

For SROs, Educators & Administrators

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# How SROs Can Divert Students from the Juvenile Justice System

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School Resource Officers have been criticized in some reports for being responsible for increases in arrests at school. Various accounts point to associations between the presence of school-based law enforcement and increased student arrests and referrals to juvenile court for school discipline issues—often for public order offenses, such as willful defiance, disorderly conduct, or disrupting the educational process. While there have been some instances of increased arrests in schools in the U.S., other school-community partnerships are seeing opposite results—SROs helping to divert students from involvement with the justice system.

## The Current Scene

In communities around the U.S., school and community groups are engaged in an important discussion about the appropriate roles of law enforcement in school safety. Concerned parties are asking tough questions like, Does the presence of police in schools mean:

- Reduced crime?
- Increased safety?
- Increased arrests?
- Disproportionately arresting students of color?
- Making schools feel less safe?

Many communities find that SROs—one of the best known forms of school-based law enforcement—can help make schools safer. But if schools and law enforcement agencies do not make sure that SROs are well-chosen and well-trained, the presence of an officer in school may encourage a criminal justice response to misconduct better addressed by school administrators.

## How Does a Community Do School-based Law Enforcement Right?

There has been considerable development of the profession of SROs over many years. In recent years the field of school-based law enforcement has matured rapidly due to a variety of factors:

- A new appreciation of the adolescent brain as it develops
- An awareness of the importance of understanding mental illness and trauma and how to respond to it
- A clearer understanding of the relationship the SRO has to school discipline.

Many communities have gotten the message that the “right” officer must be well-trained to do a very complex, demanding, and multi-faceted job. While the public safety role of the SRO is considered pre-eminent by many, and an occasional arrest may be warranted for public safety reasons, as *Hard Lessons: SRO Programs and School-based Arrests in Three Connecticut Schools* stated: “Every time a school-based arrest is made we must ask ourselves...was there another way?”

## Four Keys to Diversion

One of the goals of present-day school-based law enforcement should be to keep students out of the juvenile justice system. This is a serious matter because involvement in the juvenile justice system can negatively impact a child’s life trajectory, hindering educational success and raising the risk of adult criminal behavior. To that end, school/law enforcement/community partners can ask these four questions to help SROs maximize their potential to DIVERT students from involvement with the justice system:

- 1 Has your school and law enforcement community defined the roles of the SRO?
- 2 Was there a thorough process to choose the SRO?
- 3 Are the SROs well-trained?
- 4 Does the school have strong and clear policies related to supportive school discipline and diversion?

## SRO Roles

The U.S. Office of Community Oriented Policing Services and NASRO advocate for SROs to fulfill a “triad” role encompassing three primary functions:

- 1 Educator
- 2 Informal Counselor/Mentor
- 3 Law enforcement problem solver.

The ways each of these roles is carried out has the potential to keep youth out of involvement with the juvenile justice system. For example, when SROs teach evidence-based programs like Gang Resistance Education and Training (GREAT) or the Olweus Bullying Prevention Program they are helping youth develop important life skills that can result in healthier decisions. Playing the counselor/mentor role is an obvious way that SROs can help recognize that students may be facing a range of challenging issues in their lives, such as substance abuse, witnessing trauma at home or in the neighborhood, or mental health issues. Here the SRO can play the important role of referring a student to a mental health professional to get to the root causes of a student’s behavior. Lastly, how the SRO carries out the law enforcement problem solver role is yet another way the officer can possibly divert students from involvement with the justice system.

## Choosing the SRO

One of the most important ingredients of a successful SRO program is choosing the right officer. As Capt Kyle Sanders, SRO Supervisor for the Red Bluff Police Department in CA puts it: “The importance of selecting the right person and the process for doing so is one of the most critical components to ensuring the success of the SRO program.” The bottom line is that someone who doesn’t like young people shouldn’t be chosen to be an SRO.

The question is, “How is the SRO chosen?” Since the SRO works for the law enforcement agency, how does that agency decide who is right for the job? But in addition, how are school personnel involved in that decision, since the officer will spend

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## Policy

Policy is another powerful strategy that can be used to enhance the diversion role of SROs. Schools and law enforcement agencies can develop stated policies that help lessen involvement of youth in the justice system. Two policy areas should be clear: One is around school discipline; the other is a clear statement about the diversion role of SROs.

Recent developments in the U.S., including the landmark School Discipline Consensus Report produced by the Council of State Governments Justice Center, have reinforced that the SRO's role is NOT to enforce school discipline rules. The report says:

“Educators and school officials do not call on officers to respond to students’ minor misbehavior that can be appropriately addressed through the school’s disciplinary process, and the officers use their discretion to minimize arrests for these offenses when possible.” (School-Police Partnerships, Policy Statement II.)

A simple training exercise shows how to put this policy in practice. Ask someone to role play a teacher telling an SRO to demand that a student take off a ball cap because it is against the rules. The officer can calmly explain to the teacher that he is there to ensure safety and uphold civil law, and that it is the job of school administrators to enforce school rules.

One example of policy language comes from the Charlotte-Mecklenburg, NC Memorandum of Understanding (MOU) that outlines one of the responsibilities: “The SRO may not enforce or investigate violations of school rules or policies or become involved with matters that are strictly school discipline issues.”

An MOU template from the School Violence Resource Center put it plainly: “The SRO is not a school disciplinarian. The SRO will not become involved in any form of school-administered punishment. If the staff believes a violation of the law has occurred they shall contact the SRO who will determine whether law enforcement action is appropriate.”

Employing language in policy that supports diversion is another measure. For example, the Intergovernmental Agreement between the Denver, CO Public Schools and Police Department not only clarifies that the SRO must differentiate between disciplinary issues and crime problems and respond appropriately, the policy also states that: “SROs must de-escalate school-based incidents whenever possible. SROs must understand that Denver Public Schools have adopted a discipline policy that emphasizes the use of restorative approaches to address behaviors, and is designed to minimize the use of law enforcement intervention.” De-escalation and the use of restorative practices are strong examples of the expectation that SROs divert students from justice involvement.

## Bringing It All Together

School-based law enforcement partnerships can employ these four roles to help divert students from involvement with the justice system—clarifying the roles of the SRO, choosing the right officer, training for diversion, and using policy. If law enforcement working in schools is going to divert students from involvement with the justice system, then the broader community needs to help by providing the alternatives to which students can be referred to hold them accountable and provide needed supports.

almost all of his or her time on the school campus? Also, is there involvement of the larger community?

The interview process is central to choosing the right officer. Law enforcement agencies must assess the motivation and skills of the SRO candidate to work in an educational setting. School administrators are also often part of the interview process, helping to determine if there is a good fit between the officer and the school. Even the broader community can have a role in choosing the SRO. For example, in Cambridge, MA collaborative partners from the community form the interview panel and ask questions of the officers who are volunteering for the positions. Lt. Leonard DiPietro, commander of the Youth Resource Officers, explains how the community is involved: There is a general job posting detailing police department requirements of the position, but the questions relating to the individual officers’ thoughts and means of accomplishment of the goals of the unit come from the school and community partners and not the police executive staff. The community finds that having a school representative, as well as a psychologist, on the panel is very effective. Also, the representative from the Human Services Department reminds the officers that their role is multi-disciplinary and involves the broader community. Given this broader view, the law enforcement agency calls the officers Youth Resource Officers because their assignment is not only in the schools but to the community as a whole.

Choosing the right officer means choosing the officer with the right disposition for diversion. As one SRO in Utah put it during a recent training: “I don’t want to arrest a student unless I really have to. I want to get that student help.” Especially in light of recent events in the U.S. it is important that SROs who are chosen have respect for youth and families of all cultures.

## Training the SRO

Today’s SRO must receive on-going training in many different areas. In addition to standard training that all sworn law enforcement officers must receive, SROs need to be trained in managing crises, including Incident Command System for Schools (part of the National Incident Management System). SROs should also receive supplemental training in juvenile law, adolescent development, positive school discipline, mental health crisis intervention, working with local cultural diversity, implicit bias, and de-escalation techniques. All of these specialized trainings can help the officers divert students from juvenile justice involvement.