools)	8	6	-2	-25
Windham High School				
	2011	2012	# change 2011-2012	% change 2011-2012
In School Suspension	738	761	23	3
Out of School Suspension	344	269	-75	-22
Expulsion	13	18	5	38
Arrest (Schools)	48	31	-17	-35

* In 2012, 11 students were expelled, 7 were listed as in OSS pending expulsion

Work centered on JJAC Model MOA

MOA Principles:

- Most student misconduct best addressed through classroom & in-school strategies (not jj system)
- Response to school disruptions should be reasonable, consistent and fair
- Hold students accountable through graduated response and continuum of services
- Appropriate redirection and support from in-school and community resources *prior* to exclusion/arrest
- Clarifying the responsibilities of school and police personnel promotes best interests of students, district, law enforcement and community

Juvenile Justice Advisory Committee Model MOA Graduated Response Model Format

	Types of Behavior	Intervention Options
Classroom Interventions		
School Administration Interventions		
Assessment and Service Provision		
Law Enforcement Interventions		

For model and local MOAs: www.ctjja.org/forum/resources.html

Tailored Locally: Manchester Graduated Response Model

Graduated Response Model Chart

	Level 1 Rules Violations/Disruptive & Offensive Behaviors	Level 2 Chronic Disruptive & Serious Behaviors	Level 3 Safety Concerns	Level 4 Mandatory Referral to School Resource Officer
Types of Behaviors	-Disruptive Behavior -Insubordination/Defiance -Inappropriate Attire -Inappropriate Language -Physical contact/ Harassment -Electronics Violation -Tardiness -Cutting Teacher Detention -Forgery/lying -Leaving classroom without permission -Pass violation -Inappropriate displays of affection -Other	-Chronic Level 1 Offenses (documented) -Chronic Disruptive Behavior (documented) -Gross Insubordination -Abusive Language directed at Staff -Chronic Tardiness -Cutting Office Detention -Cutting class -Leaving School Grounds -Harassment -Truancy -Other	-Chronic Level 2 Offenses -Bullying - Serious fighting/assault -Smoking -Theft -Threats/Intimidation -Vandalism -Other	-Alcohol/Drugs -Weapon Possession - Assault Resulting in Injury -Action Resulting in Lockdown or Evacuation of Classroom or Building -Inciting a Riot -Multiple Level 3 Offenses -Other
Persons Involved in Intervention	- Teacher - Parents/Guardians - Team leader	All Previous Persons Involved plus: - Guidance Counselor - School Social Worker - Administrator - Community Agencies	All Previous Persons Involved plus: - School Resource Officer - Student Assistant Team	ALL
Progressive Intervention Options and Discipline Actions	- Verbal warning - Redirection - **Parent contact - **Student/Teacher conference - **Parent/Teacher conference and other parties (guidance counselor, school social worker, etc) as deemed necessary - Consult team members and/or support staff - **Use of the Pre-Referral Intervention Manual for possible interventions - **Alternate setting - **File review - Mediation - **Behavioral contracts - **Behavioral Intervention plans/FBA - **Data collection on interventions and their effectiveness - **Loss of classroom privileges/restricted activity - **Lunch detention - **Teacher detention	All Previous Level Interventions/Discipline plus: - Written Warning- letter sent home - Referrals to student support personnel - 1 to 1 counseling - Parent/Team conference and other parties (guidance counselor, school social worker, etc) as deemed necessary - Mentoring program - School/Community Service - Referral to School Attendance Review Board - Saturday Detention - Play by the Rules Referral - Loss of School Privileges/Restricted activities - Behavior Intervention or Reflection Room - Designated "Time Out" area - In School Suspension	All Previous Level Interventions/Discipline plus: - Parent/Administration conference and other parties (guidance counselor, school social worker, etc) as deemed necessary - Referral to SAT - Referral to Substance Intervention Program - Referral to School Safety Review Board - Referral to Restitution/Community Service Program - Law Enforcement Referral to Diversionary Program - Law Enforcement Mentoring - Law Enforcement ticket/fine - Outside School Suspension - Possible referral for consideration of expulsion	All Previous Level Interventions/Discipline plus: - Arrest - Referral for consideration for expulsion

**Non-certified staff (see protocol and guidelines not all interventions are appropriate and must get prior administrative instruction)

Traditional Discipline Interventions

- Detention
- In-school suspension
- Out-of-school suspension
- Arrest
- Expulsion

Examples of Manchester Discipline Interventions

- Redirection
- Mediation
- Detention
- 1 to 1 counseling
- Mentoring program
- Play by the Rules Referral
- Behavior Intervention or Reflection Room
- In-school suspension
- Referral to Substance Intervention Program
- Parent/Administration conference and other parties (guidance counselor, social worker, etc.)
- Referral to Restitution/Community Service Program
- Out-of-school suspension
- Arrest
- Referral for consideration for expulsion

For (many) more details:

Adult Decisions

Connecticut rethinks student arrests

A publication of the Connecticut Juvenile Justice Alliance
January 2013

What Else is CT Doing?

2. Judicial Branch (CSSD) re-articulated authority to return referrals, when:

Child is 8 years old or less and/or summons is for;

- Behavior in keeping with normal adolescent behavior
- Infraction involving skateboarding, bicycles, loitering, or simple trespass (school property)
- Possession of tobacco if child is over 15 yo
- Siblings fighting in home, no weapons, no injuries
- School fight, 2 kids of similar age, no injury, both arrested
- School incidents e.g., wearing hat, running in halls, swearing, talking back, disruptive actions but no violence / property destruction / injury

What Else?

3. CSSD

- School-based arrest data collection statewide

4. Legislature

- RB6682 would require MOAs/data

5. JJAC DMC Subcommittee

- Model MOA and small incentive grants (ctJustStart.org)
- Training: Patrol officers & School personnel (RightResponseCT.org)



Right Response CT
Schools & Police Working Together

6. SBDI

- School-deep and mental health focus, EMPS usage

7. SDE

- Positive school climate movement

CT's Comprehensive Approach: Why it is Working

- Addresses school-based arrest from **multiple perspectives and systems**
- Engages **key leaders and wide variety of stakeholders**
- Timing is everything!
 - National dialogue and movement
 - “Raise the Age” success paved way for next steps
 - Community-level data and confirmation

Adult Decisions: Rethinking Student Arrests Action Steps

1. Educate yourself about the problem
2. Find out what's happening in your community
3. If the data are not available, ask why
4. Make it clear that you care
5. Bring a broad coalition of stakeholders to the table
6. Make sure students, families and teachers all have a voice in your work
7. Together with key partners, create a memorandum of agreement making the role police in school discipline clear
8. Make good use of existing resources
9. Keep collecting data
10. Share your story
11. Understand that signing a MOA is just the first step
12. Respond to students with mental health needs



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