



# **SCHOOL BOARD ACTION REPORT**

**DATE:** June 9, 2020  
**FROM:** Directors Brandon Hersey, Zachary DeWolf and Chandra Hampson

**For Introduction:** June 24, 2020  
**For Action:** June 24, 2020

## **1. TITLE**

Resolution 2019/20-38 Affirming Seattle Public Schools' commitment to Black students.

## **2. PURPOSE**

This Board Action Report presents a resolution in support of meaningful actions that affirm its commitment to Black students and their safety and success in Seattle Public Schools and in America.

## **3. RECOMMENDED MOTION**

We move that the School Board approve Resolution 2019/20-38 Affirming Seattle Public Schools' commitment to Black students. Immediate action is in the best interest of the district.

## **4. BACKGROUND INFORMATION**

- a. **Background** In response to the brutal murder of George Floyd, an African American father, by a police officer in Minneapolis on Memorial Day 2020 (amidst daily, ongoing, nationwide protest of police violence against Black people), school relationships with law enforcement were brought into question throughout the country and here in Seattle. We have "School Emphasis Officers" in four schools and one School Resource Officer. They are financially supported by SPD, with no funding from SPS, and have largely been in place since 2005. Documentation, policy and clarity around the history, structure and guidelines for these relationships outside of the individual school community is inappropriately limited.
- b. As such, SPS is reevaluating the role of School Emphasis Officers in our schools. SPS does not currently have any contracts with the Seattle Police Department outside of providing security at athletic events. In each of these scenarios, SEOs, the SRO and athletic/event security provided by SPD, the officers are armed and on duty. The communities and leadership in these schools have rightfully demanded to be consulted before SPS considers a shift in our relationship with law enforcement there.
- c. In consideration of Mr. Floyd's and other murders and violence by police systems across our country, SPS issued the following statement: "Seattle Public Schools stands firmly with our students, families, and staff against the continued attacks on Black community members, including violence committed by law enforcement officers here in Seattle. SPS is committed to dismantling white supremacy and anti-Black racism that occurs within and beyond schools. First and foremost, we will do whatever it takes to dismantle racism in our own system."

- d. Seattle School board members drafted Resolution 2019/20-38 affirming Seattle Schools support of Black students and their right to physical, psychological, cultural freedom and educational opportunity. It responds to the ongoing criminalization of Black humans, systemic anti-black racism, and hundreds of years of oppression and enslavement following colonial abduction of these same humans from their indigenous lands. Despite the label of freedom our Black children learn about America in their textbooks, recent events tragically confirm once again, that we graduate (at disproportionately lower rates) our Black students into a society that does not believe they are free and actively seeks to oppress, incarcerate, diminish, appropriate and harm our black brothers and sisters.
- e. On the shoulders of decades of advocacy in Seattle Public Schools by the Black and allied communities of color, Seattle School Board adopted Board Policy No. 0030, Ensuring Educational and Racial Equity. AAMAC officially formed in June 2016. The African American Male Advisory Committee's (AAMAC) roots go back to the original African American Male Think Tank, a group that, in 2015, authored six initiatives whose purpose was to improve the quality of life and education for all African American males within Seattle Public Schools. Five of those six initiatives were operational and the positive effects, such as establishing a method for authentic community engagement and providing professional development addressing racism, implicit bias, trauma, social justice, equity, and culturally responsive pedagogy. In 2018 AAMAC revised their mission to: African American Males are the Architects of their Own Dreams. In 2019, Seattle Public Schools created the Department of African American Male Achievement.
- f. Yet, despite the aforementioned, resolutions in support of Black Lives Matter (in Schools), and the express strategic focus on eliminating disparities and disproportionality, District policy on law enforcement and clarity regarding the presence and utilization is dangerously lacking. This is statistically more impactful for Black students who are continually criminalized in our schools due to implicit bias. Lack of clarity around said relationships in Board Policy through to Collective Bargaining agreements and lack of express commitment to mitigating implicit bias does not match our stated commitment.
- g. Additionally, we recognize that social shifts necessary to eliminate dangerous bias start in early education. If we do not accurately and authentically represent the truthful history and uphold the rich and endogenous wisdom and brilliance of our Black students, we are educating students to uphold rather than eliminate racism.
- h. **Alternatives** Not approve the resolution. This alternative is not recommended, as Seattle Public Schools Board Policy No. 0030, Ensuring Educational and Racial Equity, and our Strategic Plan assert the district's commitment to actions that achieve equitable access, safe & welcoming environments, and recognize diversity in Seattle Public Schools and a targeted universalist approach to ending opportunity gaps for Black Males.
- i. **Research**
  1. <https://www.seattle.gov/police/community-policing/school-emphasis-officers>
  2. [naacpldf.org/files/about-us/bias\\_reportv2017\\_30\\_FINAL.pdf](http://naacpldf.org/files/about-us/bias_reportv2017_30_FINAL.pdf)
  3. [Mappingpoliceviolence.org](http://Mappingpoliceviolence.org)
  4. [OSPI.org](http://OSPI.org)
  5. [Aclunc.org/docs/appendix-c-aclu-Board-Policy.pdf](http://Aclunc.org/docs/appendix-c-aclu-Board-Policy.pdf)
  6. [Aclu-wa.org/docs/students-not-suspects-need-reporm-school-policing-washington-state](http://Aclu-wa.org/docs/students-not-suspects-need-reporm-school-policing-washington-state)

**5. FISCAL IMPACT/REVENUE SOURCE**

Fiscal impact to this action will become relevant if policy changes are enacted as a result. That said, Seattle Schools does not currently have a financial relationship with Seattle Police Department as such. Non-utilization of armed police officers for events is likely to be cost neutral or savings. Budget for Ethnic Studies already exists for 2020-21, this request is for a starting focus on Black Studies. Additional cost would be related to community engagement regarding the reframing of the four SEO and one SRO in SPS, and potentially costs associated with alternatives for those four positions outside of law enforcement as SPS doesn't currently incur that cost. Replacement of the officers at the schools is estimated to cost \$500,000 per year unless existing school staffing were shifted.

Expenditure:  One-time  Annual  Multi-Year  N/A

Revenue:  One-time  Annual  Multi-Year  N/A

**6. COMMUNITY ENGAGEMENT**

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

The board received an enumerate amount of feedback concerning our current relationship with Seattle Police Department. The indefinite moratorium on this relationship will give the board and senior leadership the opportunity to meet with the students, educators, administrators, and families regarding their experience with Student Emphasis (and Resource) Officers in order to better understand their role and to make an informed decision on their presence in our schools going forward.

**7. EQUITY ANALYSIS**

We believe the Racial Equity Analysis Tool will indicate that the resolution will have an overall positive benefit for Black students and families in Seattle Public Schools as its elements are worked through individually. We will complete the analysis as we consider the component shifts in policy, procedure and as we engage community regarding the prospective changes to law enforcement relationships. While this is a specific resolution in support of students furthest from educational justice and consistent with demands we have received from community thus far, the analysis will require significantly more input from students, families and key stakeholders.

**8. STUDENT BENEFIT**

Students have an incredibly powerful voice in our district. So, as the world reacted with peaceful protests to the senseless murder of George Floyd at the hands of a police officer, students from Seattle Public Schools immediately organized to get this Board to act more urgently in the service of our 2019-2024 Strategic Plan, “Seattle Excellence,” because public schools need to address the ways systemic and institutional racism may exist, including but not limited to police presence in our schools, lack of representation in instructional materials, and our own definitions of anti-racism, safety, and inclusion. We believe this resolution is responsive to our strategic plan and our students’ needs to re-evaluate the relationship with SPD through their School Emphasis Officer (and School Resource Officer) program and other important issues about representation of Black people and their experiences in our public-school ecosystem. We believe that listening to our students, and particularly our Black students in this time, is always meaningful. Students may feel a greater sense of safety in their schools, students may feel a greater connection to school because they are reflected in the curriculum, and students may feel they are truly part of the American story when they feel their school communities unequivocally believe that Black Lives Matter (and are worthy, valued, and needed).

**9. WHY BOARD ACTION IS NECESSARY**

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. \_\_\_\_\_, [TITLE], provides the Board shall approve this item
- Other: School Board statements of support, intent, agreement and response in any form require official consideration and documentation in a transparent open meeting.

**10. POLICY IMPLICATION**

The resolution aligns with Policy No. 0030 – Ensuring Educational and Racial Equity. Additionally, this resolution will impact Policy 3200, Policy 3240, Policy 0040 (will need to be formally adopted), and Policy 4310.

**11. BOARD COMMITTEE RECOMMENDATION**

This motion was discussed at the Executive Committee meeting on Wednesday, June 10, 2020. The Committee reviewed the motion and \_\_\_\_\_.

**12. TIMELINE FOR IMPLEMENTATION**

The resolution will go into effect on approval of the full Board.

**13. ATTACHMENTS**

- Resolution 2019/20-38 (for approval)
- Community Outreach Specialist MOU (for reference)
- SEO MOU (for reference)
- SEO Final Report (for reference)
- ACLU of Washington (for reference)
- RCW 28.A.320.124 School resource officer programs. (for reference)

**Seattle School District No. 1  
Board Resolution**

**Resolution No. 2019/20-38**



**A RESOLUTION** of the Board of Directors of Seattle School District No. 1, King County, Seattle, Washington to affirm Seattle Public Schools' commitment to Black students.

**WHEREAS**, Seattle Public Schools serves more than 8,000<sup>1</sup> Black students who make up over fourteen percent of the district's student population; and

**WHEREAS**, Seattle Public Schools has committed itself to addressing systemic racism via Board Policy No. 0030<sup>2</sup>, Ensuring Educational and Racial Equity; and

**WHEREAS**, the Seattle Public Schools strategic initiatives<sup>3</sup> are focused on ensuring racial equity in our educational system by unapologetically addressing the needs of students of color who are furthest from educational justice and working to undo legacies of racism through closing gaps in service to African American males and other students of color furthest from educational justice; and

**WHEREAS**, the Seattle School Board unanimously adopted Resolution No. 2019/20-23<sup>4</sup> to declare that the lives of Black students matter and affirmed the Seattle School Board's commitment to racial justice and recognition that the lives and lived experiences of our Black youth matter, not just during Black History Month, but every single day.

**WHEREAS**, in the United States, Black students are three-times more likely to be suspended than their peers and in our state, according to the Washington Office of Superintendent of Public Instruction, Black males and other students of color are disproportionately disciplined at a rate of 6.5% as compared to 1% for white students. And in Seattle, Black students and students of color are disproportionately disciplined and removed from the educational environment<sup>5</sup>; and

**WHEREAS**, according to research conducted by ACLU, a criminal arrest as a juvenile has dire consequences as a first-time arrest doubles the odds that a student will drop out of high school and a first-time court appearance quadruples the odds that a student will drop out of school<sup>6</sup>; and

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<sup>1</sup> <https://washingtonstatereportcard.ospi.k12.wa.us/ReportCard/ViewSchoolOrDistrict/100229>

<sup>2</sup> [https://www.seattleschools.org/district/district\\_quick\\_facts/initiatives/policy\\_0030](https://www.seattleschools.org/district/district_quick_facts/initiatives/policy_0030)

<sup>3</sup> [https://www.seattleschools.org/district/district\\_quick\\_facts/strategic\\_plan](https://www.seattleschools.org/district/district_quick_facts/strategic_plan)

<sup>4</sup> <https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=88502243>

<sup>5</sup> [https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=25571096#Graph\\_14](https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=25571096#Graph_14)

<sup>6</sup> <https://www.edweek.org/ew/articles/2017/01/25/Black-students-more-likely-to-be-arrested.html>

**WHEREAS**, per Board Resolution 2017/17-18, Seattle Public Schools stands against gun violence and the arming of educators; and

**WHEREAS**, a relationship with the criminal justice system for the express purposes of eliminating the school to prison pipeline AND protecting our students from violence, trafficking, violence and abuse is paramount, the routine presence of active duty law enforcement presence in our schools and events is not a consistently proven means to do so and in fact, by definition, creates greater opportunity for criminalization rather than an express focus on communication, collaboration, information and relationship building; and

**WHEREAS**, police shootings are gun violence and over 1,000 people each year are killed by the police in America and 25% of those killed are Black despite being only 16% of the population<sup>7</sup>; and

**WHEREAS**, when compared to white people, Black people and African Americans are twice as likely to be killed by police in Seattle and three times as likely to be killed by police in Washington state<sup>8</sup>; and

**WHEREAS**, the District's collective bargaining agreement<sup>9</sup> with the Principal Association of Seattle Schools (PASS) does not explicitly address the relationship of district schools with law enforcement and SEA agreement language remains out of compliance and deficit-based; and

**WHEREAS**, implicit bias, racism, and lack of cultural-competence amongst school staff causes harm<sup>10</sup> to children of color<sup>11</sup>; and

**WHEREAS**, Holistic Social Emotional Learning and healing happens where the mind and the body and the spirit meet, and every culture and community has passed this learning down since time immemorial as wisdom<sup>12</sup>. Thus, social and emotional management systems reside and thrive within and emanate from our Black students along with their brilliance.

**NOW THEREFORE, BE IT**

**RESOLVED**, that Black Lives don't just matter, they are worthy, beloved, and needed. So, when we utilize holistic social emotional learning to support students, abandoning notions of policing and pathology, we meet with students and community to learn the wisdom that already exists and design social management systems that authentically recognize and value Black lives and knowledge.

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<sup>7</sup> <https://mappingpoliceviolence.org/>

<sup>8</sup> <https://mappingpoliceviolence.org/>

<sup>9</sup> <https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=15568#PASS>

<sup>10</sup> [https://www.naacpldf.org/files/about-us/Bias\\_Reportv2017\\_30\\_11\\_FINAL.pdf](https://www.naacpldf.org/files/about-us/Bias_Reportv2017_30_11_FINAL.pdf)

<sup>11</sup> <https://www.edweek.org/ew/articles/2019/03/20/dear-white-teachers-you-cant-love-your.html>

<sup>12</sup> [https://greatergood.berkeley.edu/article/item/why\\_dont\\_students\\_take\\_social\\_emotional\\_learning\\_home](https://greatergood.berkeley.edu/article/item/why_dont_students_take_social_emotional_learning_home)

**BE IT FURTHER RESOLVED**, that the Seattle School Board supports defunding police, i.e. reducing police funding so as to increase social service funding, positively impact safety and well-being of our students while reducing police violence.

**BE IT FURTHER RESOLVED**, that the Board commits to, by accountably engaging in substantive and substantial family and community engagement, reexamine and amend as appropriate School Board Policy Nos. 3200<sup>13</sup>, Written Rules of Student Conduct; 3240, Student Behavior and Disciplinary Responses; ~~and~~ 4310, Relations with Law Enforcement, Child Protective Services, and the County Health Department; 4314, Notification of Threats of Violence or Harm; and 3225, School-Based Threat Assessment, which is planned for adoption; to ensure consistency with the following principles that:

- Utilize de-escalation techniques and restorative justice programs, which should reduce exclusionary practices and narrow racial disparities in discipline;
- School administrators and teachers have the skill, and the resources to improve their skill, to maintain order and conduct of their students, schools, and classrooms;
- Law enforcement should not be involved in enforcing the rules of student conduct;
- The role of law enforcement in district schools must be clearly defined; and
- The district will minimize, with the goal to eliminate, the number of school-based arrests and citations while maintaining safe school environments; and
- Monitoring and detailed reporting of school-based law enforcement interactions will promote effectiveness and accountability.

**BE IT FURTHER RESOLVED**, that in the event that Seattle Public Schools must engage with the Seattle Police Department in relation to external threats, the district shall formalize how information on such threats is communicated to and from the district and school site-based administration in accordance with Board Policies.

**BE IT FURTHER RESOLVED**, that the Seattle School Board commits to introducing Board Policy No. 0040, Anti-Racism.

**BE IT FURTHER RESOLVED**, that District staff will prioritize work with PASS and labor partners to include express racial equity analysis as it pertains to law enforcement in schools. The District and SEA are strongly encouraged to complete the most recent bargain to “Establish joint work group to revise and update Certificated, Article III – General Rights and Responsibilities, Section F, G, and H related to safety, security and employee responsibilities. (outdated terms

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<sup>13</sup> <https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=15630#gsc.tab=0>



lacking restorative justice and racial equity lens, and terms are no longer compliant with RCW and WACS) This work is to be completed in 2019-2020 for submission to SEA and SPS Board for approval for contract implementation in 2020-2021,<sup>14</sup> and utilize the agreement to commit to limiting police presence in our schools.

**BE IT FURTHER RESOLVED**, that the Board directs Superintendent Juneau to (1) develop a Black studies curriculum for use in grades K-5 that will intertwine anti-racist Black language pedagogy and practices through all subjects and (2) create a stand-alone Black studies course for middle and high school students that will be required for graduation from Seattle Public Schools. We expect this work to go through an extensive community engagement process including, but not limited to, the Office of African American Male Achievement Student Advisory Council, NAACP Youth Council, and other groups or individuals of Black educators, students, community-based organizations, and organizers.

**BE IT FURTHER RESOLVED**, that the District will commit to a moratorium on the utilization of the Seattle Police Department’s School Emphasis Officers and School Resources Officers programs and providing replacements supported by community. The duration of the moratorium is indefinite. During this the moratorium:

- The District and Board will work in consultation with school communities, particularly Black and Indigenous families and students most directly impacted by policing in schools, to identify alternative, community-based, restorative mentorship for schools impacted by the programs’ cessation.
- The District and Board shall work with the City of Seattle, King County Prosecuting Attorney’s Office and other leadership to demand social supports and resources to enhance student growth, learning and safety in schools and communication that keeps students safe.

**BE IT FURTHER RESOLVED**, that the Superintendent shall report back to the Board on the status of, and plan for, implementation of each point in the above resolution within 120 days.

ADOPTED this 24th day of June, 2020

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Zachary DeWolf, President

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Chandra N. Hampson, Vice President

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Leslie Harris, Member-at-Large

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Brandon K. Hersey

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<sup>14</sup> <https://www.seattleschools.org/cms/One.aspx?portalId=627&pageId=15568#SEA>

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Eden Mack

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Liza Rankin

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Lisa Rivera-Smith

ATTEST: \_\_\_\_\_  
Denise Juneau, Superintendent  
Secretary, Board of Directors  
Seattle School District No. 1  
King County, WA

Whereas, Seattle Police Department (SPD) is working in partnership with Seattle Public Schools (SPS) to make every school a place where students can learn and school staff can teach safely; and

Whereas, SPD has collaborated in a long standing partnership of with SPS to provide police presence, and

Whereas SPD represents that it is duly authorized and willing, on behalf of the City to provide police presence and law enforcement assistance as prescribed herein.

NOW THEREFORE, the parties hereto agree as follows:

## **ARTICLE I. TERM OF AGREEMENT**

Services provided under this Interagency Agreement will begin on January 1, 2021. The agreement will be extended annually, based on the mutual agreement of SPD and SPS. In the event that SPD determines there is a need to reallocate resources, SPD may terminate this Agreement by providing 15 days prior written notice.

## **ARTICLE II. SCOPE OF WORK**

The mission of SPD's Community Outreach Specialist Officers (COS's) Program will provide the community and schools the most highly trained police officers in community policing that promotes safe, secure, supportive learning and teaching environment for Seattle Public Schools. COS's will act as mentors and provide valuable resources to school staff, teachers and youth through the pro-social engagement programs. The COS's expectations are as follows:

- COS's must understand their duties and responsibilities in schools related to student discipline and behavior. COS's are there as advisors and shall not interfere with school discipline and incidents that can be handled by school staff. COS's are there as mentors and should not be looked at as school staff.
- COS's shall work closely with school administrators as the main point of contact.
- Schools must acknowledge and recognize COS's in schools as teachers, mentors, informal counselors and police officers. Designating police officers for school duties and assignments takes away from COS's opportunities to build trust.
- Schools must be able to recognize the need for trained COS's to informally interact with students to build cohesion and still be able to enforce Seattle Municipal Code and state criminal law when applicable.
- It is vital for COS's to take a trauma informed approach to working with youth and apply it when necessary.
- COS's will act as Liaisons to other SPD members and support SPS staff in a similar method.

### **A. Prevention**

- Serve youth who are directly affected by youth violence or other trauma that can affect the learning environment.
- Provide students an opportunity to develop a positive relationship with an adult through mentoring opportunities, classroom education, and high visibility in the school setting.
- Provide programming in alignment with the Collaborative Policing Bureau model of Relational Policing.

### **B. Intervention**

- Support youth who have been identified as truant, have increased aggression, and who are at risk of committing a crime through mentorship and programming.
- Assist in the early identification of students at risk and to provide resource information to give those students the help they need to make healthy and productive choices.
- Refer youth into services inside and outside the school environment that are supported by the school.
- Provide students with an opportunity to develop important social and interpersonal skills.
- Collaborate and problem solve with staff, students and the community to ensure consistency in all enforcement issues.
- Working with students in crisis. See attached Crisis Incident Flow Chart.
- Community Outreach Specialist and SPS personnel will delineate the difference between ordinary school discipline issues and criminal conduct. Examples include behavioral (non-criminal) issues such as being disruptive in class, disrespectful comments to a teacher, or other minor infractions should be handled by school district personnel instead of referring students to COS's and criminal court.
- Provide the initial investigation for those crimes committed on school campus.

## **Task Elements (TE) Description**

### **Task Element 1: Staffing Levels**

SPD may reassign officers if SPD determines that it is necessary. The selection process will be in alignment with SPD policy including the following process.

- Seattle Police Department Police Officers interested in a position as a Community Outreach Specialist must submit a memorandum of interest through their chain of command to the Assistant Chief in charge of the Collaborative Policing Bureau.
- The position is different, and the police officer must show an interest with building trust in the community and with the youth inside the City of Seattle.
- Officers interested must submit a letter of interest apart from the memorandum of interest through their chain of command.
- The letter of interest should include the following:
- Experience and training and how it best relates towards working with youth in the community.
- Experience in bias free policing training inside the Seattle Police Department and how it best prepares the police officer towards working with youth in schools.

- Experience in community outreach events and community-based meetings.
- Experience in gang contacts and narcotics and how the police officer can best use his knowledge to help guide youth away from violence through mentorship programs.
- The police officer's best judgment to what a community outreach officer is and the importance of understanding the need to build trust between the community and the Seattle Police Department.
- Any other languages spoken apart from English and how it can best serve in the Community Outreach Specialist advantage to gaining the trust of the community.
- Understanding of the Seattle Police Department's CIT policy and how it relates to youth in the community (Preferably CIT trained Police Officer or willing to attend the training)
- Understanding of Police Tactics in schools and Active Shooter training.
- The desire to receive training in youth contacts and the type of training the police officer wishes to receive.
- Willingness to attend ARIDE training to better understand alcohol and drug impairment.
- One negative experience in the Seattle Police Department that made the police officer question himself and how he or she best learned from it moving forward to become a better more informed Police Officer.
- The goal and career path the police officer wishes to take once his or her time as a community outreach specialist is over with. (The need for pro-active officers is crucial in a position that requires adaptation and new ideas that benefit both the Seattle Police Department and the community they serve.)
- Two police officers will be chosen by the Seattle Police Department's Collaborative Policing Bureau in partnership with the school interested in the community outreach specialist position, one will be chosen to fill the position.
- The Seattle Police Department Collaborative Policing Bureau will choose a Lieutenant or above to assist the youth outreach sergeant and the school safety and student's well-being advisory committee in choosing the community outreach specialist that best qualifies for the position inside a school. Allow stakeholders to be identified early with both the Seattle Police Department and the Seattle Public School's district building a partnership with clear guidelines and understanding of the roles, duties and responsibilities of a community outreach specialist inside a school.
- The Principal of the school must also be part of the process when choosing a new community outreach specialist for his or her school and must also understand that the police officer is not a staff member of the school, if not a resource and an advisor in the criminal justice system where both seek to keep students and youth out of the criminal justice system.

### **Task Element 2: SPD Responsibilities**

**TE2A.** A Sergeant or above acts as the point of contact. This individual will serve as a conduit to relay information or requests and other SPS related issues. The Sergeant will communicate non-emergency issues, program related results, and concerns to the appropriate Precinct Commander(s) to maintain the Department's command structure.

**TE2B.** COS's will report directly to the Youth Outreach Sergeant, who will function as the unit's first line supervisor for routine procedural, administrative and investigative matters.

**TE2C.** COS's work closely with the SPD precinct that is assigned to patrol the area of the school assigned.

- TE2D.** The First Line Supervisor ensures that COS's assigned to each individual school will meet with the Principal or designated representative on a regular basis to discuss events, meetings, issues, concerns, etc.
- TE2E.** SPD shall assign a cell phone for each officer. SPD will make cell phone numbers available to SPS staff and may make the numbers available to other community members as appropriate. It does not supersede the need to make calls for 911. COS's will respond to non-emergency calls by SPS staff during normal working shift within a reasonable time period of receiving the call. When COS's are available they should handle all 911 calls from the school. SPD should provide an incident number or event number to the school representative.
- TE2F.** The SPD Schools Liaison or Commander of higher rank may temporarily reassign the COS's in the event of a citywide emergency, natural disaster, or major event. Should a major incident occur at an assigned school, the COS's will act as a Liaison to the school and SPD Incident command structure.

### **TASK Element 3: SPS COS's Responsibilities**

Community Outreach Specialists will maintain high standards of conduct because of the importance of their duties. Thus, the officers will apply professional training, experience, available technology and resources to positively interact with students, school administrators, security and other school staff, and external members of the school community

- TE3A.** The 4.0 FTE COS's assigned to SPS middle schools shall work a 5/2 schedule to accommodate individual schools hours. The COS Officers will start their 8 hour shifts between 6 a.m. and 9 a.m. The start-times will correlate according to the assigned school times.

Community Outreach Specialists will report for duty to their assigned precinct location, where they will make themselves aware of any information necessary for the proper performance of duties during their shift. The COS will then respond to their assigned school and advise the School Security Officer or Administrator that they are on duty and available. Normally, no more than 30 minutes prior to the conclusion of their shift the COS will advise the School Security Officer or Administrator that they are returning to their precinct and will return to their precinct to go out of service.

If, due to exigent circumstances, an officer cannot report for duty at the assigned time and will be late, the officer will contact the Youth Outreach Supervising Sergeant before the start of the shift to explain the situation and provide an estimated time of arrival.

- TE3B.** COS's are expected to place a high priority on requests for assistance from their School Principal /Designee, and to accommodate requests as allowed by Federal law, State Law, City and County ordinances, the Seattle Police Department Manual, and this Agreement, consistent with the applicable Collective Bargaining Agreement. COS's are expected to make decisions and to work together with school staff. If at any point, there is a disagreement, the Youth Outreach Sergeant will be advised and will contact the School Principal. COS's will also ensure to grow their programs that build community trust and that benefit the Seattle Police Department in a positive manner.
- TE3C.** COS's will not make public statements on behalf of the Seattle School District concerning the plans, policies, or administration of the district. COS's who plan to address any public gathering concerning the work of the Seattle Police Department or Seattle Public Schools, will notify the

Youth Outreach Sergeant, who will in turn notify the SPS Safety and Security Department prior to the speaking engagement.

- TE3D.** The COS's assigned to the middle schools will discuss with the Principal or designated representative crime and prevention activities, or on a mutually agreed upon schedule that serves both the needs of the school as well as the Police Department. Each Community Outreach Officer shall use their own style of mentorship and crime prevention that best fits the Officer's style making the programs their own.
- TE3E.** The COS's shall communicate and collaborate with all SPS security representatives. The presence of an COS at assigned school shall not reduce the need for, or replace Security Specialists working at the schools. COS will work in cooperation with Security Specialists.
- TE3F.** It is the responsibility of COS's to interact with precinct Officers working during their working shift to obtain information, assistance. COS's are encouraged to become familiar with other specialty units when it influences a positive learning environment in the community as well as part of the crime prevention part of the position.
- TE3G.** The SPS COS's will review relevant 911 call logs, incident reports and crime analysis for the SPS designated middle schools and surrounding areas (Sectors) in order to follow-up on criminal activity and discuss information, as appropriate, with the individual principal or designated representative.
- TE3H.** COS's will be responsible for officially documenting police related incidents.
- TE3I.** All investigations will be documented consistent with current SPD reporting policies and practices. All critical incidents occurring on Seattle Public School property will be reported to the Youth Outreach Sergeant prior to the COS's going off shift.
- TE3J.** COS's should consider alternatives to making a physical arrest of a student on school grounds when practical, with the following exceptions:
- Violent offenses, with harm or potential harm inflicted on a victim(s)
  - Emergency situations where immediate action is necessary to stabilize a situation before it can escalate
  - Felony situations where circumstances dictate that the arrest be made at the school versus off school property
  - When the COS's can better de-escalate the incident and has cohesion with the student for a positive outcome.
- TE3K.** All arrests and detentions should be screened in advance with the Youth Outreach Sergeant, who will notify and consult with the School Principal. All efforts should be made to make any physical arrest outside the view of other students, with the COS's role in the arrest minimized to the greatest degree possible. It is also understandable that the COS's may be the best choice to de-escalate a student during an arrest due to the everyday operations inside the schools they serve as well as the trust built between the Community Outreach Specialist and the student.
- TE3L.** All contacts with students shall be conducted in a professional manner. COS's are encouraged to develop mentoring relationships with students as a means to deter crime and violence.

**TE3M.** COS's that provide education of a specific curriculum must get approval from the Youth Outreach Sergeant and SPS staff. This is to ensure the curriculum taught is age appropriate and supports the learning environment. Currently, Gang Resistance Education and Training (GREAT), Life Skills, and Options, Choices and Consequences (OCC) are approved curriculum.

**TE3N** COS's are responsible for working with their School Principal on a plan that will provide structure and predictability for large scale Police and Fire Department response to the school, and will maximize the safety of students, staff and the community.

**TE3O.** Critical incidents can be any one of a large number of Police or Fire Department based emergency responses. If a critical incident occurs that require police presence, The COS's will serve as a liaison between the School Principal and the Seattle Police Department unless there is a need to take immediate action to prevent injury to students or staff. If there are immediate life safety concerns, the COS will take the appropriate actions that may include enforcement, evacuations and / or shelter in place.

**TE3P.** The duty uniform for COS will be in alignment with uniform as defined by SPD Manual 9.020 under paragraph 6." Approved uniform for Community Outreach Specialists is the SOFT uniform consisting of the following:

- a. Black Polo Shirt/BDU-Style Approved Pants
- b. Two Seattle Police Patches
- c. Cloth badge and name tag
- d. Assigned protective vest/exterior vest must be approved through chain of command due to medical reasons
- e. Primary Assigned Weapon must be carried at all times/Carrying back up qualified weapon as primary must be approved by Chain of Command
- f. Approved duty belt equipment
- g. Seattle Police Department issued portable radio and cell phone
- h. Body Worn Camera

#### **Task Element 4: SPS Responsibilities**

**TE4A.** SPS Security agrees to work with the COS assigned to their school.

**TE4B.** SPS shall have the opportunity to provide input regarding the selection of COS's for assignment under this Agreement. SPD Chain of Command will determine final selection for the COS positions.

**TE4C.** SPS shall facilitate the use of an Office space, provide limited equipment use, access to school facilities, school staff, and resources.

**TE4D.** SPS shall facilitate the ability of COSs to pull students from class for mentoring programs during non-core studies with a minimum of once a week.

#### **Article IV. Reporting**

Community Outreach Specialist will turn in a completed weekly report to the Youth Outreach Sergeant (Youth Violence Prevention Website).



**Article VI. Disputes**

Any disputes or misunderstanding that may arise under this MOU, will be identified and discussed by both involved parties in order to reach a resolution.

**Article VII. Amendments**

No modification or amendment of the provisions hereof shall be effective unless in writing and signed by authorized representatives of the parties hereto. The parties hereto expressly reserve the right to modify this Agreement, by mutual agreement.

City of Seattle

INTERAGENCY AGREEMENT

for

SCHOOL EMPHASIS OFFICERS

Executed by

The **SEATTLE POLICE DEPARTMENT**, a department of the City of Seattle, hereinafter referred to as  
“SPD”,

Department Authorized Representative:

---

Assistant Chief Nick Metz  
P.O. Box 34986  
Seattle, WA 98124-4986

And

The Seattle Public School District, a public body corporate and politic, hereinafter referred to “SPS”  
Authorized Representative: Director Pegi McEvoy

IN WITNESS WHEREOF, the parties have executed this Agreement by having their representatives affix  
their signatures below.

Whereas, SPD is working in partnership with SPS to make every school a place where students can learn and school staff can teach safely; and

Whereas, SPD has collaborated in a long standing partnership of with SPS to provide police presence, and

Whereas SPD represents that it is duly authorized and willing, on behalf of the City to provide police presence and law enforcement assistance as prescribed herein.

NOW THEREFORE, the parties hereto agree as follows:

## **ARTICLE I. TERM OF AGREEMENT**

Services provided under this Interagency Agreement will begin on January 1, 2010 and ends on July, 1, 2010. The agreement may be extended annually, based on the mutual agreement of SPD and SPS. In the event that SPD determines there is a need to reallocate resources, SPD may terminate this Agreement by providing 15 days prior written notice.

## **ARTICLE II. SCOPE OF WORK**

The mission of SPD's School Emphasis Officers Program is to support the education mission of the Seattle School District by helping to provide a safe, secure and orderly learning and teaching environment.

The method chosen to ensure completion of the above mission is to collaborate with the Seattle Youth Violence Prevention Initiative ("SYVPI") to build long standing partnerships with the SPD, students and SPS to reach the following goals:

### **A. Prevention**

- Serve youth who are directly affected by youth violence, such as joining gangs or as victims of youth violence.
- Provide students an opportunity to develop a positive relationship with an adult through mentoring opportunities, classroom education, and high visibility in the school setting.
- Continually research and implement innovative "best practices" for a safe and secure teaching and learning environment.

### **B. Intervention**

- Serve youth who have been identified as truant, or have increased aggression, who are at risk of committing a crime, those who may be ready to leave a gang and gang members who are not yet committed to gang life.
- SPD and SYVPI will work together to integrate needed services with the Seattle Youth Violence Prevention Initiative to ensure services are complimenting each other and not overlapping.
- Assist in the early identification of students at risk and to provide resource information to give those students the help they need to make healthy and productive choices.

- Refer youth into Network services supported by the SYVPI Initiative and/or Out of Network services supported by the school.
- Provide students with an opportunity to develop important social and interpersonal skills.

**C. Enforcement**

- Collaborate and problem solve with staff, students and the community to ensure consistency in all enforcement issues.
- School Emphasis Officers and SPS personnel will be cognizant of the difference between ordinary school discipline issues and criminal conduct. Behavioral (non-criminal) issues such as being disruptive in class, disrespectful comments to a teacher, or other minor infractions should be handled by school district personnel instead of referring students to the School Emphasis Officer (“SEO”) and criminal court.
- Provide focus on the limited number of gang involved middle school youth who are already involved in criminal activity.
- Provide the initial investigation for those crimes committed on school campus.
- 

In order to fulfill the above goals, services will be provided at Aki Kurose Middle School, Washington Middle School, Denny International Middle School and a school(s) to be selected from a list provided by the SYVPI Director in consultation with SPS and SPD.

**Task Elements (TE) Description**

**Task Element 1: Staffing Levels**

SPD shall assign one (1) full time (“FTE”) CPT Officer trained to work as an SEO at each of the middle schools (for a total of four FTEs) to provide primary policing services. SPD may reassign officers if SPD determines that it is necessary.

**Task Element 2: SPD Responsibilities**

**TE2A.** SPD shall provide SPS with a sworn officer, with the rank of Lieutenant or above, as a point of contact referred to as the “SPD Schools Liaison”. This individual will serve as a conduit to relay information or requests and other SPS related issues. The SPD Schools Liaison will communicate non-emergency issues, program related results, and concerns to the appropriate Precinct Commander(s) to maintain the Department’s command structure.

**TE2B.** Chain of Command requires that each Seattle Police Department employee reports, and is accountable to, only one direct supervisor. As such, School Emphasis Officers will report directly to the SEO Sergeant, who will function as the unit’s first line supervisor for routine procedural, administrative and investigative matters. In turn, the SEO Sergeant reports, and is accountable to, the SPD Schools Liaison.

**TE2C.** SPD Precinct Commanders, who have SEOs working in SEO assignments, shall ensure that the SEOs complete a daily log sheet to ensure police coverage and provide police accountability for SPS assigned sites.

**TE2D.** SPD's Schools Liaison shall meet monthly with the SPS Security Liaison to coordinate services under this contract and make adjustments as needed. SPD Schools Liaison will ensure that SEO's assigned to each individual school will meet with the Principal or designated representative on a regular basis to discuss events, meetings, issues, concerns, etc.

**TE2E.** SPD shall assign a cell phone for each officer. SPD will make cell phone numbers available to SPS staff and may make the numbers available to other community members as appropriate. The officers will respond to non-emergency calls by SPS staff during normal working shift within a reasonable time period of receiving the call. When SEO's are available they should handle all 911 calls from the school. SPD should provide an incident number or event number to the school representative.

**TE2F.** The SPD Schools Liaison or Commander of higher rank may temporarily reassign the SEO's in the event of a citywide emergency, natural disaster, or major event. Should a major incident occur at an assigned school, the SEO will act as a Liaison to the school and SPD Incident command structure.

### **TASK Element 3: SPS SEO Officer Responsibilities**

It is essential that the SEO's maintain high standards of conduct because of the importance of their duties. Thus, the officers will apply professional training, experience, available technology and resources to positively interact with students, school administrators, security and other school staff, and external members of the school community

**TE3A.** The 4.0 FTE SEOs assigned to SPS middle schools shall work a 5/2 schedule to accommodate individual schools hours. The SEO Officers will start their 8 hour shifts between 7 a.m. and 11 a.m. The start-times will be fixed and the SEO Officers will inform the SPS Liaison of their shift start and end times. If the need arises, the SEO Officer's hours may be adjusted by SPD for individual days with pre-approval in accordance with agreements between the City of Seattle and the Seattle Police Officers' Guild.

School Emphasis Officers will report for duty to their assigned precinct location, where they will make themselves aware of any information necessary for the proper performance of duties during their shift. Under normal circumstances this is expected to take no longer than 30 minutes from the beginning of their shift. The SEO will then respond to their assigned school and advise the School Principal / Designee and School Security that they are on duty and available. Normally, no more than 30 minutes prior to the conclusion of their shift the SEO will advise the School Principal / Designee and School Security that they are returning to their precinct, and will return to their precinct to go out of service.

If, due to exigent circumstances, an officer cannot report for duty at the assigned time and will be late, the officer will contact the SEO's Supervising Sergeant before the start of the shift to explain the situation and provide an estimated time of arrival. It will be the responsibility of the SEO Sergeant to notify the School Principal / Designee and the Safety and Security Department of the situation, and provide the officers estimated time of arrival at the school.

**TE3B.** SEOs are expected to place a high priority on requests for assistance from their School Principal / Designee, and to accommodate requests as allowed by Federal law, State Law, City and County

ordinances, the Seattle Police Department Manual, and this Agreement, consistent with the applicable Collective Bargaining Agreement. If at any time the SEO is unable to accommodate a request from their School Principal / Designee, the SEO Sergeant will be advised and will contact the School Principal / Designee to resolve the situation as soon as practical. If the SEO Sergeant is not available, or if the School Principal / Designee elects to, the SPD Schools Liaison can be contacted at anytime for input and resolution.

- TE3C.** SEOs will not make public statements on behalf of the Seattle School District concerning the plans, policies, or administration of the district. SEO's who plan to address any public gathering concerning the work of the Seattle Police Department or Seattle Public Schools, will notify the SEO Sergeant, who will in turn notify the SPS Safety and Security Department prior to the speaking engagement. Any statement about Seattle Public Schools or its function which reflects a School Emphasis Officer's personal opinion will be clearly identified as such.
- TE3D.** The SEO's assigned to the middle schools will check in daily with the Principal or designated representative to discuss crime and prevention activities, or on a mutually agreed upon schedule.
- TE3E.** The SEO's shall communicate and collaborate with all SPS security representatives. The presence of an SEO at assigned school shall not reduce the need for, or replace Security Specialists working at the schools. SEO's will work in cooperation with Security Specialists and will not have supervisory control over them.
- TE3F.** Each SEO will make best efforts to interact with precinct Officers working before or after their normal work shift to obtain information, assistance, or provide a briefing to the precinct CPT Sergeant for future emphasis or patrol.
- TE3H.** The SPS SEO's will review relevant 911 call logs, incident reports and crime analysis for the SPS designated middle schools in order to follow-up on criminal activity and discuss information, as appropriate, with the individual principal or designated representative, as well as focus efforts on three main goals of:
- TE3G.** SEOs will be responsible for officially documenting police related incidents with the following exceptions:
  - Large scale or complicated incidents (large number of witnesses, victims or evidence)
  - Incidents requiring a physical arrest of a student on Seattle Public school property
  - Incidents that did not occur on Seattle Public School property, and whose investigations requires an off school property response
- TE3I.** On the above exceptions, patrol officers or specialized units may be requested to assist with the investigation, or take over as the primary investigating officer as appropriate. All investigations will be documented consistent with current SPD reporting policies and practices. All critical incidents occurring on Seattle Public School property will be reported to the SEO Sergeant prior

to the SEO going off shift, who will be responsible for notifying the School Principal / Designee and the Safety and Security Department.

**TE3J.** School Emphasis Officers should consider alternatives to making a physical arrest of a student on school grounds when practical, with the following exceptions:

- Violent offenses, with harm or potential harm inflicted on a victim(s)
- Emergency situations where immediate action is necessary to stabilize a situation before it can escalate
- Felony situations where circumstances dictate that the arrest be made at the school versus off school property

**TE3K.** All non emergency arrests should be screened in advance with the SEO Sergeant, who will notify and consult with the School Principal / Designee and the Safety and Security Department. All efforts should be made to make any physical arrest outside the view of other students, with the SEO's role in the arrest minimized to the greatest degree possible.

**TE3L.** All contacts with students shall be conducted in a professional manner. SEO's are encouraged to develop mentoring relationships with students as a means to deter crime and violence. However, SEO's must not have a personal (non-mentoring) relationship with any student.

**TE3M.** School Emphasis officers that provide education of a specific curriculum must get approval from the School Emphasis Team Supervisor as well as the Director the Safety and Security Department. This is to ensure the curriculum taught is age appropriate and supports the learning environment. Currently, Gang Resistance Education and Training (GREAT) and Options, Choices and Consequences (OCC) are approved curriculum. School Emphasis Officers will work with school administration staff to implement training for all 6th Grade students at their assigned schools.

**TE3N** SEO's are responsible for working with their School Principal / Designee and School security to ensure an all hazards emergency Response plan is in place for each individual school. This plan will provide structure and predictability for the large scale Police and Fire Department response to these types of events, and will maximize the safety of students, staff and the community.

**TE3O.** Critical incidents can be any one of a large number of Police or Fire Department based emergency responses. If a critical incident occurs that require police presence, The SEO will serve as a liaison between the School Principal and the Seattle Police Department unless there is a need to take immediate action to prevent injury to students or staff. If there are immediate life safety concerns, the SEO will take the appropriate actions that may include enforcement, evacuations and / or shelter in place.

**TE3P.** The duty uniform for School Emphasis Officers will be the non-standard approved Department uniform.

#### **Task Element 4: SPS Responsibilities**

**TE4A.** SPS Security Liaison shall work cooperatively with the SPD Schools Liaison.

**TE4B.** SPS shall have the opportunity to provide input regarding the selection of SEO's for assignment under this Agreement. SPD Chain of Command will determine final selection for the SEO positions.

**TE4C.** SPS shall try to accommodate an office space within their school of assignment if available, provide limited equipment use, access to school facilities, school staff, and resources.

**TE4D.** Under routine circumstances the designated schools should make contact with the SEO instead of making contact with 911. The SEO can provide an incident or event number upon request.

**Article IV. Evaluation**

Schools Emphasis Officers will turn in a completed weekly report to the SEO Sergeant.

**Article VI. Disputes**

Any disputes or misunderstanding that may arise under this Interagency agreement concerning SPD's performance shall be first resolved through amicable negotiations, through designated representatives. This agreement shall be construed and interpreted in accordance with the laws of the State of Washington. The venue for any action brought hereunder shall be in the Superior Court of King County.

**Article VII. Amendments**

No modification or amendment of the provisions hereof shall be effective unless in writing and signed by authorized representatives of the parties hereto. The parties hereto expressly reserve the right to modify this Agreement, by mutual agreement.





SEATTLE  
PUBLIC  
SCHOOLS

# Board Action Report: Resolution 2019/20-38 Affirming Seattle Public Schools' commitment to Black students.

Attachments: SEO Final Report (for reference); ACLU of  
Washington (for reference)

Seattle Public Schools is committed to making its online information accessible and usable to all people, regardless of ability or technology. Meeting web accessibility guidelines and standards is an ongoing process that we are consistently working to improve.

While Seattle Public Schools endeavors to only post documents optimized for accessibility, due to the nature and complexity of some documents, an accessible version of the document may not be available. In these limited circumstances, the District will provide equally effective alternate access.

For questions and more information about this document, please contact the following:

School Board Office  
[boardoffice@seattleschools.org](mailto:boardoffice@seattleschools.org)

These attachments to the Board Action Report consist of a Process Evaluation of Seattle's School Emphasis Officer Program prepared for the City of Seattle Office of City Auditor and materials from the ACLU of Washington.

# **Process Evaluation of Seattle's School Emphasis Officer Program**

**Charlotte Gill, George Mason University**  
**Denise Gottfredson, University of Maryland**  
**Kirsten Hutzell, Lycoming College**

**Report prepared for the City of Seattle Office of City Auditor**

**September 22, 2015**

*Contract Number: OCA 2013-05*



The Center for Evidence-Based Crime Policy at George Mason University and the University of Maryland–College Park conducted this process evaluation of Seattle’s School Emphasis Officer program under a contract with the City of Seattle Office of City Auditor (Contract Number: OCA 2013-05). The opinions, findings, and conclusions or recommendations expressed in this report are those of the authors and do not necessarily reflect those of the City of Seattle Office of City Auditor.

The Center for Evidence-Based Crime Policy (CEBCP) in the Department of Criminology, Law and Society at George Mason University seeks to make scientific research a key component in decisions about crime and justice policies. The CEBCP carries out this mission by advancing rigorous studies in criminal justice and criminology through research-practice collaborations, and proactively serving as an informational and translational link to practitioners and the policy community. Learn more about our work at <http://cebc.org>.

Charlotte Gill is Deputy Director of the Center for Evidence-Based Crime Policy and Assistant Professor in the Department of Criminology, Law and Society at George Mason University. Kirsten Hutzell is Assistant Professor of Criminal Justice and Criminology at Lycoming College and received her Ph.D. from the Department of Criminology, Law and Society at George Mason University. Denise Gottfredson is Professor of Criminal Justice and Criminology, University of Maryland–College Park.



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## List of Abbreviations

CEBCP	Center for Evidence-Based Crime Policy at George Mason University
GMU	George Mason University
OCA	City of Seattle Office of City Auditor
SEO	School Emphasis Officer
SRO	School Resource Officer
SPD	Seattle Police Department
SPS	Seattle Public Schools
SYVPI	Seattle Youth Violence Prevention Initiative

## Summary of Findings

This process description and assessment examines Seattle's School Emphasis Officer (SEO) program, an initiative operated by the Seattle Police Department (SPD) as part of the Seattle Youth Violence Prevention Initiative (SYVPI). The report is based on an examination of program documentation, interviews with key stakeholders, and observations of SEO activity in three Seattle middle schools conducted by the Center for Evidence-Based Crime Policy at George Mason University and the University of Maryland for the City of Seattle Office of City Auditor.

### The SEO Program

- Police officers are assigned to four public middle schools in Seattle (Denny International MS, Washington MS, Aki Kurose MS, South Shore K-8).
- Schools are selected for truancy, suspension, and discipline issues and location within SYVPI network areas.
- Officer activities include school support; safety and security; education; SYVPI referral and follow-up; and law enforcement. Law enforcement activities are minimal. Most activities involve prevention and intervention with at-risk students.

### Program Strengths

- *Potential for integration with services.* Police officers can fall back on a network of services through SYVPI rather than defaulting to law enforcement responses for troubled youth.
- *Potential to improve police-community relations.* The SEOs build trust among school students, which could help to change perceptions of the police in school and the wider community.
- *Non-law enforcement focus.* SEOs minimize their involvement in the disciplinary process and do not arrest students. However, their information gathering activities could be shared with others for law enforcement purposes.

### Program Challenges

- *Clarity of program structure and relationship with SYVPI.* The day-to-day operation of the program occurs on an ad hoc basis and the relationship between the SEOs, SPD, SYVPI and the schools is not fully defined.
- *Evaluability.* The program lacks a logic model and outcome measures and cannot be evaluated for effectiveness.
- *Sustainability.* The program lacks a formal structure and is driven by individual personalities and relationships.



## Summary of Recommendations

- 1 Clarify the program and the link between SEOs and SYVPI.
  - 1.1 Develop a program manual that lays out clear expectations for operations and stakeholders.
  - 1.2 Clarify and document the relationship between the SEOs and SYVPI in the logic models and program documentation.
  - 1.3 Eliminate or reduce formal curriculum education in favor of a focus on relationship-building with at-risk youth and the wider school community.
- 2 Develop a systematic performance and outcome measurement and evaluation plan for the SEO program and participating schools.
  - 2.1 Clearly articulate the program goals, structure, activities, and outcomes in the program manual and a logic model.
  - 2.2 Align data sources with proposed program outcomes and SYVPI outcomes, identify gaps in data sources and develop new instruments and measures, and build capacity within SPD's crime analysis unit to provide tracking of crime outcomes.
  - 2.3 Facilitate appropriate data sharing.
  - 2.4 Develop a long-term evaluation plan.
- 3 If the SEO program is effective, take steps to ensure its sustainability.
  - 3.1 Articulate the program goals and training requirements.
  - 3.2 Ensure that memoranda of understanding are developed with each individual school.
  - 3.3 Systematize the process for identifying new schools.

## 1 Background to This Report

The need and request for this report arose from the City of Seattle Office of City Auditor's (OCA) report, *Logic Model and Evaluation Strategy for the Seattle Youth Violence Prevention Initiative*, which was published in January 2013. Seattle City Council asked OCA to create a logic model for the Seattle Youth Violence Prevention Initiative (SYVPI), which revealed gaps in the linkage between SYVPI goals, strategies, and outcomes.

As a result of these findings, OCA commissioned MEF Associates to conduct an [evaluation readiness review of SYVPI](#). This review examined the nature of the program's goals, key strategies, inputs, outputs, and outcomes; whether they were appropriate and measurable; what information is available to evaluate SYVPI's effectiveness; and what else needs to be in place before this can be done. The City Council also requested that at least two of SYVPI's current program areas be evaluated. The SEO program was one of the areas selected for further examination. The SEO program and its related truancy and suspension function were also highlighted in a 2012 [review of Seattle's crime prevention programs](#) conducted by the Center for Evidence-Based Crime Policy at George Mason University as an approach that could potentially backfire due to concerns about whether the placement of police in schools might exacerbate the 'school to prison pipeline' (see below).

### 1.1 Police in Schools

The placement of police officers in schools is a timely and controversial issue. Nationally, the use of police in schools, usually through school resource officer (SRO) programs, has grown extensively in the last decade, in large part because of funding from the U.S. Department of Justice's Office of Community Oriented Policing Services (Na & Gottfredson, 2013). Since the tragic events in Newtown, CT in December 2012 there has been a renewed call for greater police presence in educational establishments. However, some scholars and critics have argued that the presence of school police officers leads to criminalization of disciplinary infractions that might previously have been dealt with by the school, creating a 'school to prison pipeline.' For example, Na and Gottfredson (2013) found that increased use of school police officers results in more reporting of non-serious violent crimes to law enforcement and increased detection of weapons and drugs. Kupchik (2010), in a qualitative analysis of SRO effectiveness, found that increased use of police officers facilitates the formal processing of minor offenses and harsh responses to minor disciplinary situations. For example, school principals tend to rely on the officer as a legal advisor when there is uncertainty about the relevant rules of law to apply. Petrosino, Turpin-Petrosino, and Guckenburg (2010) find that formal justice system processing of young people can increase their risk of recidivism. Organizations such as the ACLU also contend that the 'school to prison pipeline' is more pronounced in under-resourced public schools, thus disproportionately affecting poor, at-risk, and minority youth.

It is important to note that OCA reported that Seattle Police Department has been "thoughtful in the development" of the SEO program, seeking to avoid the focus on patrol and enforcement that characterizes some police activity in schools. The program's [website](#) states that the SEOs are "specially selected for their interest and experience in working with youth," and focus on providing support to at-risk youth through promising approaches such as mentoring and conflict resolution/restorative justice, home visits, and referral to services. However, as with most school police programs, Seattle's approach has not been evaluated.

## 1.2 The CEBCP Crime Prevention Review

In 2012 OCA commissioned the Center for Evidence-Based Crime Policy at George Mason University (CEBCP) to conduct a [review of the evidence base](#) for the city's 63 crime prevention programs. The review highlighted four programs at risk of potential backfire effects, based on criminological theory and prior evaluation research from other locations.<sup>1</sup> Based on the relationship between police in schools and the 'school-to-prison pipeline' discussed above and the limited information available about the SEO program to the report authors, the SEO program was placed into this category.

In their review, CEBCP recommended that the following strategy should be applied for assessing programs that may have no effect or a backfire effect:

1. Check local protocols to determine the extent to which Seattle's version of the program resembles programs described in the research literature with no or unfavorable effects;
2. Conduct rigorous process, program, and cost-benefit evaluations of Seattle's version of the program.

Subsequently, CEBCP and the University of Maryland were commissioned by the OCA to examine the local protocols and make recommendations for program development and evaluation. Our findings are reported here.

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<sup>1</sup>Note that Seattle's programs were not directly evaluated as part of this review.

## 2 Methodology

The goals of this process evaluation were to develop an understanding of how the SEO program operates in practice, identify its strengths and challenges, and make recommendations for developing a future rigorous outcome evaluation. We did not conduct an outcome evaluation as part of this project, so this report does not make claims about the program's effectiveness. As we conducted our assessment it became clear—as we discuss in this report—that while the program has many strengths, it is not clearly defined and data collection is limited. We therefore adjusted our original scope of work to include recommendations for how the program might be clarified before an evaluation could take place.

The process evaluation involved the following three key steps:

1. Clarification of anticipated outcome and implementation standards with program leaders.
  - What are the ultimate goals of the program?
  - What is the mechanism through which the program is expected to achieve the goals?
  - What possible unintended side effects should be measured?
  - What are the duties and expectations of SEOs?
  - What are the components of the program?
  - What are the costs of the program?
2. Development and assessment of measures for the above outcomes and standards.
  - Existing records
  - Survey measures
  - Implementation
3. Collection and analysis of implementation data: SEO program manuals and daily activity logs.

To assess each of these areas, we relied on content analysis of program documentation and data, group and individual interviews with key stakeholders, and observations of SEOs at work in schools to develop a proposed logic model for the program. In the remainder of this report we describe the program stakeholders, goals, and activities as laid out in the program documentation and as related by interviewees. We discuss how the vision for the program laid out by program leads differed from its operation in reality. We conclude the report with a discussion of the program's strengths and challenges, a proposed logic model (see Figure 3), and our recommendations for further development.

This process evaluation of the SEO program was conducted in late 2013 and 2014. The program documentation and data made available to us were:

- The Seattle Police School Emphasis Officers Program Policy and Procedure Manual, approved June 1, 2011. This document forms the basis of the Memorandum of Understanding (MOU) between SPD and SPS (see [Appendix A](#))

- A program description created by Sgt. Adrian Diaz, who oversees the program, to explain its goals and function to other stakeholders such as teachers and school administrators, dated September 2013 (see [Appendix B](#))
- Logs of daily SEO activities for 2013, provided by Sgt. Diaz

We interviewed the following individuals:

- Sergeant Adrian Diaz, SEO program lead for SPD (formal interview December 9, 2013 and numerous subsequent informal conversations)
- Assistant Chief (now retired) Clark Kimerer and his policy analysts Greg Doss and Angela Socci (December 10, 2013)
- Deputy Chief Carmen Best<sup>2</sup>, formerly the lieutenant with oversight of the program (December 10, 2013)
- Mariko Lockhart and Sid Sidorowicz, SYVPI (March 14, 2014)
- SEOs from three of the four participating middle schools (the assigned SEO for Aki Kurose Middle School was on long-term sick leave and had not been replaced at the time of this research):
  - Officer Erin Rodriguez, Denny International Middle School (March 13, 2014)
  - Officer Sydney Brathwaite, South Shore K-8 School (March 13, 2014)
  - Officer Sam Braboy, Washington Middle School (May 9, 2014)

On the days we interviewed the SEOs, we also spent some time in the school observing the SEO at work and speaking informally to school staff, such as grade counselors, principals, assistant principals, and teachers. These visits were facilitated by Sgt. Diaz, who sometimes joined the conversations but was not always present.

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<sup>2</sup>Deputy Chief Best was in the rank of Assistant Chief at the time of the interview.

### 3 History of the SEO Program

Seattle's School Emphasis Officer (SEO) program began in 2008, with officers assigned to schools beginning in 2009. The program evolved from the South Park Initiative (SPI) in response to the shooting deaths of five teenagers in Seattle in 2008, which also drove the creation of the broader Seattle Youth Violence Prevention Initiative (SYVPI) of which the SEOs form a part. SPI, which is no longer operational, was a city-funded program that provided case management and basic social/life skills training to promote rehabilitation and prosocial attitudes among at-risk youth in the South Park neighborhood. It also offered academic support, language skills, and supervised recreational activities, and included a gang monitoring component.

Sgt. Adrian Diaz was instrumental in designing and implementing both SPI and the SEO program and continues to manage the SEOs. He reports that the original goal of SPI was to “[give] kids so much to do they can't get in trouble,” and to create a “lack of anonymity” so those who misbehaved would fall under the radar of police and services. At the time, Sgt. Diaz was SPD's Latino liaison officer and had personal experience of growing up around gangs. The South Park neighborhood of West Seattle was chosen for SPI because its population was 50 percent Hispanic and they had experienced seven homicides in a community of just 3,000 people. By 2004, Sgt. Diaz began thinking about how to better embed the SPI approach in the community through a connection to the schools. At the same time, he and his colleagues had noticed that racial tension between Black and Hispanic youth in neighborhood schools was a problem. Having experienced this issue himself as a youth, Sgt. Diaz believed that he could curtail the problem through mediation. This led to the idea of building the SEO role, which expanded on the traditional school police officer function by attempting to increase the connection to the community and implement checks and balances for transparency. The SEO model was also informed by another program, “Seattle Team for Youth,” which focused on truancy and alignment with local culturally-focused services, but according to Sgt. Diaz that program was struggling because it could not fully track information about youth.

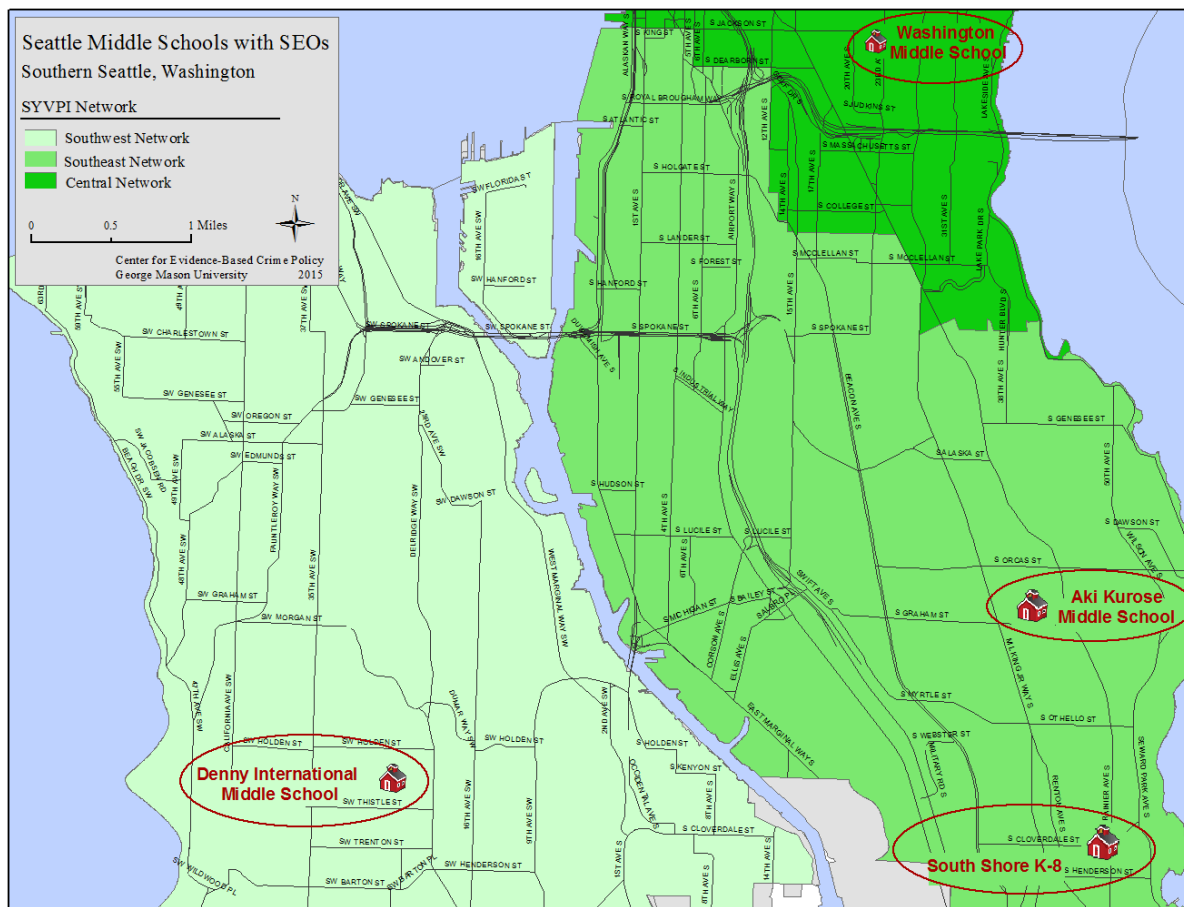
In 2008 five teenagers were murdered in Seattle. This galvanized a city response that included the creation of the Seattle Youth Violence Prevention Initiative (SYVPI) by the Mayor's Office. SYVPI is an interdisciplinary team involving the Seattle Police Department, and the city's Departments of Neighborhoods, Human Services, and Parks. According to Sgt. Diaz, SYVPI's focus was on outreach and services to at-risk youth, performance-based contracting, and establishing checks and balances to provide a coordinated response to youth violence. Although there had been no homicides involving youth under the age of 18 since 2008 at the time of our first interview with Sgt. Diaz (December 2013), SYVPI continues to focus on identifying and working with youth presenting a broad range of risk factors including criminal justice or gang involvement, problems with school attendance and/or achievement, difficulties with relationships, family, and employment, alcohol and drug use, mental health issues and aggressive behavior or attitudes. SYVPI director Mariko Lockhart reports that SYVPI initially drew inspiration from the work of [David Hawkins and Richard Catalano](#) (e.g. Hawkins et al., 1998) to identify youth violence risk factors that the city could address.

The SEO model became part of the development process of SYVPI. There was no specific additional funding for the program; rather, as Greg Doss explained, the goal was to fold promising practices the police were already using into the Initiative. Sgt. Diaz was a member of the SPD team involved in the development of SYVPI, and was already trying out the model through his work at Denny International Middle School in West Seattle. Through the development of SYVPI the model was rolled out to other schools, with at least one school in each of SYVPI's three network areas (Central, Southeast, and Southwest Seat-

tle). The program currently operates in four schools: Denny in the Southwest network area, Washington Middle School in Central, and Aki Kurose Middle School and South Shore K-8, both in Southeast (see Figure 1). At the time of our visit, the SEO team was as follows:

- Sgt. Adrian Diaz, program supervisor
- Ofc. Erin Rodriguez, SEO at Denny
- Ofc. CJ McRae, SEO at Aki Kurose (on leave)
- Ofc. Sam Braboy, SEO at Washington
- Ofc. Sydney Brathwaite, SEO at South Shore
- Det. Denise "Cookie" Bouldin, special projects<sup>3</sup>

Figure 1: Locations of Current Participating Schools



<sup>3</sup>Det. Bouldin is not assigned to a specific school, but runs programs such as a chess club for local children at the Rainier Beach library in Southeast Seattle.

Sgt. Diaz designed the program from the ground up. Indeed, former Assistant Chief Clark Kimerer, whose office oversaw community outreach, described it as a “bottom-up evolution.” It did not come from a chief or captain setting up a program with objectives or a clear mission, but rather was “born of need and revisited in another time of need.” While the SEO program has evolved toward mentoring and information sharing, its original status was one of “bring[ing] talent to a crisis.”

Within SPD, the SEO program is situated within the Chief’s office due to its historical context: the South Park Initiative had started under former chief John Diaz when he was deputy chief, and the SEO program followed the same management structure. Deputy Chief Carmen Best, who was then a lieutenant in the community outreach unit overseeing a number of special projects, gave Adrian Diaz autonomy to run the program. Former chief Gil Kerlikowske and the mayor’s office encouraged the development of the program and pushed for it to move ahead at the beginning. While there is no formal position for the SEO program within the schools administration, Pegi McEvoy, who is now the Deputy of Operations for Seattle Public Schools, was involved from the outset in her prior role as a security specialist and continues to support the SEOs. Sgt. Diaz believes having a positive relationship with a key leader from the school district has helped to provide legitimacy for the SEO approach within Seattle Public Schools, and some schools who initially resisted the idea now ask if they can have an officer assigned.



## 4 Process Description

The purpose of the Seattle Police Department SEO program is to place police officers in selected city middle schools with a focus on violence prevention and intervention. There are currently four SEOs housed in four middle schools, plus one SEO assigned to special projects, supervised by a sergeant. The school-based SEOs refer students to the Seattle Youth Violence Prevention Initiative and other service providers and offer general relationship-building activities as well as individual support (e.g. home visits). Some officers teach curriculum-based preventive programs such as Gang Resistance Education and Training (GREAT) and Options, Choices, and Consequences (OCC).

The information in this section is drawn from the visions and perceptions of the program as described by the program documentation and the stakeholders we interviewed. We also comment on areas where our own observations and review of the SEO activity logs supported or diverged from these visions, and where the operation of the program in practice appeared to differ from the written documentation.

### 4.1 Population Served

Neither the [SEO Policy and Procedures Manual](#) (hereafter “the Manual”) nor the [program description](#) used by Sgt. Diaz (hereafter “the Program Description”) lay out any explicit eligibility criteria for individual youth or schools served by the program. However, in its discussion of the program goals the Manual states that the following youth should be the focus of SEO services:

- Youth directly affected by youth violence, such as joining gangs or as victims of youth violence.
- Youth who have been identified as truant, or have increased aggression, who are at risk of committing a crime, those who may be ready to leave a gang and gang members who are not yet committed to gang life.

The Program Description reiterates the commitment to students who are suspended due to involvement in violence and/or those who develop truancy issues, and highlights the role of the SEOs in referring students to SYVPI as an element of the “priority population served.” The Program Description also clearly indicates that the population is limited to middle school students, which is not explicitly stated in the Manual. As it is described in these documents, the population served by the SEO program closely aligns with the eligibility criteria for enrollment in SYVPI set out in the [MEF report](#):

- Multiple convictions and released from supervision, or under minimal supervision and at risk to re-offend; and/or
- Arrest for crimes that do not meet the juvenile detention intake criteria and released; and/or
- **Middle school student at risk of chronic truancy or multiple suspensions due to violent behavior** [emphasis added]; and/or
- Victim of violence and friends and associates may be at risk of retaliation.

We note that the criteria as listed in the MEF Report differ slightly from those set out on the SYVPI referral form, which replace “gang involved” for “victims of violence” and do not specify middle school students

as the focus of truancy and suspension problems.

Sgt. Diaz confirmed that, in line with the program documentation, SEOs in the schools focus their attention on the higher-risk youth and try to get them into services via referrals to SYVPI. The schools also have multidisciplinary student intervention teams in place that partner with service providers. These teams meet once a week to discuss specific cases. In talking to the individual SEOs we found that the officers typically attend these meetings, but it was not clear whether there was usually any other representation from SYVPI, coordination between SYVPI and other service providers on the team, or coordination between the SEO and an SYVPI case manager regarding the needs of individual youth. Some SEOs did note in their daily activity logs that SYVPI staff had attended school-based meetings.

SEOs did not appear to have a systematic tool or method for identifying at-risk youth. Sgt. Diaz indicated that SEOs are primarily focused on developing strong relationships with both students and staff through positive interactions, and that they draw upon these connections to understand which youth are in need of services: "Officers can tell if kids might meet SYVPI's four criteria because of their relationship building efforts." He also suggested that SEOs try to identify at-risk youth through classroom behavior warning signs during the classes they teach. Sgt. Diaz estimated that of 600-700 youth in a middle school roughly 40 might be in need of services at any given time.

The SEOs we interviewed all saw themselves clearly as liaisons between the school and SYVPI. At Denny International MS, where we observed a strong relationship and good communication between the SEO and the school administration, a school official we spoke to indicated that school disciplinary staff had very little time to work on individual cases and they were appreciative of the fact that the SEO could take on the initiative of referring youth to SYVPI. It appeared that these referrals and follow-ups could add an additional layer of bureaucracy to an already overstretched staff if the SEO was not present. We discuss this issue in more depth later in the report. All the SEOs appeared to have a good understanding of the stated criteria for identifying and referring youth, but they also stated that they had observed other factors and nuances in student conduct and interactions that were indicative of problems. They highlighted issues such as stealing food, tardiness, sibling involvement in violence or the criminal justice system, and students' emotional state/depression as risk factors they used to identify youth in need of SYVPI services.

## **4.2 Program Goals**

The Manual states that the three SEO program goals are prevention, intervention, and enforcement. We note that these goals are different from, and broader than, the goals of SYVPI as we describe later in this report. We also think that these three concepts might be more accurately characterized as approaches that could be taken to accomplish goals, rather than goals in themselves. We return to this observation in the Recommendations section of this report, where we suggest more appropriate, actionable goals. However, here we describe the expectations around prevention, intervention, and enforcement as laid out by the stakeholders.

While enforcement is a stated 'goal,' the SEO initiative is intended to be primarily prevention/intervention oriented, rather than reactive. Program leaders and SEOs clearly believed that traditional law enforcement approaches are unproductive and defeat the purpose of building the trust and relationships that are integral to the success of the program's approach to identifying at-risk youth. We heard consistently that SEOs are expected to reach out in a positive way, provide early education, identify problems, and

encourage youth to return to school. Sgt. Diaz characterized prevention and intervention as the “grey areas” of law enforcement. Nonetheless, the Manual does set out expectations for some school-based enforcement activities. In practice we saw very little evidence that SEOs engaged in these activities as much as those related to their prevention and intervention roles.

#### **4.2.1 Prevention**

The program documentation indicates that a primary objective of the SEO program is to prevent students from becoming involved in violence in the first place. This is supposed to be achieved by providing students with an opportunity to develop a positive relationship with a trusted adult (i.e. the SEO) through mentoring/relationship-building opportunities, classroom education, and high visibility SEO presence in the school setting, especially during lunch and other breaks when informal interactions can occur. These activities also offer students the chance to develop social and interpersonal skills<sup>4</sup>. The Manual also states that program leaders will continually research and implement innovative “best practices” for a safe and secure teaching and learning environment (this is discussed further under Activities).

Although the Manual explicitly states that “high visibility” of the SEOs is part of their preventive role, Assistant Chief Kimerer told us that, with regard to the law enforcement function of SEOs, the program is “emphatically not intended to be a highly visible police presence,” but instead about relationship building and information exchange. The SEOs are not supposed to have a “big footprint.” It appears that the intent of the Manual is for SEOs to be visible to students as a trusted adult and source of support rather than as a deterrent presence.

#### **4.2.2 Intervention**

Under the area of intervention, the Manual indicates that SEOs should work to ensure those students who do appear to be at risk, as manifested through truancy, aggression, gang involvement, and so on, receive the help and support they need to avoid the criminal justice system. SPD and SYVPI are expected to collaborate to ensure services are integrated, complementary, and not overlapping. SEOs should assist in the early identification of students at risk and provide resource information and assistance and refer youth into SYVPI network services and/or out of network services supported by the school. As we discuss throughout the report, referral to SYVPI is a key part of the SEOs’ work, but collaboration with SYVPI and identification of at-risk students is not always systematic and there is a limited amount of two-way communication between SEOs and SYVPI about specific youth. No systematic procedures for referral and follow up are described in the program documentation.

#### **4.2.3 Enforcement**

Both Sgt. Diaz and Assistant Chief Kimerer emphasized that while there is a law enforcement function built in for the SEOs, it should be considered the last resort. The SEOs themselves also stated that they have a very limited, if any, role in enforcement. The program’s enforcement goals, as stated in the Manual, remain centered around the relationship building/information gathering model. They suggest that SEOs

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<sup>4</sup>This point is listed under the “intervention” portion of the Manual, but we feel it is more relevant to prevention.

are to collaborate and problem-solve with staff, students, and the community to ensure consistency in enforcement issues; differentiate between ordinary school discipline issues and criminal conduct and respond accordingly, i.e. by directing issues such as disruption in class and disrespect of teachers to school discipline administrators rather than making them a police issue; focusing their efforts only on the youth already involved in criminal activity; and supporting investigations of any actual criminal offenses committed on campus.

### 4.3 Mission

The mission of the SEO program as stated in the Manual is to support the education mission of Seattle Public Schools by helping to provide a safe, secure and orderly learning and teaching environment. This mission statement is different from and broader than the descriptions of the target population and the goals/activities from the program documentation, which focus strongly on at-risk youth who may be eligible for SYVPI. Program stakeholders also consistently told us that the SEO model is not supposed to be a standalone program, but rather an 'input' into the overall SYVPI approach. Nonetheless, the range of activities carried out by the SEOs in practice, which we describe in detail later in the report, do reflect this broader mission as well as the SYVPI focus. The SEOs we observed generally varied in the extent to which they worked closely with specific youth or interacted with the broader student community through curriculum education. Some of the personal goals and aspirations of individual SEOs and program leaders, as they described them to us, went well beyond identifying youth for SYVPI support. They included, for example, strengthening relationships with students and the community; changing youth perceptions of the police; and providing preventive education for students regardless of whether they would be eligible for SYVPI. We also observed little formal interaction with Seattle Public Schools. Thus, neither the mission statement nor the program goals appear to accurately capture the nuances of the day-to-day operation of the program or the vision "on the ground."

### 4.4 Program Stakeholders

#### 4.4.1 School Emphasis Officers

##### *Selection*

Sgt. Diaz told us that he hand-selects each officer for the job. The current group of officers all come from communities of color and are assigned to schools where they reflect the population of students. Sgt. Diaz reported that SEOs receive cultural competency training and offer culturally-specific programming to students, but we did not see any specific examples of this in practice.

Typically, open SEO positions are not advertised and Sgt. Diaz personally approaches officers he knows of within the department who possess the appropriate skills. He suggested that he would only interview officers to see if there is anyone he missed. At the beginning of the program, Deputy Chief Best was also involved in hiring. She explained that she and Sgt. Diaz asked for volunteers for the role and interviewed them about how they viewed the role and how they would go about doing the job. Thus, the selection process appears to be heavily driven by the characteristics of the individual officer.

The qualities sought in a successful SEO are not set out in writing in the Manual. Sgt. Diaz said he had a

clear vision of the desired qualities for the role, but was reluctant to give us set criteria. He believes that these qualities are best reflected through officers' actions on the job. However, the following skills and attributes were highlighted by Sgt. Diaz, Deputy Chief Best, and the SEOs themselves:

- **Supportive orientation.** Officers must be empathetic and understand the importance of not trapping kids in the criminal justice system.
- **Youth orientation.** Officers must like young people and working with them; they must recognize the value of reaching out; willingness to come "off the beat" and work in a school setting;
- **Community minded.** Officers must understand the dynamics of the community in which the school is located, be culturally responsive, civic-minded, and have good values;
- **Patience.** Officers must understand the limitations of community processes.

Deputy Chief Best stated that officers who saw the role as a "testing ground" were not appropriate for the job: "It is too valuable a position for just testing out." Likewise, officers who are interested in a school assignment simply to work day hours or because they perceive it to be easy are not selected. If officers are interested they must demonstrate a history of community engagement, such as a community policing assignment or involvement in school activities. Career length does not contribute to selection—the range of experience among the current SEOs at the time of this report is five to 22 years. Sgt. Diaz also stated that he is not interested in hiring "hard chargers"—officers who are focused on arrest numbers. On the other hand, the school environment is also an important consideration. He notes that some officers are great at community outreach but would not want to be confined in a school all day, or may be unable to work daytime hours.

We asked the SEOs why they took on the role. All three said that they were attracted by an interest in working with youth, and their family background also played a part. Ofc. Braboy noted that as a parent himself he recognized the value of the work. Ofc. Brathwaite told us that he came from a family of police officers and had always wanted to work in law enforcement; however, the SEO role "has rejuvenated the ideals important to me that were once lost [in regular patrol work]." Ofc. Braboy shared his views on what makes a successful SEO; in particular, having a prevention and intervention orientation rather than being reactive is important:

"It's difficult to prepare for this role... you have to be willing to show a different side of yourself and have a good time... be a bit vulnerable, let yourself go."

"It's difficult to learn the role but you can grow into it—any police officer doesn't just walk out on the streets and become a police officer." [i.e., being an SEO requires personal development over time just as any police assignment.]

"Understanding the letter versus the spirit of the law is key in schools. Kids can make mistakes—[sometimes you need to] step back and let the school enforce."

### *Training*

We found no clear consensus on the training received by SEOs. Assistant Chief Kimerer stated that selection and general training of SEOs (such as street skills, firearms, and other e-learning programs, which are required of all officers) is precinct-based. He noted that the department has "not found much training" specific to the SEO role. However, Sgt. Diaz indicated that training on SEO-related skills is not precinct-

based. He and Deputy Chief Best, as well as some of the SEOs, listed a number of relevant training programs that have been offered, including:

- Strategies for Youth
- Race and Social Justice/Cultural competency training
- Undoing institutional racism
- Community collaboration work
- Some CIT (Crisis Intervention Team) training
- NASRO (National Association of School Resource Officers)
- GREAT (Gang Resistance Education And Training)
- Multidisciplinary gang training
- Search and seizure training
- Restorative justice
- Training on school-related issues such as child trafficking
- Continuing education and workshops, such as dialogues and role reversal conversations<sup>5</sup>

Ms. Lockhart also reports that SYVPI offers National Gang Center training and Solution Focused training to a number of partners, including SPD.

NASRO training is the only program on the list specific to the school police role. The SEOs told us that they most valued the NASRO and search and seizure training. Sgt. Diaz stated that the school district preferred NASLEO (National Association of School Law Enforcement Officers) training for police in schools, but he thought NASRO was the only “standard model” school police training the officers “care for.” According to Sgt. Diaz, the training focuses on case law around police in schools, avoiding violations of students’ rights, and knowledge of federal regulations such as HIPAA and FERPA that cover student privacy and home visits. We were unable to find any concrete information about the nature or dosage of the training received by the SEOs. However, Ofc. Rodriguez told us that the SEOs received two weeks of NASRO training before starting work in the school. Sgt. Diaz reports that not all of these training programs are provided every year, but they can be done every other year and refreshers are sometimes provided.

The SEOs viewed search and seizure training as crucial to their ability to “draw the line” between their prevention/intervention and enforcement roles. That training focused on clarifying the constitutional principles of search and seizure, which helped the SEOs judge when not to get involved (i.e. how to avoid turning a disciplinary issue into a police matter). Ofc. Rodriguez stated, “[search and seizure conducted by school officials] is a school internal issue until they call the police. Anything that happens within the school stays within the school unless the police are called.” We discuss this separation between the SEO role and law enforcement in more detail in the following section.

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<sup>5</sup>This was noted by one SEO and may be the same as the Strategies for Youth training, which focuses on developing officers’ understanding of how youth brain development affects the way they process information and makes decisions.

Table 1: SEO Training Logs, 2013

Training Type	Number	Percent
Department/Unit/Union	32	78.0
National Gang Center (SYVPI)	3	7.3
Strategies for Youth	3	7.3
Listen and Explain with Equity and Dignity (LEED)	2	4.9
Race & Social Justice Initiative (City)	1	2.4
Total	41	100

With the exception of restorative justice, the list above also includes very little training for the prevention/intervention roles played by the officers, such as mentoring and education. Deputy Chief Best noted that when she was involved in the program she had also relied on Mariko Lockhart, the SYVPI director, to look into appropriate training. According to Ms. Lockhart, all the training is done within SPD but SEOs attend SYVPI network hub and team meetings for orientation to SYVPI. The orientation focuses on the extent of the collaboration between SPD and SYVPI, which covers outreach, critical engagement, and information sharing on gangs (which is not limited to the SEO program); the activities of SYVPI and where SEOs fit in; and an introduction to the referral procedure and forms. However, some of the other training programs mentioned by interviewees, such as Strategies for Youth and Undoing Institutional Racism, were offered to all SPD officers and in some cases all City of Seattle staff, so they were not specific to the work of the SEOs. Sgt. Diaz also noted that SPD's ongoing settlement process with the Department of Justice would add additional training mandates.

In our review of the program activity logs for 2013 we found 41 days on which the SEOs attended some form of training. Table 1 shows that the vast majority of these training sessions involved general department required training, usually around firearms and general police procedure, which the SEOs are required to stay up-to-date on as serving officers. The remaining training sessions focused on working with youth, gang prevention, and social justice; however, as noted above, with the exception of the National Gang Center training these programs were also offered to other police and city employees.<sup>6</sup>

#### 4.4.2 Seattle Police Department

SPD started the South Park Initiative, the precursor to the SEO program, under the leadership of former Chief John Diaz while he was Deputy Chief. As such, when Sgt. Adrian Diaz developed the SEO program it became part of the Community Outreach Unit, which reports directly to the Chief's office. Sgt. Diaz is the primary force behind the program, having been given full autonomy to run it by his then Lieutenant (now Deputy Chief) Carmen Best.

The Manual details the organizational structure of the SEO program within SPD. According to the Manual, SPD agrees to assign up to four trained officers (FTEs)—one full-time officer in each of four schools—to provide "primary policing services," with priority given to requests for assistance from the school principal, and a sworn officer with the rank of Lieutenant or above as a schools liaison to Seattle Public Schools (SPS). The four school emphasis officers (SEOs) work a 5/2 schedule (5 days on, 2 days off) and an 8-hour shift. Their work days start any time between 7:00am and 11:00am, depending on the specific school's

<sup>6</sup>Table 1 includes duplicate SEOs, i.e. the same officer attending multiple training sessions, and counts each day of a multi-day training program separately. The logs did not state whether the training lasted for the full day.

schedule. SEOs themselves report directly to the SEO Sergeant, who is accountable to the SPD Schools Liaison.

Sgt. Diaz is currently in the role of the School Liaison officer in addition to supervising the SEO team. Assistant Chief Kimerer also provided oversight at a strategic level. We learned about the School Liaison officer role from Deputy Chief Best, who previously held that position. She stated that she had attended SYVPI weekly meetings; gathered information on school contacts; received weekly progress reports from the team; oversaw overtime, training and qualifications; and followed up with service providers. When crimes happened in or near schools she would link in with the assigned SEO or Sgt. Diaz to make sure the school received the assistance it needed from SPD.

Although SEOs report to the SEO Sergeant in the Community Engagement Unit, the Manual implies that they also fall under the command structure of the precincts in which their respective schools are located (Washington MS in the East precinct, Aki Kurose MS and South Shore K-8 in the South, and Denny in the Southwest). Officers have sometimes returned to regular policing duties in the precinct during the summer (although more recently they have remained involved in programming over the summer), and they can also be temporarily reassigned for emergencies or special events. The Manual states that the Precinct Commander must ensure that the SEOs complete a daily log of their activities for accountability, but in practice these records were kept by Sgt. Diaz and we did not observe any direct involvement with the SEOs on the part of the Precinct.

The Manual does not indicate how this dual responsibility for the SEOs between the Community Outreach Unit and the precincts should be managed. We learned that historically there had been some disagreement between SPD and the SEO leads about how the SEOs should be supervised. Sgt. Diaz explained that SPD wanted to make the SEOs completely precinct-based, but this would bring them into "the wider chain of command that is not decentralized," that is, there would not be as much flexibility. Sgt. Diaz was not comfortable with the idea of SEOs being pulled out of school for special events or needing to be prepared for other police work during the school day as this could affect their relationship-building activities with the students. In particular, SEOs wear "soft," informal police clothing in schools to minimize their law enforcement footprint (see Section 5.1.3), but they would need to wear full uniform if there was a chance they would be pulled out. Sgt. Diaz saw this as incompatible with the tone the SEOs were trying to set. Sgt. Diaz felt that it was not appropriate for youth to see the officer with whom they were in the process of developing a relationship out in the community making arrests (potentially of their parents or siblings), and that full police uniform was only appropriate once those relationships were established and students saw it as a symbol of safety rather than a power imbalance.

The Manual states that SEOs are expected to handle all 911 calls originating from the school and keep the school apprised of the incident response. However, Sgt. Diaz told us that to avoid breaking down the trust that has been established between the SEO and students, in practice SEOs are simply informed of issues by the school and are not expected to recommend charges or step in. If a crime occurs in school the SEO will call in other officers from the precinct (unless lives are in immediate danger, such as an active shooter situation). Ofc. Rodriguez explained that this can sometimes create tension with the precinct officers, some of whom did not understand why the SEO could not deal with the case. She attempted to manage this tension by sharing intelligence with the precinct officers regularly, offering to do the paperwork if precinct officers had to make an arrest in the SEO's school, and following up on arrests if they occurred. She believed this helped to preserve the relationship with the precinct and dispel any misunderstandings that the SEOs were not doing "real police work."

Overall there was a strong feeling among the SEOs that it was important to be involved in handling in-



cidents while also maintaining separation from the law enforcement function of the police. Several of the interviewees recounted the story of a poorly handled incident some years ago where school officials had called the police without contacting the SEO first, culminating in the student being arrested and “paraded” across campus for everyone to see. The perception of those who told us this story was that the school officials did not understand that the purpose of the SEO was to build relationships and trust in police with both staff and students, and that had the SEO been notified he could have explained to the precinct officers the importance of being more sensitive and discreet in the school context.

Assistant Chief Kimerer offered some organizational context for the tension between the precincts and the SEOs. In his view, overspecialization in SPD overall meant that community policing and related approaches were not integrated into general patrol work. His preference would be to see more approaches modeled after the SEO program, with its connection to the upper levels of the organization where “higher-level objectives such as violence prevention, prevention of risky behavior, reassurance around the role of the police, and problem-solving” are more valued. However, the precinct is still the key organizing entity that owns on-the-ground management and decision-making.

The stakeholders from SYVPI also highlighted the tension between the program and precinct as a potential threat to the continuity of the SEO model: “The precincts want the officers back.” They perceived that SPD was currently looking to reduce specialization and that the Community Engagement Unit could be hurt by this. Although the SEOs are a component of SYVPI, the SEO program is financed by a separate charter to the police and SYVPI has no control over what happens to the program. Nonetheless, SYVPI leadership did feel that SPD respected the relationship between SYVPI and the SEOs. Ms. Lockhart told us about an issue that arose several years ago when the SEOs returned to their precincts during the summer and one of them was assigned to the gang unit. Ms. Lockhart objected to this on the grounds that it could undo the trust and relationship building the officer had been involved in at school, and SPD listened to her concerns and reassigned the officer.

#### **4.4.3 Seattle Public Schools and the Middle Schools**

With the exception of Washington MS, the middle schools currently participating in the SEO program (see Figure 1) were selected based on high volumes of truancy, suspension, and discipline issues, and location within one of the three SYVPI network areas. Washington MS did not meet the suspension/truancy criteria when it was selected, but it was the only middle school in the Central SYVPI network area and is close to Garfield High School, which has a high rate of violence. Assistant Chief Kimerer characterized the four schools as being part of the program “because of need and frequency of contact.”

The Memorandum of Understanding set out in the Manual appears to be between SPD and Seattle Public Schools (SPS) overall, rather than SPD and the individual middle school. However, the responsibilities set out in the Manual apply to the individual schools as well as SPS:

- Cooperative working between the SPS Security Liaison and the SPD Schools Liaison;
- Provision of school office space; limited equipment use; and access to school facilities, staff, and resources (such as an email account) for the SEO where available;
- School to make contact with the SEO rather than 911 under routine circumstances.

According to the Manual, SPS also has the opportunity to provide input regarding the selection of SEOs

for assignment, although the SPD chain of command determines the final selection. The Program Description states: "It is critical that officers be integrated into the school staff, officers will work in collaboration with the principal." According to the Program Description, SEOs are supposed to support the school by assisting them in identifying students who are at risk of truancy and dropping out; participating in staff meetings regarding at-risk students; meeting regularly with the school administration; and support the school district in general by coordinating school emergency response plans; assisting with issues in the local community that could affect the school; and providing crime prevention advice. However, the Manual itself is not specific regarding SEO activities.

### *Relationships with the schools*

Our observations and conversations with stakeholders backed up the statement in the Program Description about the importance of integration of SEOs in the schools. Informal information sharing with school administrators and students was often the only way SEOs were able to follow up on youth they had identified as needing additional support—while the Program Description states that "Access [by the SEO] to the 'Source' database [at the school] will be helpful to ensure priority students are up to date on academics and attendance is improving" it did not appear that the officers frequently used formal data systems.

We found that where the SEOs were well integrated into the school disciplinary and support structure and information was routinely shared, school administrators had positive impressions of the SEO and better understood the SEO's role. For example, a school administrator at Denny International MS told us it was "wonderful" to have Ofc. Rodriguez at the school, noting that the officer took the burden off the school in terms of making referrals to and liaising with SYVPI, focusing on peer networks, and conducting home visits—all things the school staff lacked the ability or capacity to do at the same level. The administrator also felt that the presence of the SEO improved students' perceptions of SPD: "[Ofc. Rodriguez] is not security-based or authoritarian. She offers kids another perception of SPD. She keeps her gun covered... Most kids are not alarmed by her presence."

At South Shore K-8 we also observed a commitment to information sharing between the SEO, school counselor, and the house administrator in charge of discipline, and these three individuals believed that they enhanced each other's roles. At this school the counselor and SEO worked more collaboratively in identifying at-risk students and referring them to SYVPI. Our conversations at South Shore also focused more on the SEO's role in enhancing safety and security at the school in general. At the time of our interview there had recently been several large-scale incidents around the intersection immediately outside the school, including a fight between a large group of youth during which some students had reported seeing weapons flashed. The counselor felt that Ofc. Brathwaite's visibility at the school "keeps community problems out of the school." The house administrator added that Ofc. Brathwaite provided "instant information" about these types of incidents, allowing the administrator to be more effective in his role. As at Denny, the school staff at South Shore also highlighted the SEO's role in improving students' perceptions of the police and also bridging gaps between SPD and parents.

The SYVPI stakeholders emphasized that the relationship with the school principal and administration was one of the most important determinants of the success of the SEO. They related the example of a school that is no longer served by the SEO program, where the school culture was ultimately not conducive to the SEO's presence. "If [the school doesn't] want a relationship with SPD it won't work... [In that school] the SEO was seen as law enforcement and the school did not want to involve them in planning." This lack of integration risks having negative outcomes for the students—it was at this school that the poorly handled arrest described in the previous section occurred.

Given the importance of the SEO–school relationship, our interviews also revealed that this relationship requires special attention during transitional periods, i.e. staff turnover. It was not clear to us whether there was a written Memorandum of Understanding setting out the role and expectations of the SEO at each school (school administrators at Washington MS explicitly told us they did not have anything in writing) or how much information or program support came down from SPS to the schools, but we found that relationships were obviously developed on a principal-by-principal and SEO-by-SEO basis. Thus, the nature of the working relationship could change or the SEO's involvement could be weakened or strengthened by personnel changes. We observed these challenges firsthand at Washington MS.

At the time of our visit to Washington, Ofc. Braboy had just transferred from another school at the beginning of the academic year and the school also had an interim principal who was due to leave at the end of the year, so the SEO program was in flux. The school counselor seemed more uncertain about how the SEO could support her work compared to counselors at the other schools we visited, and thought he should “put himself out there” more to show her and her colleagues what he could do. However, Ofc. Braboy was taking a more cautious approach to the relationship until the new principal arrived and told us he was trying not to “make waves.” In the absence of a written MOU at the school, it seemed to us that he wanted to avoid getting the school staff used to one way of working in case the new principal had different ideas about his role. He told us, “It’s a delicate balance—you have to respect the principal.” Even in the absence of major school changes, the importance of aligning the school culture with the personality and working style of the SEO was clear. For example, at Denny a long-serving school administrator told us that while she had positive experiences with all the SEOs that had been assigned there, she found Ofc. Rodriguez’s approach to be particularly compatible with the school’s values.

#### *Focus on middle schools*

The stakeholders we spoke to were strongly in agreement that the program should remain focused on middle schools and not be expanded to high schools. There was a feeling that the SEO model would not work in a high school setting because of the higher discipline rates and different dynamics of crime and violence among the high school population. The SYVPI stakeholders noted that some youth drop out between middle school and high school and/or “take their issues off campus,” which would make it difficult to build relationships in the same way: “Where would you draw the line with behavior off campus?” Furthermore, the significance of a law enforcement intervention is greater at age 17-18 than age 13. The SEOs themselves expressed concern about the legal and practical issues of engaging in the same outreach and relationship-building activities with high school age youth. Some students in high school are legally adults, which could limit the officer’s discretion in deciding how to respond to an issue. Ofc. Braboy believed that most high schoolers are “the person they’re going to be,” which he felt made it harder to “infiltrate” (i.e., attempt to build trust and change perceptions about police and education). He also felt that some decisions regarding these youth are already in motion (i.e. some may already be moving through the criminal justice system), which makes it more difficult to steer them away if they are already in trouble.

In addition to the concerns about using the SEO model with older students, program stakeholders also believed that middle school was the optimal time for this type of intervention. Assistant Chief Kimerer felt that middle schools are most important for relationship building, whereas high schools have a different social environment in which one officer may be less likely to make a difference. The choice of middle schools is not simply a case of ‘the earlier the better’—he felt that elementary schools are not suitable either because although they offer “eager minds” there is also “less bang for your buck.” Middle schools present a “balance of open minds but increasing risk factors—mental illness, learning difficulties, behavioral issues—public schools must address these statutorily. These issues can end up on the streets.”

Ofc. Braboy echoed this assessment. He felt that “at this middle it becomes second nature if you teach decision making and conflict resolution now.” The earlier students “get it,” the more they can practice. Since students are an age where signs of problems will start to emerge, he saw this time as being potentially the last opportunity to teach these skills to youth if they did not learn them at home. Ofc. Braboy noted that at times during his career he had compared homicide records (for both victims and perpetrators) with prior school records and had seen signs of “acting out” very early. He viewed the transition from 5th to 6th grade as a “huge jump” where some students may already be lost from the system. Officers and teachers must navigate the tension between social promotion (to the next grade) and emotional readiness. Some older students who are held back in middle school have already developed “street maturity” that can impact other youth. Ofc. Braboy felt that in these cases SEOs should not be involved, although they can give their opinion regarding discipline and follow up with a referral to SYVPI.

There are no assigned SEOs or SROs in the majority of Seattle’s high schools with the exception of Garfield High School, which has an assigned officer from the East Precinct. The SYVPI personnel we interviewed told us that the city council had once pushed for a more traditional school resource officer model in high schools but the school district would not pay for it (they noted that since the city funds the SEO program it would be unlikely to expand further, even in middle schools). However, the current SEOs do work with older youth in other contexts. Since SYVPI takes on youth up to age 17, SEOs can still refer high schoolers if they come across issues within a family they are working with. The SEOs also get to interact with older youth through the Late Night Programs they run during the summer. Our review of SEO activity logs also indicates that officers sometimes give presentations and workshops in high schools, or deal with issues involving high school students on or near the middle school campus. All the middle schools we visited were very close to high school campuses. For example, Denny MS and Chief Sealth HS share a building, although students are generally not allowed to move between the two sides. At South Shore K-8, different school release times meant that students from nearby Rainier Beach HS often congregated on the streets outside or at the community center next door, and sometimes got into fights that “distracted” the middle school students during their last period.<sup>7</sup>

#### **4.4.4 Seattle Youth Violence Prevention Initiative**

The relationship between the SEO program and SYVPI is complex. While the SEO program is part of SPD, SEO stakeholders see the approach as an ‘input’ into the SYVPI model rather than a standalone approach. The historical context for this arrangement is described in Section 3. SYVPI director Mariko Lockhart noted that at the outset of SYVPI when they were working with Sgt. Diaz to connect the initiative to the schools, they aligned SYVPI’s focus on school suspensions related to potential violence with Sgt. Diaz’s observations that (1) discipline issues were a significant indicator of truancy and non-attendance in some schools; and (2) lots of youth were being arrested and detained for minor offenses that he felt were not appropriate for justice system processing, and a better approach was needed to engage these youth.

The SEO program is part of SYVPI structurally but not financially. SPD contributes approximately \$600,000 to the SEO program, separate from the \$5.7 million budget allocated to SYVPI. Furthermore, while SPD has a Memorandum of Understanding with SPS, there is no formal document governing the relationship between SPD and SYVPI. As a result, SYVPI does not have a lot of say over the daily activities of the SEOs. Assistant Chief Kimerer explained that, given the historical development of the two models, the SEO program was not constructed with an integrated vision in mind; the relationship between SEO and SYVPI

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<sup>7</sup>The start and end times at South Shore have since been adjusted to more closely align with other local schools.

is more a “morphing of existing work.” He noted that the SEO program is beginning to integrate more with SYVPI (for example, through SEOs acting as a primary source of referrals to SYVPI): “We are not necessarily in a position where purpose statements and structures are documented, but we can work together.”

Sgt. Diaz acts as the primary link between SYVPI and the SEOs. Ms. Lockhart views him as more of a coordinator than a supervisor of the SEO team. The two of them work closely on assigning and transferring SEOs and managing relationships and interactions with the schools. The relationship is collaborative rather than authoritative—Ms. Lockhart cannot order Sgt. Diaz to send an SEO to particular school. Nonetheless, Ms. Lockhart clearly valued the trust and close working relationship with Sgt. Diaz and felt that her voice was listened to. She saw the SEOs as the schools’ main connection to SYVPI, in terms of providing referrals, and the chief facilitators of information sharing with network providers. As a result, she believed that when SEOs left or transferred to different schools the whole Initiative needed to adjust. Ms. Lockhart told us that SEOs meet regularly with SYVPI network staff for case consultations around care plans for specific youth and that they bring a wealth of information from the schools to these meetings. However, the SEOs did not discuss this much when they described their work to us and we did not find many examples of these meetings in their activity logs (although we did find a number of more ad hoc contacts with SYVPI intake specialists and network coordinators). Ms. Lockhart acknowledged that SYVPI is still trying to structure and formalize this process. Sgt. Diaz said that he attends the monthly SYVPI Whole Team meeting and uses this time to see how the various components of the initiative work together.

SYVPI and SPD also collaborate in other ways through the SEO program. The SEOs work the “late night programs” that are offered on weekends and during the summer. Ms. Lockhart believed this extension of their work in schools provided a key benefit to the community—she stated that the continuity of personnel means that officers get to know students and their families and build stronger relationships with the community. These activities also facilitate knowledge sharing about SYVPI in the community—when SEOs help to build awareness of the initiative, they find that referrals to SYVPI also start to come from community agencies, parents, youth themselves, and their friends. Sgt. Diaz also acts as the liaison between SYVPI’s street outreach team and the department to share information about violent events. He notes that street outreach works fairly loosely with the SEOs, as their role depends on their ability to build trust with gang-involved youth so it is important for them to maintain separation from the police to project independence and credibility. However, Sgt. Diaz reports that the SEOs have turned to street outreach to reconnect with youth who are not sticking with the initiative. He noted that balancing information sharing with discreet interactions with other agencies is key to earning community respect.

#### **4.4.5 At-Risk Students and their Families**

The Program Description states that “Family support is essential to addressing the needs of the priority youth. Officers will work with community-based organizations and school staff to help assist parents and families with their needs and provide referrals to local resources.” Sgt. Diaz noted that connecting with parents was part of the SEO’s role. It appeared that SEOs had most contact with families during home visits to follow up with students who had been truant or expressed other needs through relationships developed in schools. As discussed in Section 4.5, SEOs made 1.4 home visits per week on average in 2013 (see Table 2). In Section 4.5 we also describe an example from the SEO activity log in which Ofc. Rodriguez uncovered during a home visit that health issues were driving a student’s chronic truancy but the family could not afford health care. Ofc. Rodriguez was able to connect the family with the resources they needed through the school nurse’s office.

## 4.5 SEO Activities

The Manual, Program Description, and our conversations with stakeholders revealed that while there are some shared expectations for the types of activities SEOs are supposed to engage in, there are also a number of differences. We found that SEOs bring their own skills and interests to the role and have a considerable amount of flexibility in their daily role, which is explicitly stated in the Program Description:

“Officers will provide a vital function to the school that requires some level of flexible [sic] in their assignment. Officers generally will not be assigned to a specific area as an agent of the school staff.”

Most of the activities the officers engage in can be categorized within the areas of “School Support,” “Safety and Security,” and “Education,” which are the three key program strategies laid out in the Program Description. We note that these areas differ from the three goals/strategies of Prevention, Intervention, and Enforcement set out in the Manual. Indeed, stakeholders strongly de-emphasized the SEOs’ enforcement role and described making referrals to and liaising with SYVPI as among the officers’ primary functions, even though the latter activity receives minimal attention in the Manual. Overall, among the written program documentation the Program Description most closely reflects our findings about SEO activities, but it does not connect their SYVPI related functions to the other strategies they engage in.

In this section we organize our findings around the three key areas of school support, safety and security, and education, and we add the two additional areas not fully discussed in the Program Description: SYVPI collaboration and law enforcement. Throughout this section we illustrate our findings with excerpts from the activity logs that illustrate actual activities carried out by SEOs. These are shown in the blue text boxes. Log excerpts are presented exactly as they were given to us (the SEOs recorded only the initials rather than the full names of students they interacted with). For consistency, we only use excerpts from the logs of the three officers we interviewed.

The logs include the activities of the three SEOs we interviewed, plus Ofc. McRae at Aki Kurose and a former SEO, Ofc. Kevin Stuckey. It appeared that Det. Bouldin, the special projects officer, was not required to keep logs in the same way, although there was one entry in her name. The logs record the date of the activity, the name of the officer, a brief description of the nature of the activity and any students, families, school administrators, SYVPI or other service providers, or other police officers involved. Most of the logs described school or community-based activities, but officers also recorded attendance at training or occasions on which they had to deal with precinct issues. They did not log their precinct-based work during the summer unless it related to the SEO role or SYVPI; for example, working the summer youth police academy or late night programs.

Sgt. Diaz compiled these logs into a spreadsheet that also classified each interaction as Prevention, Intervention, Enforcement (reflecting the program goals in the Manual), SYVPI, Department, School-Based Meetings, and Community Meetings.<sup>8</sup> These reports also note the total number of individuals served in the interaction (“served” is defined broadly and includes individual youth referred to SYVPI, their family members, students enrolled in classroom-based activities, and so on); the number of mediations conducted in disciplinary situations; the number of referrals made to SYVPI and other Out of Network (i.e. non-SYVPI) service providers; and the number of services offered directly. The number served includes dupli-

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<sup>8</sup>We caution that the classification of incidents into these categories was not always consistent. While we would generally consider prevention activities to be applied to all students (e.g. teaching GREAT) and intervention activities to be home visits and meetings with or about individual at-risk students, in practice there was some overlap across these categories.

cate individuals; for example, Ofc. Braboy taught GREAT to 100 students each week in the Spring of 2013; the logs list 100 students served every time a GREAT session was logged. In total, we reviewed 1,374 individual logs from the six officers.

Table 2 quantifies the weekly activities of the SEOs between January 1 and December 31, 2013. On average, SEOs served 128 people in total, conducted almost four mediations, made 1.3 referrals to SYVPI and 0.3 referrals out of network, and offered 3.1 services each week in 2013. The total number of youth served that year was 6,642.<sup>9</sup> In total during the year there were 205 mediations, 70 SYVPI referrals, 15 out of network referrals, 159 services offered, and 71 home visits.

Table 2: SEO Activity by Week, 2013

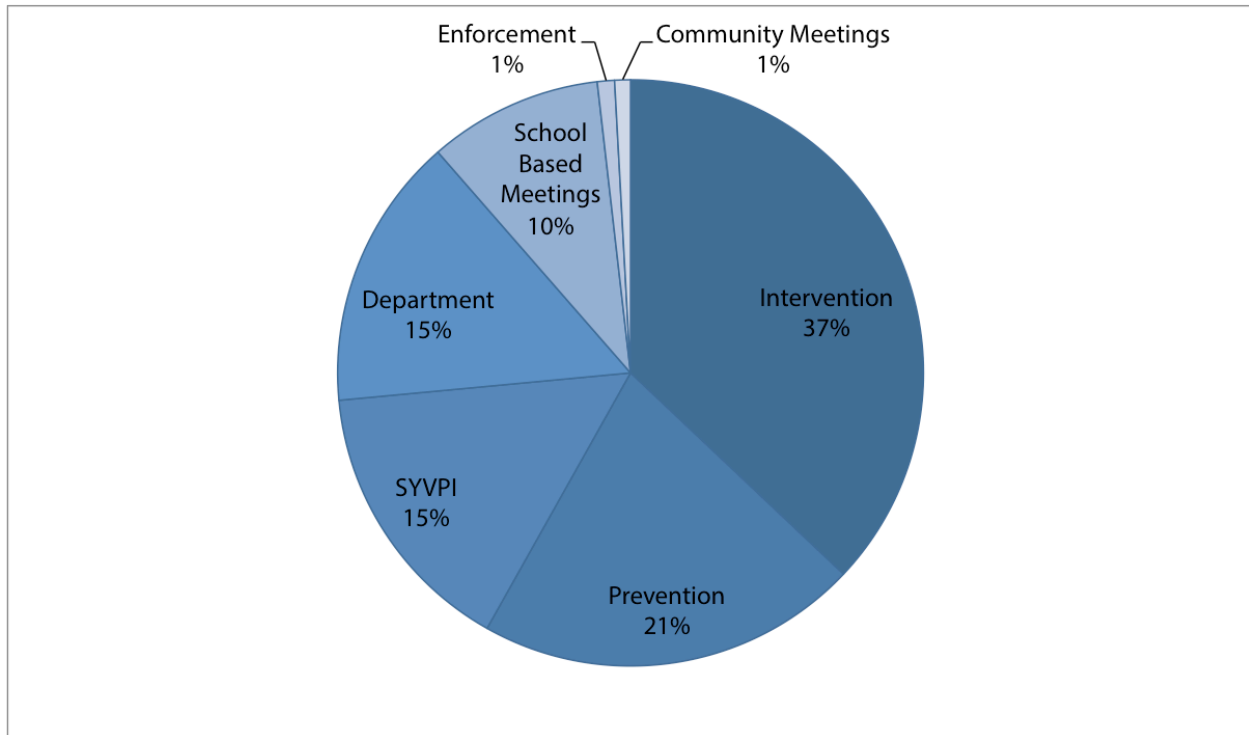
	Youth Served	Mediations	SYVPI Referrals	Non-SYVPI Referrals	Services Offered	Home Visits
Mean	127.7	3.9	1.3	0.3	3.1	1.4
Max	372	13	18	3	18	6
Total	6,642	205	70	15	159	71

Log entries from January 1 to December 31, 2013 included. Mean based on 52 weeks.

Figure 2 breaks out each of the 1,374 logs by activity type, as classified by Sgt. Diaz in the spreadsheet. Prevention and Intervention activities comprise the majority of the SEOs actions, at 58 percent combined. A further 25 percent of the logs were classified as either SYVPI related activities, which included teaching the GREAT curriculum, coordinating and engaging in recreational activities, making referrals, and attending SYVPI meetings; or school-based meetings, which typically involved case conferences about individual students or discussions about setting up or adjusting programming. About 15 percent of the SEOs' activities were department-related, such as keeping up to date with required training or following up on criminal incident investigations. Consistent with our interviews, enforcement activities were minimal, comprising only 1 percent of activities (13 of 1,374 logs). There were no records of arrests or apprehensions of students. Typically, enforcement-related activities included supporting local officers with investigations of incidents happening on or near school property; in one case the SEO took a crime report from a school staff member whose car had been broken into on campus.

<sup>9</sup>The number served was not always consistently recorded. In some cases the number did not match the description of the activity or was missing; however, to avoid making assumptions we did not attempt to adjust the data.

Figure 2: Classification of SEO Activities, 2013



#### 4.5.1 School Support

The Program Description lays out the following strategies under the heading of “school support” on which SEOs should focus:<sup>10</sup>

- Officers will utilize school activities to develop positive, trusting relationships with youth. Lunch and breaks are great times for this interaction to occur.
- Officers will work in conjunction with school to identify students who experience truancy issues and identify goals to improve attendance.
- Officers will help identify students who develop factors that could lead to dropping out of school.
- Officers will refer students to the appropriate resources for specific needs that cannot be met in the school setting.
- Officers will work with local community-based organizations and regularly meet to identify new programs or existing successful programs to assist youth.
- Officers will have an opportunity to participate in home visits with school staff and/or case managers.

<sup>10</sup>The above quotation about flexibility also appears on this list; however, we view this as a philosophy rather than a strategy and do not include it here.



- Officers will attend regular support staff meetings, such as, Student Academic Success Teams, to review data.
- Officers will meet regularly with school administration to ensure effective communication.

We found that these “school support” activities comprised the main portion of the SEOs’ day-to-day work. In particular, school activities and informal interactions for building relationships with youth, working with the school to identify students at risk for truancy and dropout, and referrals to services and home visits were most consistently used across the three schools. As discussed above, there was some variation across the schools in the degree to which the SEO was integrated with the school administration and the success of communication, but this was generally positive and there was extensive information sharing between faculty and SEOs in two of the schools, including participation in meetings with administrators, counselors, and mental health providers.

Consistent with the philosophy of flexibility expressed in the program description, SEOs appeared to have a substantial level of autonomy in these activities and had discretion to “do things outside the umbrella” (Deputy Chief Best). Thus, officers applied the strategies differently in each school. There are two main reasons for the differences. First, the culture of each school varies and the preferences of the principal and administration strongly dictate both the culture and the activities of the SEO. Second, the program is heavily talent-based and allows for officers’ specific talents and passions. While this means that students experience the SEO differently at each school there are also some benefits. Sgt. Diaz believed SEOs are more engaged when they are truly passionate about their activities and draw from their unique skill sets. It also shows the students that police officers can be multi-dimensional. For example, Sgt. Diaz told us that Ofc. McRae at Aki Kurose was a member of the Seattle Seahawks drum line and shared those skills with students.<sup>11</sup> Others have run martial arts and chess programs.

Mentoring was consistently mentioned by Sgt. Diaz and the SEOs as a key part of their work. In this context mentoring was broadly defined and did not necessarily follow a particular program or protocol, although we did see instances in the logs of SEOs connecting students with named mentoring initiatives through SYVPI such as [Big Brothers Big Sisters](#) and the local [4C Coalition](#), a faith-based program. Direct “mentoring” by the SEOs themselves focused mainly on relationship-building with students and home visits. It typically involved informal, one-on-one or group-based interactions. Officers’ relationship-building activities extended to all students in the school, not just those referred to SYVPI, although they viewed the ultimate goal of these interactions as integrated with SYVPI—relationship-building with students and staff allowed the SEOs to understand which youth were in need of services.

Officers had different approaches to relationship-building. Ofc. Rodriguez strongly preferred this element of the role to the education piece but preferred not to talk to students at the playground as “that’s their time,” whereas Ofc. Braboy took these opportunities to play basketball with students and strike up conversations. We spent time walking around the school with Ofc. Rodriguez and interacting briefly with students as they moved from one class to the next or went into the lunch room. She told us that she typically engaged in these short interactions with most students, noting that “not all kids know the police” so it was important for her to build relationships with them, but she also had deeper conversations with at-risk students in private. These conversations focused on how things were going at school and home, and offering assistance and services. We also found examples in the logs of SEOs acting as chaperones on school trips, although in one case (excerpted below) this was connected to a request from the school

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<sup>11</sup> A [recent article](#) by Sgt. Diaz on SYVPI’s website highlights Ofc. McRae’s drum line instruction at Aki Kurose and Cleveland High School.

staff to help students feel safer after a recent incident in the local community.

**Log Excerpt:**

Officer Braboy engaged students during lunch while playing basketball with several of them.  
*10 served.*

**Log Excerpt:**

Officer Brathwaite escorted (achievement rewards) walking students and staff dining out for lunch to their lunch site (Hong Kong Seafood Restaurant/Maya's Restaurant) by way of patrol vehicle and presence during the outing. This was requested by staff after a shooting incident involving non-students on their route which occurred moments after their return to the school the year before.  
*210 served.*

Several of the SEOs also worked at local community centers during vacations and weekends. They were involved in running the Teen Late Night Program, which is operated by the Parks department. The program serves youth 13 and older from 7:00pm to midnight and offers activities such as sports, sewing, and socializing. Officers are there for safety, information gathering, and making sure youth get home safely, but the SEOs also used this opportunity to develop relationships with the same students they saw in schools during the "12 hours they are outside of school," and continue to develop trust with them in a non-enforcement environment.

While truancy and dropout prevention are listed as key aspects of the SEO's role, in practice the SEOs drew a distinction between prevention/support and the legal aspects of truancy and suspension to avoid falling into an enforcement role. Sgt. Diaz noted that the school handles all truancy referrals to court, and the SEO only gets involved to meet with case managers or school administrators if they notice a student is not coming to school. In these cases, the SEOs focused on encouraging the student to come back to school and making parents aware of the available services and the SYVPI referral process. Ofc. Rodriguez felt that the SEO should play less of a role if students are simply being suspended or expelled, and be more involved when the school is focused on health and programming. All the SEOs conducted home visits, which they said were usually prompted by truancy issues, and accepted that their job often required working outside of school hours. Ofc. Rodriguez explained that these home visits helped to "[get] into the dynamics of the family [and] help the whole family get services." Home visits involved educating parents on school attendance laws as well as problem-solving the reasons for truancy, which were often caused by bullying or problems at home. The example below from the activity log illustrates how Ofc. Rodriguez used a home visit to get to the root of one student's truancy issue.

**Log Excerpt:**

Officer Rodriguez spoke with the mother of JP, who has been very truant. The mother brought her (and family) in and stated JP has been sick but they do not have medical care. Ofc. Rodriguez assisted the family by bringing them to the school nurse's office and advising the staff that the family needs assistance with medical care. Staff assisted the mother with completing paperwork to obtain medical care.  
*5 served.*

SEOs also played a role in keeping suspended youth connected with the school through home visits. SEO #1 used this time to prepare them for the transition back to school and “educate them on why their behavior is wrong legally.” This SEO also continued to check on youth who had dropped out or been expelled. At the time of our interview, SEO #1 had been at their current school for a short period of time and still checked on students from their previous school. The SEO stated that they tried to help these youth get back into education. We note that these truancy-related activities of the SEO are similar to those of the [Check and Connect Program](#), an evidence-based truancy prevention program that has recently been adopted by SPS. Check and Connect is implemented by trained paraprofessionals and there may be scope to link this with the activities the SEOs are already doing, although it is important to maintain the separation between the officers’ law enforcement powers and any involvement in service provision.

#### 4.5.2 Safety and Security

The Program Description sets out the following activities under the heading of “safety and security:”

- Officers will collaborate with the Director of Security for the Seattle School District to ensure that school emergency plans and police response to school emergencies are uniform (the Manual expands on this activity, adding that SEOs are responsible for developing critical incident and all hazards emergency response plans for the school in collaboration with the principal, and acting as a liaison between the principal and SPD in the event of an emergency).
- Officers will work with schools to address off campus issues that that could affect the school.
- Officers will provide periodic tips using the Crime Prevention Through Environmental Design (CPTED) model for the school campus as a crime prevention tool.

The Manual highlights other relevant activities in this area, including check-ins with the school administration specifically regarding crime prevention activities, and collaborating with school security specialists as well as SPS security officials. We heard very little about these activities in our conversations with SEOs and other stakeholders, although it was clear that some activities did take place and officers viewed their relationship-building and support activities as helping to develop school and community safety in a much broader sense. Our conversations with the SEOs and review of the logs indicated that officers were particularly concerned with helping schools to address off-campus issues that could affect the school, which was particularly salient given that the schools are situated in higher-crime areas. For example, Ofc. Braboy stated that he provided in-school follow-up when shootings happened in the area, and helped to arrange additional support for families directly affected by local violence through SYVPI. We found numerous examples of related activities in the logs, often involving high school students trespassing or causing problems on or near the middle school campuses, which are often situated very close to high schools. SEOs also assisted with safety issues in school, such as emergency drills and shelter-in-place. Some representative examples from the logs are excerpted below. However, we did not find any indication that the officers provided formal CPTED interventions or that they were trained in the CPTED approach.

**Log Excerpt:**

Officer Brathwaite contacted a group of about 35-40 teens (mostly high school students) on campus during the last hour of school at the request of school staff. Tensions were high on campus due to the number of fights and rumored retaliations to occur after school. Officer Brathwaite explained the request and pointed out the campus boundaries to which several stated not being aware of and apologized. The group further stated that they had no intentions to create a disturbance at the school, and were not there to cause any problems. The group disbanded and moved off of the property, but remained nearby...

*40 served.*

**Log Excerpt:**

Officer Brathwaite assisted school staff during the execution of a live fire and earthquake drill.

**Log Excerpt:**

Officer Brathwaite contacted school staff by phone upon the broadcast of a shooting incident near Rainier Av S/S Henderson St approximately 30 minutes after school ended for the day. A temporary Shelter in Place was instilled at South Shore until it was determined that an immediate threat no longer existed upon patrol response, investigations, and actions.

### 4.5.3 Education

According to the Program Description, the following educational strategies are expected of SEOs:

- Officers will assist schools in setting up workshops to address specific needs, such as gang prevention or conflict resolution.
- Officers will encourage parents to participate and facilitate workshops on topics of interest.

Two educational curricula taught by SEOs are currently approved: [Gang Resistance Education and Training \(GREAT\)](#), and [Options, Choices, and Consequences \(OCC\)](#). GREAT is a national middle school-based curriculum in which law enforcement officers teach decision-making strategies and life skills with a goal of reducing gang participation and violence. GREAT originally consisted of a nine-class curriculum, but this has been expanded to 13 classes. The classes are supposed to last for 45-60 minutes and are offered to sixth-graders. The program is rated "promising" by [CrimeSolutions.gov](#) for reducing gang membership, improving attitudes toward police, and development of social skills, although it has no statistically significant impact on violence and only one study has been conducted. OCC was developed by SPD in the 1990s as part of an overall problem-oriented policing approach to youth gun violence led by then Chief Norm Stamper. It is a two-day program for seventh- and eighth-graders aimed at discouraging gun use, and involves presentations from police officers, doctors, and prosecutors about the consequences of gun violence as well as teaching decision-making skills (the original vision for Seattle's program is described

in a [nomination letter](#) for the Police Executive Research Forum's Herman Goldstein Award in problem-oriented policing dated August 1996). OCC is currently led by SPD Detective Lebar, with assistance from the SEO at each school. We are not aware of any formal outcome evaluation of the OCC program.

We found differences in the extent to which these formal curricula were taught. In our conversations with the SEOs Ofc. Brathwaite and Ofc. Braboy stated that they did teach the curricula (or assist with teaching in the case of OCC), while Ofc. Rodriguez said she preferred to engage with students one-on-one rather than teach. This was supported by the activity logs, which showed that Ofc. Braboy taught GREAT while he was assigned to Denny MS in Spring 2013, but Ofc. Rodriguez did not log any teaching when she transferred to Denny in the Fall. Ofc. Braboy appeared to be the only SEO teaching GREAT. It appeared he was following the established curriculum; the logs indicated that he taught 15 classes in Spring 2013 to two groups of approximately 100 students each (this may have been part of a year-long program, indicating that the full 13-class curriculum was being taught to the two groups). Ofcs. Braboy, Brathwaite, and McRae all indicated that they had assisted Det. Lebar in teaching OCC at various times in 2013. Sgt. Diaz indicated that the SEOs have autonomy to set up curricula such as GREAT at the schools; however, Deputy Chief Best stated that in general curricula are developed in collaboration with the school administration and availability depends on school resources. The logs we reviewed supported Deputy Chief Best's position. When Ofc. Braboy transferred to Washington MS in the Fall of 2013 the logs indicate that he spent that semester pitching the idea of GREAT and OCC to the administration and negotiating the arrangements. Classes were not taught that semester, but the logs suggested that by the end of the year the school had agreed that they could be offered and the SEO was collaborating with counselors to identify suitable students.

SEO's also set up their own informal workshops and educational programs in collaboration with the school and in line with their skill sets. For example, Ofc. Brathwaite described to us a "mentoring" group he had set up in collaboration with the South Shore school counselor for a small number of faculty-referred students. All the students were interested in NBA basketball, and Ofc. Brathwaite designed problem-solving and team-building tasks that connected the issues the students were dealing with to their interest in NBA. At the end of the program the students presented their work to staff and other students, and were rewarded with a special lunch outside of the school. Some at-risk students at South Shore also met with representatives from the Urban Family Center weekly at school, which was facilitated through the SEO's connection with SYVPI. At Washington MS, Ofc. Braboy worked with the school administration and SYVPI to bring a trained [Aggression Replacement Training \(ART\)](#) facilitator to the school. This evidence-based program, which focuses on helping youth dealing with aggression to control their impulses and consider other responses, was offered to 18 Washington MS students who were enrolled in SYVPI and had received a stipend to participate. Ofc. Braboy also assisted students with obtaining summer employment through SYVPI and participated in the Police Youth Academy, a twice-weekly program for teens that exposes youth to police special units such as K-9 and the bomb squad. In addition to their work in middle schools, we found some examples in the logs of SEO's giving ad-hoc presentations and workshops to nearby high schools as well.

**Log Excerpt:**

Officer Braboy taught Gang Resistance Education And Training all day at Denny Middle School.  
100 served.

**Log Excerpt:**

Officer Braboy gave a presentation on decision making to a group of youth at Rainier Beach High School. Officer Braboy then engaged the youth during activities.  
*30 served.*

#### 4.5.4 Law Enforcement

As noted above, law enforcement is not included among the strategies laid out in the Program Description but it does comprise a substantial portion of the Manual and MOU with the school district. Some law enforcement-based elements in the Manual correspond to the “safety and security” functions described above, but there is much more emphasis on how officers are expected to handle crime incidents. The Manual describes the following enforcement-based SEO activities:

- Interacting with precinct officers outside the normal work shift to obtain information, assistance, or brief the precinct Community Policing Team Sergeant for future emphasis or patrol.
- Reviewing relevant calls for service, incident reports and crime analysis for the schools.
- Following up on any criminal activity and discussing information with principal.
- Officially documenting police-related incidents, with the exception of:
  - Large scale or complicated incidents (such as a large number of witnesses, victims or evidence).
  - Incidents requiring a physical arrest of a student on Seattle Public school property.
  - Incidents that did not occur on Seattle Public School property, and whose investigations require an off school property.

Consistent with the philosophy of minimal law enforcement intervention in the SEO program, the Manual states that officers should consider alternatives to physically arresting a student on school property when practical, except in the case of violent offenses in which harm or potential harm is inflicted on the victim; emergency situations requiring immediate stabilizing action; or felony situations where circumstances require an in-school response. The Manual states that non-emergency arrests on school property must be screened in advance with the SEO sergeant, who will consult with the principal and the SPS Safety and Security Department. The SEO’s role in the arrest should be minimized as far as possible and the arrest should not be made in view of other students.

We found very few examples in the logs of SEOs being involved in law enforcement situations, and where they were they minimized their role as much as possible. In one school visit, we observed the SEO hanging back by the main doors to the school as we walked in because a disciplinary hearing and administrative search was going on in a nearby office and the officer wanted to be “far away from it.” We were not told of any examples of SEOs making arrests in schools, nor did the logs indicate that this occurred in 2013. Angela Socci from Assistant Chief Kimerer’s office confirmed in an email that between 2009 and 2012 zero arrests were attributed to the SEOs. Sgt. Diaz described to us an incident he was involved in when he worked in a school that he felt represented an ideal approach to the SEO’s involvement in law

enforcement issues. He had been required to deal with the warrant arrest of a student, and responded by bringing the student's case manager to the school with him for additional support. He avoided placing handcuffs on the student at the school, instead waiting until they arrived at the jail. Ofc. Braboy described a similar experience, in which he responded by talking to the student and encouraging the student to turn himself in at the precinct. While more serious crimes on middle school campuses are likely rare, it appeared that SEOs would in almost all cases call in precinct officers and take a hands-off role in criminal situations, although Ofc. Rodriguez did confirm that SEOs would be expected to intervene in an emergency, such as an active shooter situation. In most cases—even fights between students—incidents were handled by school administrators and the SEOs would be called in to mediate or follow up, as the log below suggests.

**Log Excerpt:**

Officer Brathwaite assisted staff in breaking up a fight between students SM and JJ. Officer Brathwaite stood by during the initial handling of the incident until it was under control. Incident handled by school staff.

In more serious cases, we found that the SEO would call in precinct officers for assistance while maintaining a degree of separation, as in the example below. Note that in this case the SEO remained involved with the youth only in a supportive, advisory capacity, while she and another SEO also assisted the precinct officers with preventive patrol to ensure the incident did not escalate after school.

**Log Excerpts:**

While obtaining information for DV advocate at CSHS [Chief Sealth High School], Officer Rodriguez was contacted by their school security that JS, JC and TT were in a disturbance. Officer Rodriguez stood by as school staff investigated the disturbance and later transported JC and TT home for their safety. Officer Rodriguez engaged in conversation discussing their safety and reporting incidents to security rather than trying to handle situations on their own ...

Officer Rodriguez notified SW ACT [precinct] of the disturbance at CSHS... SW ACT officers responded to the school and patrolled the area. In addition, Officer Rodriguez and Officer McRae monitored Denny MS and the Metro bus stop.

The SEOs felt that they had to balance the non-enforcement aspect of the job with the fact that they are still police officers. They felt that they were still playing a valuable role and "doing real police work." Ofc. Braboy told us that he believes enforcement defeats the purpose of building trust and relationships and is unproductive in this context. He sees a problem with the message a high-visibility law enforcement presence sends to other youth: "Even if the kid I'm dealing with understands [why I am making the arrest], other kids will see and will not understand the consequences." Ofc. Braboy felt that the schools had enough resources to deal with discipline internally and that "officers get that and respect it." He felt his strength and added value lay in facilitating additional resources after an incident, such as providing mediation after fights and referrals to programs like "Firestarters" (a diversion program for arsonists run by Seattle Fire Department).

#### 4.5.5 SYVPI Referral and Follow-Up

As we note above, the connection between the SEO program and SYVPI is not *fully* articulated in the Manual and is not *clearly* articulated in the Program Description, even though all the stakeholders we spoke to viewed the SEO program as fully connected to SYVPI. Making referrals to SYVPI is viewed by officers as the key link between them and the initiative. As we have noted elsewhere in this discussion, home visits in which the SEO helps students and parents decide whether SYVPI is appropriate for them seem to be an important part of the SEO's role, and officers see themselves as taking the burden off schools in terms of ensuring students are connected with SYVPI. However, while SYVPI tracks the source of referrals (i.e. they know if referrals come from SEOs), there are different referral processes in each school. In some cases the SEO was the primary facilitator of the referral, while in others the SEO was involved in discussions but did not make the referral directly. According to SYVPI, referrals do cluster around schools but they also come from community agencies, self- or friend-referrals, and parents. While we do not have information about the proportion of SYVPI referrals that came from SEOs, it is interesting to note that the [MEF report](#) states that there were approximately 1,600 referrals to the program in 2012 but only 70 referrals by SEOs were recorded in the SEO activity logs in 2013. This suggests that less than five percent of SYVPI referrals come from SEOs, assuming that overall referral numbers were consistent in 2012 and 2013. Nonetheless, excerpts from the logs indicate that the SEOs facilitated SYVPI referrals fairly regularly. The low number of referrals from SEOs may also reflect the different levels of SEO involvement at different schools (see also Section 5.2.1).

**Log Excerpt:**

Officer Braboy met with the Seattle Youth Violence Prevention Initiative Central Area Network. Network personnel requested assistance with arranging a meet with Washington Middle School students in order to complete the enrollment process. Officer Braboy agreed to facilitate a meet at the school after the Thanksgiving break.

*10 served.*

**Log Excerpt:**

Officer Braboy met with the Seattle Youth Violence Prevention Initiative (SYVPI) Central Area Network Intake Specialist at Washington Middle School. Officer Braboy assisted with enrolling approx. twelve students, mostly who were selected for the Mentor's Inc class, in to the SYVPI.

*12 served.*

**Log Excerpt:**

Officer Rodriguez again met with the mother of ES. The mother stated she spoke with her son regarding SYVPI and both decided they wanted to be a part of SYVPI. Officer Rodriguez later referred to ES to SYVPI.

*2 served.*

Mariko Lockhart, the SYVPI director, described the referral process to us. To protect the privacy of participants, referrals are done by hand at a network hub office or by fax, but not by email. As we also learned



from the SEOs, home visits are a key part of the process—SEOs meet with the family and get the go-ahead from parents to make the referral—although some schools felt more strongly than others about the extent to which these interactions were limited by FERPA regulations. Once a referral is made, an intake and referral specialist at the network follows up with the referee to gather information for their first meeting with the youth—the referee is seen as an important source of information to ensure that the first meeting with SYVPI goes smoothly. Intake and referral specialists are trained in motivational interviewing techniques and hold a face-to-face conversation with the youth to find out their goals and explain what services are available. Ms. Lockhart stated that the network relies heavily on information from the referee to assess the individual's needs, so to the extent that the SEOs are involved in referrals they play an important role in developing a trusting relationship and gathering information.

The SEOs we spoke to highlighted the importance of SYVPI case management in supporting SYVPI-referred youth. Ofc. Rodriguez stated that case management was the most-used service for youth in SYVPI, and that the SEOs got to know the case managers in their local SYVPI hub well. She believed that “kids look forward to meeting their case managers.” Ofc. Braboy noted that having access to a central location for service referrals (i.e. SYVPI) was extremely helpful, and enabled officers to help prevent youth from falling through the cracks. It is important to clarify (per Mariko Lockhart) that SYVPI has a limited number of case managers and that the SEOs may be referring to SYVPI Network staff, such as Network Coordinators and Intake and Referral Specialists, here. Ms. Lockhart notes that not all of the students with whom the SEOs interact would have an assigned case manager, but if the students are enrolled in SYVPI they and the SEOs would have a relationship with Network staff.

However, we found that information sharing between the SEOs and SYVPI was not always consistent. Ofc. Braboy expressed some frustration at the inability to follow up on students' progress after they were enrolled in SYVPI, a feeling that was echoed by the grade counselor at Washington MS. He felt that he was consistent in making referrals to SYVPI but had to rely on informal, individual contacts with students to find out if they were getting the services they needed. He suggested that it would be useful for SEOs to have access to the SYVPI database to be able to track cases. However, while the SYVPI stakeholders acknowledged that such formal information sharing would be ideal, they also noted that there had been some reluctance from their service provider partners about sharing this information with the police because they were afraid that it could be passed on to detectives and other enforcement-focused teams. Ms. Lockhart believed that service providers had become more comfortable with the idea now that they had a better understanding of the nature of the SEOs' role, but that steps had not yet been taken to make the information available. However, Ms. Lockhart believed that the informal follow-ups conducted by the SEOs, despite being more difficult, were useful and that the officers made the effort to drop in at the network offices to find out how things are going—“plus, they see the kids every day; they are right in the middle.”

## 5 Assessment of the Program

Our comprehensive description of the SEO program highlights several strengths as well as a number of challenges. Since the purpose of this report is to provide recommendations for improvement we focus primarily on the challenges in this assessment, but we begin with a review of the key strengths and potential benefits of the program.

### 5.1 Strengths

#### 5.1.1 Potential for Integration with Services

The SEO program is unique even among similar non-law enforcement focused programs because of its connection to SYVPI. Although we have described a number of limitations and inconsistencies in that relationship, it remains significant that the SEOs can in theory fall back on a network of welfare-based solutions to deal with students' issues. Most school police officers, even those with supportive rather than enforcement-centric roles, only have recourse to the resources within the police department. As such, law enforcement responses can easily become the automatic solution to problems when other options are exhausted, whereas the SEOs and SYVPI have real potential to keep youth out of the juvenile justice system. Through their relationships with the SYVPI network hubs and service providers, SEOs can act a bridge from student to school to SYVPI. We saw a number of examples in the logs where SEOs were instrumental in bringing programming, some of which was evidence-based (such as Aggression Replacement Training), to schools. We heard that school counselors and administrators were often too busy to be able to investigate these options themselves, and they relied heavily on the SEOs' knowledge of what SYVPI could provide.

Ofc. Braboy emphasized the importance of this role, stating that being part of a multidisciplinary intervention team was a huge advantage. "We have connections to services in and out of the SYVPI network. Most SRO programs only have access to out-of-network services. With SYVPI we can refer and make it a team effort. When kids fall through the cracks we encourage them to stick with it—it's part of the relationship building." Ofc. Rodriguez also told us that she believed the SEO program offered a safety net that discouraged schools from simply giving up and "weed[ing] out the bad apples" when they could no longer deal with students' disciplinary issues: "[Schools] need faculty and staff who want to keep students in school and refer problem youth to the SEO." Ofc. Rodriguez viewed her ability to act in this role and the relationships she developed with school staff that encouraged them to trust and utilize her as "the difference between schools that use SROs for discipline and the SEO that focuses on referring youth to services to intervene in problem behavior."

#### 5.1.2 Potential to Improve Police-Community Relations

The SEOs were well aware that the way they conducted themselves could have a profound impact on youth perceptions of the police. Ofc. Rodriguez said, "I'm seen as different from other officers—I set impressions of other officers." Ofc. Brathwaite reported he had received "good, encouraging feedback" about his presence from students, staff, and most parents, and believed his relationships with the students had "blossomed" since he came to South Shore. Ofc. Braboy observed that "originally kids here [at

Washington MS] hated the police... I don't hear that now. They know one officer." The SEOs believe that these positive interactions can impact the wider community. Ofc. Braboy felt that when parents hear that their children had good interactions with the police they may have better interactions themselves, and be less likely to socialize their children into believing the police are universally against them. As Deputy Chief Best stated, "it's important for kids to not always view the police as the 'occupying force.' [The SEOs] show them there are opportunities for them, even a career in the police."

During our visit to South Shore MS we observed an example of how knowing a trusted SEO might help students to change their perceptions of other police officers. A few days before our visit there had been a mass fight involving over 50 youth, many of whom were from the nearby Rainier Beach High School, and some South Shore students had told Ofc. Brathwaite and school staff that they saw youth flashing guns during the fight. At the end of the school day on which we visited there was still an increased presence of precinct officers outside the schools and a somewhat tense atmosphere. Ofc. Brathwaite stood outside South Shore chatting to parents and 'high-fiving' the students as they were leaving, as he told us he did every day. However, we noticed that while the middle school students were comfortable interacting with Ofc. Brathwaite they appeared suspicious of the precinct officers who had parked their bicycles nearby. They started to question Ofc. Brathwaite about what was going on. He reassured the children that the patrol officers were there for their safety and that "they're just like me." We noticed that this reassurance emboldened the children to approach the other officers and ask questions; for example, one girl started asking an officer if he always rode his bicycle, or if the police department gave him a car when it was raining. The officer then struck up a conversation with the girl about his patrol work. We found this to be a compelling example of how trust and confidence in one officer might be transferred to other uniformed officers in the community during non-adversarial situations. It may not have occurred had the SEO not reassured the students about the purpose and intentions of the police.

### 5.1.3 Non-Law Enforcement Focus

As we stated at the outset, a major concern about school police programs is the possibility that they may exacerbate the so-called "school-to-prison pipeline" as disciplinary issues that could be handled internally come to the attention of law enforcement. We found that the SEOs are rarely involved in law enforcement activities, which may reduce the risk of disciplinary issues in their schools becoming criminal matters. Along with flexibility, non-enforcement seems to be a key philosophy underlying the program, and it was emphasized by all the stakeholders. SEOs play down their role as law enforcement officers as far as possible, while still conveying that they are police. They believe that striking this balance allows SEOs to build trust with youth and staff who may be suspicious of the police, while also maintaining sufficient visibility so that as they build relationships with students, the students can recognize that the SEOs are police and that police can be allies.

SEOs minimize their footprint in schools by avoiding involvement in the discipline process and wearing 'soft,' non-traditional uniforms. 'Soft uniform' has a different meaning to each officer, but typically they wear a t-shirt with police insignia and keep their firearms covered and hidden. The soft uniform avoids "establishing any level of power" over students, which is intended to make them feel more comfortable. Ofc. Rodriguez told us that "dressing down creates a different dynamic with the students—students are more comfortable talking to me when I'm not in uniform." Sgt. Diaz added that once relationships are established it is OK for the SEO to wear full uniform sometimes, because it has then become "less of a power issue and more about making students feel safe."

The SEOs were strongly opposed to the idea of an increased enforcement role, but at the same time they still believed they were doing “real police work.” We asked Ofc. Braboy candidly why the SEO program was worth the investment of a full law enforcement officer position when the role minimized the one element—law enforcement powers—that distinguished the SEO from a civilian who could perform most of the same functions. He said that as a police officer he held a lot of information that other stakeholders and service providers do not have, and could be more flexible with activities such as home visits. This helps them to build trust with students.

While the non-law enforcement orientation is certainly a benefit of the SEO program, we strongly caution that our research did not assess whether or not the presence of the SEOs contributes to the school-to-prison pipeline. It is true that the SEOs do not make arrests, but arrests are not the only metric of increased law enforcement involvement and enforcement-based activities are not the only source of referrals to the police. In a recent study Devlin (2015) found that when school police officers engage in an expanded role, even where their additional duties are supportive and positive, they refer more issues to law enforcement. When officers work to engage and build trust with youth, they are also (as several of the SEOs we spoke to pointed out) encouraging students to become more comfortable sharing information, which SEOs told us they do on occasion have to share with precinct officers. This illustrates the extent to which the SEOs must strike an extremely delicate balance when gathering information during conversations with students. For example, we heard that students occasionally shared intelligence about gang-involved family members. In these situations the SEOs believed that the information they received helped them to better protect students and guide their service provision. However, there is also a risk that students could be marked out as “snitches” or that the information makes its way back to the precinct and is used to criminalize other youth.

Ofc. Braboy explained that he tried to use privileged information to help guide services rather than enforcement responses. While he recognized the importance of maintaining the confidentiality of information that reached him as a police officer and through his private interactions with students, as well as the restrictions of HIPAA and FERPA, he also believed that it was important to use that information wherever possible to try to improve students’ outcomes. If he was aware of a problem that a student was facing (such as the gang involvement issues in the previous example) but was not allowed to share information with service providers directly he would try to informally steer conversations toward developing an appropriate response that would help address the issue. While Ofc. Braboy saw this as an advantage of the program, in that he could use the information he was uniquely able to gather as a police officer to benefit the students, these examples also illustrate the extent to which the officers have to walk a fine line between information gathering for service provision versus law enforcement. In particular, where information was shared with the precinct it is unlikely that the SEOs would have control over how other officers used it. This position may be difficult to sustain in the long term.

## **5.2 Challenges and Recommendations**

In this section we describe the three key areas—structure, evaluability, and sustainability—where we believe the SEO program suffers from limitations and needs to improve. At the end of each section we lay out our recommendations for addressing these issues. The three areas of recommendations are sequential rather than parallel: we suggest that the structure of the program needs to be clarified before it can be successfully evaluated, and if an evaluation indicates that the program is effective additional adjustments should be made to ensure that it can be sustained in the long term.

### 5.2.1 Clarity of Program Structure and Relationship with SYVPI

While basic program documentation exists and there is interaction between SPD and SYVPI at the strategic level, the SEO program is extremely loosely defined and the fit between the SEO approach and the wider goals of SYVPI is not always clear. The day-to-day operation of the program primarily occurs on an ad hoc basis. SEO stakeholders strongly believed that the program was an input to the SYVPI model, not a standalone program. If this is the case, the SEO activities should logically connect with the goals, objectives, activities, and outcomes of SYVPI. However, the historical context of the SEO program shows, and several stakeholders confirmed, that the SEO program was not developed with a connection to SYVPI in mind—the two were brought together later on in a “time of need.” Furthermore, no logic model was ever developed for either the SEO program or SYVPI at the time of their creation and the relationship has not been formally documented, so the specific way in which SEOs act as an “input” to SYVPI has never been documented. SEOs do collaborate with SYVPI staff and service providers, attend meetings, and make referrals, but much of this communication is driven by the initiative of the individual SEOs and there is no systematic process for collaboration. Finally, while we heard that the relationship between SYVPI and SPD is positive and respectful, SYVPI has no financial or supervisory control over the SEOs’ activity.

At the root of these challenges is the lack of a clear theory of change for the SEO program—in other words, do the activities and outcomes of the program logically connect to the goals of both the SEO program itself, and the SYVPI program within which it is intended to fit? A number of the SEOs’ activities, such as assisting with discipline issues, providing safety and security around school opening and closing times and in response to nearby incidents, teaching curricula such as GREAT, and so on, are only tangentially connected to SYVPI’s mission. Some of these activities also serve non-SYVPI youth. Given that the SEO program is viewed as an input to SYVPI, some of these activities seem to go beyond SYVPI’s logic model. SYVPI is focused directly on preventing youth violence and violence-related suspensions/expulsions in middle school (which are risk factors for youth violence) through engaging at-risk youth in services. The goals of the SEO program are much broader. They are articulated as prevention, intervention, and enforcement, where the bridge to SYVPI falls under “intervention.” Under their prevention and enforcement functions the SEOs also have the potential to prevent youth from ever meeting the eligibility criteria for SYVPI, and their enforcement role extends beyond simply “firefighting” with troubled youth already involved in SYVPI to playing a role in fostering a healthy school climate from which all students, their teachers, families, and the neighborhood can benefit. These activities do not necessarily rely on SYVPI. At the same time, the SEOs are not systematically screening youth in the schools against the SYVPI criteria. They are getting to know the youth most in need of services through personal interactions and relationship-building. We do not think this is necessarily a problem, but as it relates to ensuring youth are referred to SYVPI it is a slow, unsystematic process that may allow some youth falling through the cracks.

#### **1 Recommendation: Clarify the program and the link between SEOs and SYVPI.**

##### **1.1 Develop a program manual that lays out clear expectations for operations and stakeholders.**

The current Policies and Procedures Manual ([Appendix A](#)) is broad and administrative. It appears to serve more as a memorandum of understanding or contractual statement of the SEO’s law enforcement and procedural roles rather than an actual guide to how the program operates in practice. In addition, the program goals set out in the current Manual, ‘Prevention,’ ‘Intervention,’ and ‘Enforcement,’ are more accurately described as strategies for achieving goals rather than goals in themselves. While it remains necessary to articulate procedure and the obligations of the SEOs

while they are working within schools, we recommend that a separate program manual should be developed that serves as a clear statement of the program's goals, description, and articulation of the day-to-day role of the SEO, particularly in terms of the non-law enforcement functions we observed them performing. The manual should also include informational one-pagers for schools and parents. We envisage this manual as being similar to the Program Description we received from SPD ([Appendix B](#)), which is currently used as an informational guide for stakeholders, but with improved structure and clarity. In [Appendix C](#) we provide a draft of such a manual as a starting point for discussion and refinement with SPD, the SEOs, SPS and the participating schools, and SYVPI. The manual includes our proposed logic model (see [Figure 3](#) and [Section 5.2.2](#) below) and suggestions for required and flexible activities as well as more detail about the program goals, philosophy, and SEO skills.

## **1.2 Clarify and document the relationship between the SEOs and SYVPI in the logic models and program documentation.**

We recommend that SPD, SPS, and SYVPI work together to clarify the goals of the SEO program and the role it plays with respect to SYVPI. The SEO leadership sees the program as simply an input to the SYVPI program. Similarly, the [proposed logic model for SYVPI](#) developed by OCA characterizes the SEO program as one of SYVPI's "strategies and interventions" (the equivalent of what we describe as "activities"). To the extent that the SEOs make referrals to SYVPI they can directly affect the "number of youth SYVPI service referrals" listed among SYVPI's short- and medium-term outcomes. SEOs also provide supplementary—and in some cases stronger—support to SYVPI's role. They are in a unique position to be able to follow up with a home visit even when a youth has drifted away from their involvement with SYVPI. SEOs at most schools also participate in student support teams that may or may not involve regular representation from SYVPI or service providers, which allows them to act as a 'bridge' between the school and SYVPI without placing additional burdens on school or SYVPI staff. Thus, the SEOs have the potential to also impact the other short-, medium-, and long-term outcomes of the SYVPI program: keeping youth engaged in services and achieving their goals, and ultimately helping to reduce middle school suspensions (as the only SYVPI-connected providers actually working in middle schools) and expulsions and juvenile court referrals.

However, the model for this 'bridge' is flawed. Even though SYVPI ultimately coordinates services and tracks them through its database, SEOs appear to take a great deal of responsibility for keeping track of both in- and out-of-network service referrals. There is no formal channel for feeding this information back to SYVPI, and no ability for the SEOs to find out whether referrals were received. While SYVPI explained that the intake coordinator usually relies on the referee to gather information about the youth, the SEOs we spoke to generally said that they often had to ask the child for updates as and when they saw them in school. They tried to keep track informally of those who were in SYVPI and checked in with attendance coordinators at school to find out whether those youth were truant and home visits were needed. We question how SEOs can effectively keep track of these services and ensure that SYVPI and non-network services are complementary when they have no ability to track and follow up except for informal conversations with SYVPI network coordinators and the children. There are certainly concerns about the level of service data that should be made available to the police, but given the importance of the SYVPI-SEO connection as perceived by the stakeholders, more systematic data and information sharing is needed to strengthen that connection.

On the other hand, the purpose of the SEO program is clearly broader than simply serving as a

referral conduit to SYVPI. While the numbers in Table 2 include individuals who were served more than once, and parents and family members as well as students, it remains the case that only 1 percent (N=70) of the 6,642 people served in 2013 were referred to SYVPI. As we document above (see Section 4.5.5), the process by which SEOs are involved in making referrals varies from school to school. In some cases the SEO makes the referral directly, but in others the school prefers to make them so they may not appear as a referral in the logs even though the SEO was involved in the process. Nonetheless, the logs indicate that most of the students served by the SEOs are involved in classes and workshops that are often open to all students regardless of their risk of violence. As we discuss below, this may dilute the effectiveness of certain programs that are offered; however, the relationship-building activities could potentially benefit the school as a whole and the wider community. Further, the management and funding structure lies entirely within SPD. SYVPI itself has very little control over how the program is run. This structure is likely to continue if sworn police officers are used, since it is unlikely that the police department would give complete control over the supervision of officers to an outside entity.

Thus, we recommend that the SEO program should be viewed as a key police partner of SYVPI rather than simply an input into the SYVPI model. This will require better information sharing channels and data access between SPD and SYVPI to the extent that the stakeholders feel it is appropriate, and the mutual development of clear criteria and corresponding data sources for identifying at-risk youth. The relationship between the SEO program and SYVPI should be formalized and documented. Importantly, SYVPI and SPD should develop clear protocols about how information gathered by the SEOs will be shared with the schools, SYVPI, and the precinct to avoid the risk of it being used for law enforcement purposes. The potential to serve as a neutral, trusted supporter is a unique feature of the SEO program and if this is to be maintained steps must be taken to reduce the risk of the school to prison pipeline.

Ultimately, we think it is positive that the SEO program has the additional role of serving the whole community (whether "community" is defined as the school itself or the neighborhood served by the school). This seems more consistent with their status as police officers rather than trained service providers whose job it is to screen and evaluate individual youth, and reflects the wider role of the SEOs beyond SYVPI referrals, given our estimate that they provide only about 4 percent of referrals to SYVPI. However, we still think that SEOs could play a valuable role in directing youth to SYVPI, helping them to stick with the initiative, and becoming trusted mentors who can follow up to prevent gaps in the system if services are not received or the youth does not engage with them.

### **1.3 Eliminate or reduce formal curriculum education in favor of a focus on relationship-building with at-risk youth and the wider school community.**

If the connection between SYVPI and the SEO program is intended to remain a key focus, the additional roles expected of the SEOs, such as teaching classes, may limit the time officers have available to keep track of the youth who are most at risk. In addition, these activities may not be effective. As we discuss above, while research on the GREAT program does show promise for short-term outcomes like gang and peer pressure resistance there are no clear results for delinquency and violence prevention yet, so the extent to which GREAT helps to accomplish SYVPI's overall goal of violence prevention is unclear. The OCC program was developed locally and is held in high regard within the police department and schools—the activity logs relating to Ofc. Braboy's efforts to bring OCC to Washington MS include statements such as "Officer Braboy described [to the principal] that [OCC] had been welcomed at other middle schools in Seattle and that the

results were extremely positive” and “The Principal fondly remembered the program from past years and stated that she would suggest it to the eighth grade team.” However, to our knowledge OCC has never been subjected to a rigorous outcome evaluation. It appeared that in some cases the schools were selecting the students they thought would benefit most from GREAT and OCC, but in others the curricula were taught to the entire grade. In general, evaluation research in both policing and treatment suggests that services that are tailored and targeted to the highest-risk segments of the population are most effective (Andrews, Bonta, & Hoge, 1990; Andrews & Bonta, 2010; Lum, Koper, & Telep, 2011). It is possible that when programs like GREAT are offered to the whole school their impact could be diluted because most of the students who attend are not at risk of violent offending or other SYVPI-related issues. On the other hand, it is important for the police in particular to balance targeted intervention with the need to avoid “singling out” specific youth. Sgt. Diaz also argues that the whole school can be impacted by gang and truancy problems in the community, so a broader range of students may benefit from these curricula.

In this regard, we think that the SEOs may be more effective if they split their time between intensive relationship-building and follow-up with at-risk, SYVPI-enrolled or eligible youth, and more generalized relationship-building through break-time conversations and games, activities based on their interests and skill sets, and the workshops and outings they already provide. The former could ensure that the youth who are most in need of—and most likely to benefit from—services are identified and assisted. Too often youth only get access to services once they are already in the criminal justice system. As we have described, the SEOs are uniquely placed through their connections with the school and families to be able to connect youth to services before they get to that point, and are among only a small number of providers who conduct home visits, allowing them to see what goes on in the home and how that might relate to problems in school. The latter approach—engagement with the broader population of students—could help to maintain the SEOs’ broader role of improving school climate, police-community relations, and trust between students, school staff, and police. In turn, focusing on these outcomes might help to prevent some students from ever reaching the level of risk required to initiate an SYVPI referral. If GREAT programming is continued, it will be important to track future developments in the evidence-base around its effect on delinquency and violence and whether the research provides any insights on whether it should be targeted or taught more generally. The SEO program leaders should use this evidence to guide more consistent use of GREAT across the four schools.

However, it is important that whichever set of activities the SEO program chooses to promote is evidence-based or promising, supports the mission of the SEO program and SYVPI, and is carefully tracked and assessed to measure effectiveness. For example, a large part of the SEO role concerns relationship-building, but they do not follow a validated mentoring model. The evidence base for mentoring is also mixed. A number of mentoring programs have been shown to reduce delinquency and aggression, but results vary considerably from study to study and it is not clear which features differentiate more and less effective programs (e.g. Tolan et al., 2013). A study of school-based mentoring programs concluded that although the school-based mentoring model is promising, it needs to be strengthened to ensure longer and higher-quality mentor/mentee matches than are typically found in schools (Herrera et al., 2007; see also Wilson, Gottfredson, & Najaka, 2001). It cannot be assumed that the mentorship currently provided by the SEOs produces positive effects.



### 5.2.2 Evaluability: Assessing Effectiveness

The SEO program currently lacks a formal structure, clear logic model, and firm management plan in terms of which organization can “claim” the program. As well as presenting challenges for day-to-day operation and sustainability (which we discuss in the next section), this limits the ability of evaluators to assess the effectiveness and value-added of the program. We also found that there is currently little to no measurement of whether the program is meeting its own or SYVPI's goals, and a lack of reliable data to facilitate measurement. When we asked stakeholders how they knew if the program was achieving its short and long-term goals, several replied that it was largely “intuitive.” This does not mean that there are no data at all; however, data collection did not appear to be systematic, monitoring of outcomes was not a priority, and we got the sense that some stakeholders thought others were collecting data where this turned out not to be the case.

According to the Program Description, the performance measures for the SEO program are contacts with students, home visits, referrals to services, school attendance, suspensions, and arrests. The first three of these are collected by Sgt. Diaz in the weekly activity logs as previously described. Sgt. Diaz set up a web-based survey interface that the SEOs can log into from the schools to record their activities. Sgt. Diaz downloads these records into a spreadsheet each week. He stated that there are similar data collection procedures for the late night program activities and searches. SYVPI also tracks referrals and outcomes for youth enrolled in the Initiative, but since the SEOs follow different procedures within the schools—some refer to SYVPI directly while others advise the school about the referral process—it is unlikely that the data linking referrals back to the SEOs would be consistent. As previously discussed, the SEOs and schools have complained that they do not receive any feedback about the referral process or subsequent decisions about the child, other than talking to the child and family.

Tracking of school attendance, suspensions, and arrests appears less systematic. Sgt. Diaz stated that “officers hear about [arrests]—kids tell them.” We also heard “talking to parents” and “talking to the principals/teachers/school counselors” as additional data sources for outcomes. The officers do not see individual statistics, but “they see the results [i.e., a decrease in violence].” This is a cause for concern. While a balance must be struck with privacy, we think it is important for officers to see official records about situations affecting their students, especially those at high risk. As police officers, they have more access to this type of information than other service providers do and it is likely more reliable than the knowledge of students, parents, and teachers (although their insights are also valuable as an additional data source). It may affect their decision-making about service referrals and the handling of home visits. Since the SEOs are acting as service providers, it is more important that they have this information for operational purposes rather than simply knowing whether or not the program is working in the aggregate (especially if the latter information is based on anecdote). Sgt. Diaz told us that SPD's crime analysis unit tracks youth for the overall SYVPI initiative. However, according to SYVPI this appears to be done on request only, not as part of regular reporting. It comes in the form of a “data dump” when SYVPI asks for it, rather than regular reporting in an actionable format<sup>12</sup>. In Assistant Chief Kimerer's office, the policy analysts told us that they examined CAD data, school-related calls, “on-views” (police-initiated activities), enforcements, and transfer of enforcement activity on a school-by-school basis. However, it was not clear to us how often these data were produced and used in strategic planning, and we did not hear much discussion of

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<sup>12</sup>The CEBCP contracted with SYVPI in 2015 to provide such a monthly report. However, this is still created using data CEBCP receives from SPD as part of ongoing research with the City and Police Department, and there is no involvement from SPD's crime analysis unit other than to provide the “data dump” to CEBCP. As external researchers, the CEBCP team is also constrained by research ethics and confidentiality regulations in providing data about individual youth, so we only provide aggregated trends for the three SYVPI network areas and the city overall.

them by other stakeholders.

The stakeholders we spoke to universally took a broad view of what the program's outcomes might be. Some expressed doubt as to whether outcomes should be tracked at all; Sgt. Diaz told us, "We rise and fall based on the whole Initiative [SYVPI]—it is not appropriate for the police department to track individual kids and maintain records." This belief was shared by the SEOs. The officers recognize the concern we discuss above that they are in a privileged position in terms of access to information. While they viewed their position as beneficial to helping students, they also realized that the information they hold could potentially hurt rather than help an at-risk child and they were concerned about making it widely known. However, we do not think that outcome tracking necessarily needs to be done by the police department, as long as those parties who need access to information were able to get it without compromising students.

It is unsurprising that the SEO program struggles with data collection, since SYVPI itself is limited in the information it is able to track. Although middle school suspensions and expulsions are among its key outcomes, the Initiative is only able to look at school-level trends rather than data for individual students (although we were told that this may change in the future). According to SYVPI, the data that are available from the school district are unreliable. They stated that many schools are rapidly changing in terms of population and demographics, which has caused "chaos—so discipline rates are not going down." The previous SPS superintendent had been working on changing school discipline policies but has now left, so data are not comparable year on year. Further, those policy changes would have abolished out-of-school suspensions, which could have presented more opportunities to engage youth with SYVPI and the SEOs, but in SYVPI's view this was "unlikely to happen now." With appropriate FERPA permissions and for specified students only, SYVPI is able to track grades, credits (although these are not earned in middle school), and GPA; short- and long-term suspensions; and several different types of expulsions through school district records. Data are also available on referrals to home, contact with parents, and so on, but SYVPI told us that these measures are "never used because the school district analysts say they are unreliable." SYVPI also uses local and state surveys of school climate and youth to supplement this information. Ultimately, SYVPI felt that they could "only trust data outcomes that must be reported to the state... [The] transition to a new [data] system [within SPS] is not going well; attendance data for 2013-14 are unreliable."

This haphazard approach to data-driven performance management and outcome measurement not only limits the ability of the SEO program to demonstrate its immediate impact and value-added. It also renders it impossible to conduct any type of outcome evaluation to assess the long-term effectiveness of the program. The program already faces substantial evaluation challenges because it is not clearly defined and only operates in a small number of schools, which are unlikely to be comparable to other schools that could be identified as controls. Outcomes of the program have never been clearly set out; in fact, as we reported, there is even resistance to the idea that outcomes should be tracked at all. Even the logic model for SYVPI has only recently been articulated. Some outcomes, such as the longer-term impact on police-community relations and youth connections to school have never been tracked at all, and would require the development of school and community surveys. It would be challenging to distinguish the impact of the SEOs from other crime prevention efforts and social change in the neighborhood. Nonetheless, establishing a plan for data collection would represent a first step in being able to demonstrate the program's impact. We caution that the following recommendations require a thoughtful approach to collecting and storing data on juveniles; since data would be gathered by SPD for non-law enforcement purposes it is important to ensure that any procedures developed are compliant with local, state, and federal regulations.

## **2 Recommendation: Develop a systematic performance and outcome measurement and evaluation plan for the SEO program and participating schools.**

### **2.1 Clearly articulate the program goals, structure, activities, and outcomes in the program manual (see Recommendation 1.1 above) and a logic model.**

The first step to developing a systematic performance measurement and outcome evaluation plan is to clearly articulate the logic model for the program. As we have noted, the SEO program has traditionally been viewed as an input into the SYVPI logic model, even though its operation in reality is much broader. A logic model has never been created for the SEO program itself, and outcomes have not been formally defined. In Figure 3 we propose a logic model for the program as it currently operates based on the existing program documentation, overall SYVPI priorities, and our interviews with stakeholders. In particular, in creating this logic model we focused on defining a set of short-, medium-, and long-term outcome measures.

#### *Short-term outcomes*

The short-term outcomes—contact with students (type, duration etc.), number of home visits, and referrals to services, are the only measures already listed in the existing program documentation and currently tracked by the SEOs. These outcomes are most appropriate for monitoring program operation and performance. They are tracked through the weekly activity logs, but there is no systematic collection within the log of the duration of contacts or follow-up on services and referrals.

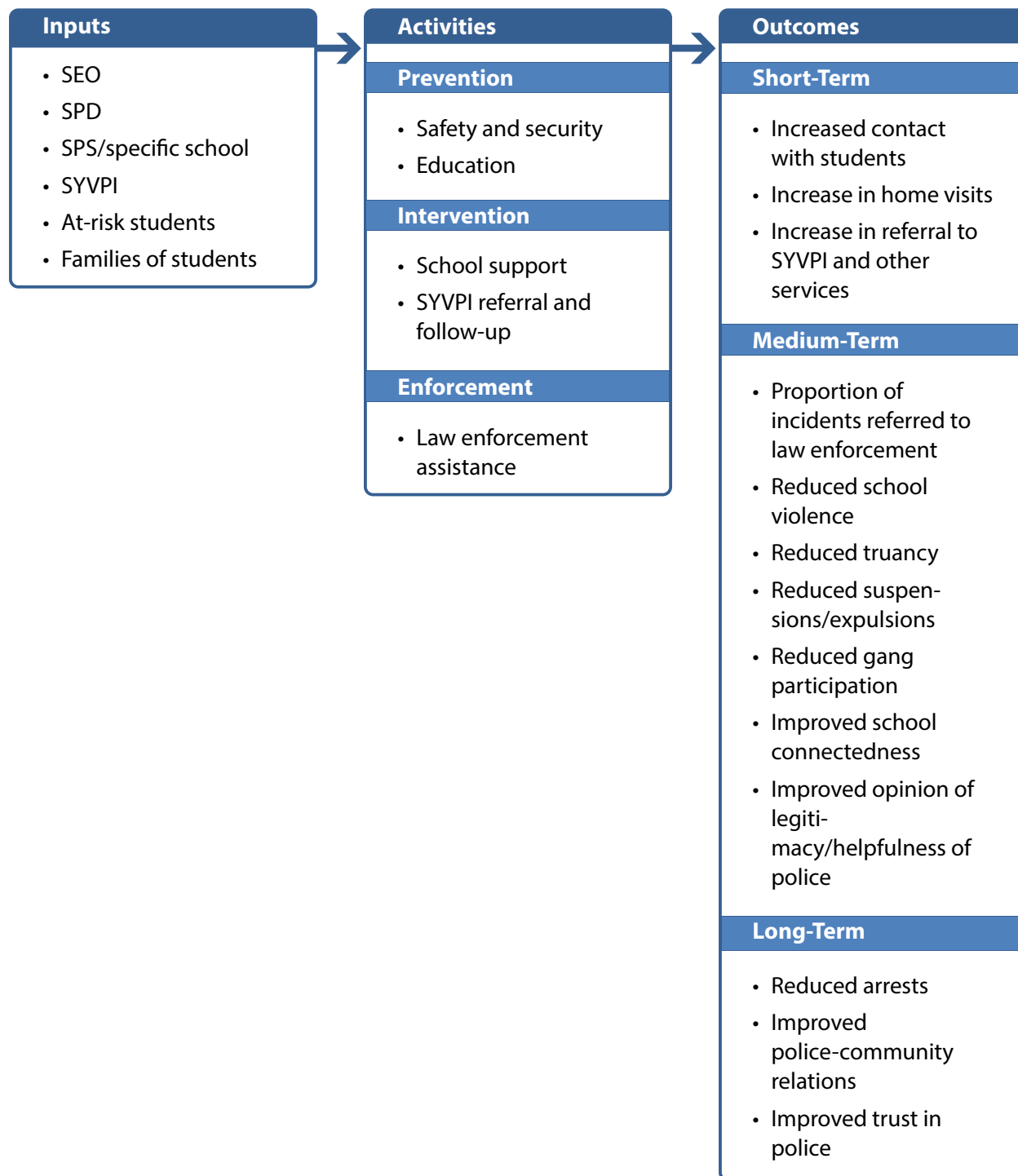
#### *Medium-term outcomes*

Our proposed medium-term outcomes are student-centered measures that align with SYVPI's priorities and may be influenced by the activities of the SEOs in the schools. SYVPI is primarily focused on exposure to violence and gang activity, and suspensions, expulsions, truancy and other indicators of poor academic performance that expose youth to an increased risk of violence. SEOs aim to prevent or reduce these problems through relationship-building, facilitating access to programming, teaching educational curricula, and other activities focused on reconnecting students with the school. These medium-term outcome measures include the number and nature of violent and other disciplinary issues in school; the number of suspensions and expulsions; the number of days truant; reports of gang participation; and student reports of connectedness to school and rating of the helpfulness and legitimacy of police, both of which are related to school behavior. We also propose that the proportion of violent and other disciplinary incidents that are reported to law enforcement is tracked as a check on the "school-to-prison pipeline" issue. If the SEOs are effective at improving upon these medium-term outcomes they may also provide a broader benefit to school climate and academic success of students, but these relationships are remote and it would be challenging to separate the impact of the SEO from other school-based factors.

#### *Long-term outcomes*

In the longer-term, if the SEO program is effective we might expect to see reduced police contacts and arrests as middle school students get older and transition to high school. In particular, if the SEOs and SYVPI focus their attention on coordinating services for the highest-risk youth, they should be reaching the population that is most likely to become involved in the juvenile and

Figure 3: Proposed logic model for SEO program



criminal justice systems in the future. The focus on middle schools connects SEOs to potentially at-risk youth around the earliest age they can be directed to SYVPI, allowing problems to be identified as early as possible. Aside from referring youth to services, the SEOs themselves could play an important role in reducing future criminal justice involvement by directly encouraging youth to stay in school, which in turn allows the school to work with students to improve their academic outcomes. Academic failure and lack of commitment to school are key predictors of later delinquency, violence, and other social problems (e.g. Hawkins et al., 1998).

The relationship-building activities of the SEOs, which often extended beyond just those students in SYVPI, might indirectly prevent future crime through strengthening police-community relations and trust in the police. Research indicates that individuals who trust the police and accept their authority are more likely to comply with the law (e.g. Tyler, 1990; Sunshine & Tyler, 2003; Tyler, 2004). Most of the stakeholders we spoke to agreed that, while not explicitly intended at the outset, community and relationship building have become an important goal of the program. The SEOs see themselves having a role to play in strengthening police-community relations not only in the context of the school community but also the neighborhoods in which the school is situated and from which students are drawn. Assistant Chief Kimerer links this idea to the fact that schools teach students not only academics, but also how to become part of the civic fabric. He sees the SEO program as modeling civic behavior—teaching youth to interact with police in a number of different contexts, not just as adversaries, and building mutual trust and confidence. In this different role, the SEOs may add value to the wider community by shaping youth attitudes to violence and relationships and perhaps influencing their families too. The SEOs themselves recognize this potential; for example, Ofc. Braboy told us he believed it is difficult to quantify the impact of his work now, but he believed it would make a difference to the youth as adults. “It’s not ‘getting through middle school to get to high school,’ it’s ‘getting through middle school to prepare for life.” SPD is not currently tracking any outcomes related to the SEOs’ “value-added” within the community and it would be difficult to separate the impact of the SEO from other community factors. However, in a rigorous evaluation the influences of SEOs on community perceptions could be quantified. This could be measured through brief telephone interviews with community members in the SEO school communities and comparable areas without SEOs.

## **2.2 Align data sources with proposed program outcomes and SYVPI outcomes, identify gaps in data sources and develop new instruments and measures, and build capacity within SPD’s crime analysis unit to provide tracking of crime outcomes.**

Once a logic model and the program manual are finalized and agreed upon by stakeholders, we recommend that representatives from SPD (the SEO program and crime analysis unit) meet with SPS analysts and SYVPI to triangulate data sources and assess what is available and reliable to assess the outcomes. Gaps in the available data sources should be identified. SPD and SYVPI could partner with universities or research organizations to develop and implement new data collection instruments, such as a community survey to assess the long-term outcomes of the SEOs on police-community relations. It is crucial that SPD’s crime analysis unit is involved in these conversations and has the capacity available to support regular data collection and analysis. Providing data dumps to external organizations is not sustainable in the long term.

## **2.3 Facilitate appropriate data sharing.**

While it is important that SEOs are not in a position to share data that could negatively impact a student’s progress, it would be useful for SEOs to have some regular access to information about

youth in SYVPI, or those who are at risk of violence and need other services, so that they can effectively make referrals to SYVPI and conduct follow-ups. The SEOs are currently charged with tracking multiple service referrals and have no way of knowing whether youth are receiving these services or whether there is duplication of effort or unmet needs. We recommend that SYVPI, SPD, and SPS discuss ways to facilitate data sharing as much as appropriate, with oversight from legal experts. Administrative databases usually allow different users to log in with different permission levels, so SEOs could access only “need-to-know” information in SYVPI’s tracking database without being able to access highly sensitive details. If information sharing across a network is problematic, it would at least be useful for SEOs to receive a report each week with pertinent information about SYVPI-enrolled youth at their school. In developing the MOUs between the SEOs and the individual schools, we recommend that parties examine how the schools already track issues such as suspensions, truancy, and discipline, and consider ways that the SEOs could be appropriately included in sharing these data. Finally, SYVPI and SPD should develop clear protocols that protect information gathered by the SEOs from being shared with the precinct for law enforcement purposes.

#### **2.4 Develop a long-term evaluation plan.**

Several of the other recommendations made here need to be in place before an outcome evaluation of the SEO program is conducted. We envision that a long-term plan to bring the program to evaluation readiness would proceed as follows:

- i. Clearly describe the program and revise the program documentation, memoranda of understanding, and structure.
- ii. Clarify the required and recommended activities of the SEOs and the curricula, if any, they are expected to teach.
- iii. Assess appropriate training options and requirements for the SEOs.
- iv. Conduct a process evaluation to assess whether the program is being implemented as described.
- v. Conduct a rigorous outcome evaluation involving comparison schools and communities without SEOs to assess the program’s effectiveness.

#### **5.2.3 Sustainability**

The fluid, loosely-defined nature of the current SEO program is a threat to its long-term sustainability. Despite basic program manuals and interaction at the strategic level between SPD and SYVPI, the day-to-day operation of the program primarily occurs on an ad-hoc basis. While almost all of the strategies employed by the SEOs that we observed or learned about from our interviews fit within the Program Description we saw, the model at each school was heavily dependent on officers’ individual skill sets and interests and the school culture created by the principal. Changes in the school administration could leave the program vulnerable to confusion, unexpected change, and a break in services. Regular staff turnover in both SPD and the schools may also impact the SEO’s ability to integrate successfully. In addition, the SEOs receive very little training related to the types of activities they are expected to carry out, meaning that effective practices are not standardized across the schools.

Furthermore, even at the organizational level the program appears to be completely driven by a few individuals, such as Sgt. Diaz, who will not be able to stay in their roles indefinitely. Our description of the historical development of the program shows that it evolved based primarily on relationships—Sgt. Diaz, who is isolated from other officers in a specialized unit, Assistant Chief Kimerer, who has already retired, and Deputy Chief Best are among the only champions of the program in SPD. As we note in Section 4.4.2, the place of the program within SPD's command structure is unclear. The Manual suggests that the SEOs' precincts should play a role in the program's management, but in practice they are not involved and do not appear to fully understand the purpose of the SEOs. The program appears to have support in SPS largely because of one individual, Pegi McEvoy, who was involved at the beginning. The connection between the SEO program and SYVPI is heavily driven by the strong working relationship between Mariko Lockhart and the key individuals within SPD, including Sgt. Diaz and Deputy Chief Best. Ms. Lockhart told us that she felt her voice was valued and SPD listened to her if she felt that an issue affecting the SEOs could impact the goals of SYVPI, even though she does not have direct control over the operation of the program. With different personalities and relationship dynamics in place, SYVPI may not have enjoyed the level of involvement they currently have. Since there is a lack of clear documentation about the purpose of the program, no assessment of its effectiveness, and very little visibility considering it only operates in four schools, this raises the question of how the program would continue if any one of these individuals moved on. If a rigorous evaluation of the SEO program finds it to be effective, these issues will need to be addressed to ensure it continues to positively impact youth.

We think the flexibility built in to the program is important and that allowing officers to draw on their passions will keep them motivated and allow them to connect with youth in a positive way. However, it leaves open the risk that the same children could have a very different experience if a new officer is assigned to the school or if the school administration changes the way the officer interacts with students. Even if the overall model is similar, this could break down networks of trust; a particular shared interest or activity that kept a certain child engaged could be lost; and trust and stability may be reduced. We are concerned that children who are already at high risk of violent offending and victimization may be retraumatized if they develop a relationship with a trusted officer only to have to start over in the next school year or find that a new school principal no longer supports the activities they valued. Of course, we cannot ensure that officers and staff will never move on; however, this highlights the importance of having clear expectations of how the program will operate for both SEOs and schools that retain the ability for officers to be flexible while still providing familiarity through transitional periods.

Clarifying the program components may also provide the SEO model with stronger roots within schools and the broader organizational context of SPD. While SPD has signed an MOU with SPS for the SEOs' services, it was not clear how much the understanding of the program has trickled down to the schools from the school district itself. It appeared that it is down to the SEO to re-establish relationships at each new school, except at the schools where the program had been in place for a long time and was well-established (again, these appeared to be places where there was low staff turnover in the school administration). We did not see any written MOU developed with each school that laid out a framework for the SEOs' activity as it was tailored for that particular school. As a result, the schools differed in their relationships with the SEOs—some welcomed the support of the SEO in developing connections with outside services and reducing some of the pressure on school-based counseling and other services, while in others the administration was more cautious. While such a written document would likely still be revisited by a new principal to ensure the program remained in line with the culture they wanted to create, it would at least provide a foundation for continuity.

Within SPD, it was not clear that the program had a great deal of visibility, even though SPD pays for and

manages it. SPD stakeholders and the SEOs suggested that the precinct officers they worked with did not always fully understand or support their work, and had to be reminded of why SEOs could not get involved in enforcement issues directly. We also heard from SYVPI that there was sometimes pressure from SPD to reassign the SEOs to the precinct. Sgt. Diaz is a remarkable champion for the program who is able to keep it moving through his passion and intellect. He has been involved in the program since the beginning and has almost single-handedly developed it. He hand-selects officers for the role based on a gut instinct that is so strong he struggles to articulate his "hiring criteria." Thus, the program is dependent on the vision of a single individual. This is a precarious situation, regardless of how clear and progressive that vision is. There is a strong need to articulate the goals and values of the program, develop hiring criteria for SEOs, and highlight the work of the program outside the Community Outreach Unit. With frequent changes in higher level leadership and the dependence of the program on a single individual, there is a risk that the program may not always be protected. Furthermore, it is unclear how the program could successfully continue without Sgt. Diaz's leadership. There does not appear to be anyone else at a similar level who is fully aware of everything he does for the program, and the SEOs themselves are selected for their ability to work with youth in schools, not necessarily to lead the program at the strategic level.

### **3 Recommendation: If the SEO program is effective, take steps to ensure its sustainability.**

#### **3.1 Articulate the program goals and training requirements.**

A clearly defined program is key to sustainability as well as program evaluation. As we state above, we do not think it is necessary to completely remove the flexibility that allows the SEO to set his/her own agenda for interacting with students in the schools. We think it is a potential benefit of Seattle's approach that officers are encouraged to bring their own personalities, skills, and interests into play in this role. This helps to "humanize" the police in the eyes of youth and build positive relationships. However, future revisions to program documentation and MOUs should also include a standard level of service provision based on the best available evidence, recognizing that the success of even well-researched practices such as mentoring depend heavily on the context and mode of delivery. The program documentation should also be able to create a broad set of expectations so that youth get the same general experience across different schools and if their SEO changes. We think the current MOU provides very little guidance to individuals going in to a school as an SEO for the first time. "Filling in the gaps" of their daily activity seems to require someone who has an innate ability to engage with youth in a positive (and ultimately evidence-based) manner. Some of the promising practices engaged in by the current SEOs could be included in the manual after evaluation as case studies to inspire the work of other officers.

Furthermore, it is extremely important that officers receive regular, relevant training in the types of activities they actually carry out in addition to standard police training. Training should be offered to new SEOs and existing officers should have the opportunity to update the training on a regular basis. Training should be focused around evidence-based activities to ensure that SEOs are implementing them consistently and according to protocols. For example, as we discussed earlier in the report, rather than providing an ad hoc approach to dealing with truancy SEOs could be trained to support the work of the evidence-based [Check and Connect Program](#) that is being rolled out in Seattle's schools so that students are able to benefit from a proven, standardized approach.

We propose that the [Trauma-Informed Approach](#) developed by the federal Substance Abuse and Mental Health Services Administration (SAMHSA) could be a useful starting point for redevelop-



ing the program manual and the MOUs with individual schools as well as a model for training, subject to evaluation, and we include it in the draft manual provided in [Appendix C](#). Given that trauma, broadly defined (i.e. substance abuse, physical and sexual abuse, poverty, family involvement in the criminal justice system, exposure to violence, and so on), is likely a relevant risk factor for many of the at-risk students and their families, we think that this approach is pertinent to both the specific and the broad functions of the SEOs. Trauma-informed approaches can be implemented in any setting and should focus on addressing recovery in whatever sense it is relevant. For the SEOs, assisting students and their families with access to services and strengthening students' bonds to social institutions such as the school and even the police department could help students to overcome the potential negative consequences of trauma. Importantly, avoiding re-traumatization is a key aspect of this concept, which again underscores the importance of developing some systematic principles for the SEO program so that students experience continuity of personnel and approaches. The six principles of the trauma-informed approach already fit well with the types of activities we observed the SEOs doing in practice:

- i. Safety
- ii. Trustworthiness and transparency
- iii. Peer support
- iv. Collaboration and mutuality
- v. Empowerment, voice, and choice
- vi. Cultural, historical, and gender issues

### **3.2 Ensure that MOUs are developed with each individual school.**

We recommend that individual MOUs be established with each school, in addition to the overall MOU between SPD and SPS. While there is support for the SEO program at the school district level, each individual school has a great deal of autonomy and the principal is firmly in control. The one-pager for the school in our proposed manual, which sets out the broad activities that the SEO can offer to support schools, could be a starting point for developing an agreement that is tailored to the specific skills of the SEO, the culture of the school and principal, and the school's existing strategies for engaging its students. As we have suggested, it is likely that the MOU will be revisited if the principal changes. However, an existing written agreement may be more likely to be honored—even with some adjustments—than a program that operates on an ad-hoc basis with limited understanding or support among remaining and new staff.

### **3.3 Systematize the process for identifying new schools.**

Finally, we recommend that SYVPI and SPD develop a systematic process for identifying new schools to receive SEOs. It was not clear to us whether the 4 FTE officer allocation from SPD is fixed; however, there appeared to be no established process for identifying schools and the lack of data collection means that existing schools are not tracked to assess whether the SEO is still needed and whether other schools also exhibit a similar level of need. One school we learned about that was previously in the program and is no longer involved dropped out because of tensions and cultural differences between the administration and the SEO, not necessarily because

it no longer had a need. This could be damaging for the students in that school who may have built a close relationship with the SEO. Thus, in the absence of an evaluation indicating that the SEOs are ineffective we do not advocate removing them from the current schools. However, it is important that the program, if effective, has visibility within SPD's strategic planning so that decisions are made regarding the potential for expansion to other middle schools and who will cover that cost.

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**APPENDIX A: Policies and Procedures Manual**

# School Emphasis Officers Program

Policy and Procedure  
Manual



*Approved by: Captain R. Wilson*

*Approval Date: 6/1/2011*

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Contact the Audit, Accreditation & Policy Section to update information in this manual.

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1.000 Memorandum of Understanding	6/1/11



# School Emphasis Officers Program

## Policies & Procedures

<b>1.000 – Memorandum of Understanding</b>	Approved: Captain R. Wilson
	Effective Date: 6/1/2011

Whereas, SPD is working in partnership with SPS to make every school a place where students can learn and school staff can teach safely; and

Whereas, SPD has collaborated in a long standing partnership of with SPS to provide police presence, and

Whereas SPD represents that it is duly authorized and willing, on behalf of the City to provide police presence and law enforcement assistance as prescribed herein.

NOW THEREFORE, the parties hereto agree as follows:

### ARTICLE I. TERM OF AGREEMENT

Services provided under this Interagency Agreement will begin on January 1, 2010 and ends on July, 1, 2010. The agreement may be extended annually, based on the mutual agreement of SPD and SPS. In the event that SPD determines there is a need to reallocate resources, SPD may terminate this Agreement by providing 15 days prior written notice.

### ARTICLE II. SCOPE OF WORK

The mission of SPD’s School Emphasis Officers Program is to support the education mission of the Seattle School District by helping to provide a safe, secure and orderly learning and teaching environment.

The method chosen to ensure completion of the above mission is to collaborate with the Seattle Youth Violence Prevention Initiative (“SYVPI”) to build long standing partnerships with the SPD, students and SPS to reach the following goals:

#### A. Prevention

- Serve youth who are directly affected by youth violence, such as joining gangs or as victims of youth violence.

- Provide students an opportunity to develop a positive relationship with an adult through mentoring opportunities, classroom education, and high visibility in the school setting.
- Continually research and implement innovative “best practices” for a safe and secure teaching and learning environment.

**B. Intervention**

- Serve youth who have been identified as truant, or have increased aggression, who are at risk of committing a crime, those who may be ready to leave a gang and gang members who are not yet committed to gang life.
- SPD and SYVPI will work together to integrate needed services with the Seattle Youth Violence Prevention Initiative to ensure services are complimenting each other and not overlapping.
- Assist in the early identification of students at risk and to provide resource information to give those students the help they need to make healthy and productive choices.
- Refer youth into Network services supported by the SYVPI Initiative and/or Out of Network services supported by the school.
- Provide students with an opportunity to develop important social and interpersonal skills.

**C. Enforcement**

- Collaborate and problem solve with staff, students and the community to ensure consistency in all enforcement issues.
- School Emphasis Officers and SPS personnel will be cognizant of the difference between ordinary school discipline issues and criminal conduct. Behavioral (non-criminal) issues such as being disruptive in class, disrespectful comments to a teacher, or other minor infractions should be handled by school district personnel instead of referring students to the School Emphasis Officer (“SEO”) and criminal court.
- Provide focus on the limited number of gang involved middle school youth who are already involved in criminal activity.
- Provide the initial investigation for those crimes committed on school campus.
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In order to fulfill the above goals, services will be provided at Aki Kurose Middle School, Washington Middle School, Denny International Middle School and a school(s) to be selected from a list provided by the SYVPI Director in consultation with SPS and SPD.

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**Task Elements (TE) Description****Task Element 1: Staffing Levels**



SPD shall assign one (1) full time (“FTE”) CPT Officer trained to work as an SEO at each of the middle schools (for a total of four FTEs) to provide primary policing services. SPD may reassign officers if SPD determines that it is necessary.

### **Task Element 2: SPD Responsibilities**

- TE2A.** SPD shall provide SPS with a sworn officer, with the rank of Lieutenant or above, as a point of contact referred to as the “SPD Schools Liaison”. This individual will serve as a conduit to relay information or requests and other SPS related issues. The SPD Schools Liaison will communicate non-emergency issues, program related results, and concerns to the appropriate Precinct Commander(s) to maintain the Department’s command structure.
- TE2B.** Chain of Command requires that each Seattle Police Department employee reports, and is accountable to, only one direct supervisor. As such, School Emphasis Officers will report directly to the SEO Sergeant, who will function as the unit’s first line supervisor for routine procedural, administrative and investigative matters. In turn, the SEO Sergeant reports, and is accountable to, the SPD Schools Liaison.
- TE2C.** SPD Precinct Commanders, who have SEOs working in SEO assignments, shall ensure that the SEOs complete a daily log sheet to ensure police coverage and provide police accountability for SPS assigned sites.
- TE2D.** SPD’s Schools Liaison shall meet monthly with the SPS Security Liaison to coordinate services under this contract and make adjustments as needed. SPD Schools Liaison will ensure that SEO’s assigned to each individual school will meet with the Principal or designated representative on a regular basis to discuss events, meetings, issues, concerns, etc.
- TE2E.** SPD shall assign a cell phone for each officer. SPD will make cell phone numbers available to SPS staff and may make the numbers available to other community members as appropriate. The officers will respond to non-emergency calls by SPS staff during normal working shift within a reasonable time period of receiving the call. When SEO’s are available they should handle all 911 calls from the school. SPD should provide an incident number or event number to the school representative.
- TE2F.** The SPD Schools Liaison or Commander of higher rank may temporarily reassign the SEO’s in the event of a citywide emergency, natural disaster, or major event. Should a major incident occur at an assigned school, the SEO will act as a Liaison to the school and SPD Incident command structure.

### **TASK Element 3: SPS SEO Officer Responsibilities**

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It is essential that the SEO's maintain high standards of conduct because of the importance of their duties. Thus, the officers will apply professional training, experience, available technology and resources to positively interact with students, school administrators, security and other school staff, and external members of the school community

**TE3A.** The 4.0 FTE SEOs assigned to SPS middle schools shall work a 5/2 schedule to accommodate individual schools hours. The SEO Officers will start their 8 hour shifts between 7 a.m. and 11 a.m. The start-times will be fixed and the SEO Officers will inform the SPS Liaison of their shift start and end times. If the need arises, the SEO Officer's hours may be adjusted by SPD for individual days with pre-approval in accordance with agreements between the City of Seattle and the Seattle Police Officers' Guild.

School Emphasis Officers will report for duty to their assigned precinct location, where they will make themselves aware of any information necessary for the proper performance of duties during their shift. Under normal circumstances this is expected to take no longer than 30 minutes from the beginning of their shift. The SEO will then respond to their assigned school and advise the School Principal / Designee and School Security that they are on duty and available. Normally, no more than 30 minutes prior to the conclusion of their shift the SEO will advise the School Principal / Designee and School Security that they are returning to their precinct, and will return to their precinct to go out of service.

If, due to exigent circumstances, an officer cannot report for duty at the assigned time and will be late, the officer will contact the SEO's Supervising Sergeant before the start of the shift to explain the situation and provide an estimated time of arrival. It will be the responsibility of the SEO Sergeant to notify the School Principal / Designee and the Safety and Security Department of the situation, and provide the officers estimated time of arrival at the school.

**TE3B.** SEOs are expected to place a high priority on requests for assistance from their School Principal / Designee, and to accommodate requests as allowed by Federal law, State Law, City and County ordinances, the Seattle Police Department Manual, and this Agreement, consistent with the applicable Collective Bargaining Agreement. If at any time the SEO is unable to accommodate a request from their School Principal / Designee, the SEO Sergeant will be advised and will contact the School Principal / Designee to resolve the situation as soon as practical. If the SEO Sergeant is not available, or if the School Principal / Designee elects to, the SPD Schools Liaison can be contacted at anytime for input and resolution.

**TE3C.** SEOs will not make public statements on behalf of the Seattle School District concerning the plans, policies, or administration of the district. SEO's who plan to address any public gathering concerning the work of the Seattle Police Department or Seattle Public Schools, will notify the SEO Sergeant, who will in turn notify the SPS Safety and Security Department prior to the speaking engagement. Any statement about Seattle Public Schools or its function which reflects a School Emphasis Officer's personal opinion will be clearly identified as such.

- TE3D.** The SEO's assigned to the middle schools will check in daily with the Principal or designated representative to discuss crime and prevention activities, or on a mutually agreed upon schedule.
- TE3E.** The SEO's shall communicate and collaborate with all SPS security representatives. The presence of an SEO at assigned school shall not reduce the need for, or replace Security Specialists working at the schools. SEO's will work in cooperation with Security Specialists and will not have supervisory control over them.
- TE3F.** Each SEO will make best efforts to interact with precinct Officers working before or after their normal work shift to obtain information, assistance, or provide a briefing to the precinct CPT Sergeant for future emphasis or patrol.
- TE3H.** The SPS SEO's will review relevant 911 call logs, incident reports and crime analysis for the SPS designated middle schools in order to follow-up on criminal activity and discuss information, as appropriate, with the individual principal or designated representative, as well as focus efforts on three main goals of:
- TE3G.** SEOs will be responsible for officially documenting police related incidents with the following exceptions:
- Large scale or complicated incidents (large number of witnesses, victims or evidence)
  - Incidents requiring a physical arrest of a student on Seattle Public school property
  - Incidents that did not occur on Seattle Public School property, and whose investigations requires an off school property response
- TE3I.** On the above exceptions, patrol officers or specialized units may be requested to assist with the investigation, or take over as the primary investigating officer as appropriate. All investigations will be documented consistent with current SPD reporting policies and practices. All critical incidents occurring on Seattle Public School property will be reported to the SEO Sergeant prior to the SEO going off shift, who will be responsible for notifying the School Principal / Designee and the Safety and Security Department.
- TE3J.** School Emphasis Officers should consider alternatives to making a physical arrest of a student on school grounds when practical, with the following exceptions:
-

- Violent offenses, with harm or potential harm inflicted on a victim(s)
- Emergency situations where immediate action is necessary to stabilize a situation before it can escalate
- Felony situations where circumstances dictate that the arrest be made at the school versus off school property

**TE3K.** All non emergency arrests should be screened in advance with the SEO Sergeant, who will notify and consult with the School Principal / Designee and the Safety and Security Department. All efforts should be made to make any physical arrest outside the view of other students, with the SEO's role in the arrest minimized to the greatest degree possible.

**TE3L.** All contacts with students shall be conducted in a professional manner. SEO's are encouraged to develop mentoring relationships with students as a means to deter crime and violence. However, SEO's must not have a personal (non-mentoring) relationship with any student.

**TE3M.** School Emphasis officers that provide education of a specific curriculum must get approval from the School Emphasis Team Supervisor as well as the Director the Safety and Security Department. This is to ensure the curriculum taught is age appropriate and supports the learning environment. Currently, Gang Resistance Education and Training (GREAT) and Options, Choices and Consequences (OCC) are approved curriculum. School Emphasis Officers will work with school administration staff to implement training for all 6th Grade students at their assigned schools.

**TE3N** SEO's are responsible for working with their School Principal / Designee and School security to ensure an all hazards emergency Response plan is in place for each individual school. This plan will provide structure and predictability for the large scale Police and Fire Department response to these types of events, and will maximize the safety of students, staff and the community.

**TE3O.** Critical incidents can be any one of a large number of Police or Fire Department based emergency responses. If a critical incident occurs that require police presence, The SEO will serve as a liaison between the School Principal and the Seattle Police Department unless there is a need to take immediate action to prevent injury to students or staff. If there are immediate life safety concerns, the SEO will take the appropriate actions that may include enforcement, evacuations and / or shelter in place.

**TE3P.** The duty uniform for School Emphasis Officers will be the non-standard approved Department uniform.

#### **Task Element 4: SPS Responsibilities**

**TE4A.** SPS Security Liaison shall work cooperatively with the SPD Schools Liaison.

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**TE4B.** SPS shall have the opportunity to provide input regarding the selection of SEO's for assignment under this Agreement. SPD Chain of Command will determine final selection for the SEO positions.

**TE4C.** SPS shall try to accommodate an office space within their school of assignment if available, provide limited equipment use, access to school facilities, school staff, and resources.

**TE4D.** Under routine circumstances the designated schools should make contact with the SEO instead of making contact with 911. The SEO can provide an incident or event number upon request.

#### **Article IV. Evaluation**

Schools Emphasis Officers will turn in a completed weekly report to the SEO Sergeant.

#### **Article VI. Disputes**

Any disputes or misunderstanding that may arise under this Interagency agreement concerning SPD's performance shall be first resolved through amicable negotiations, through designated representatives. This agreement shall be construed and interpreted in accordance with the laws of the State of Washington. The venue for any action brought hereunder shall be in the Superior Court of King County.

#### **Article VII. Amendments**

No modification or amendment of the provisions hereof shall be effective unless in writing and signed by authorized representatives of the parties hereto. The parties hereto expressly reserve the right to modify this Agreement, by mutual agreement.

**APPENDIX B: Program Description**

## **Seattle Youth Violence Prevention Initiative School Emphasis Officers**

### **Priority population served**

- School Emphasis officers will serve middle school students who have suspensions due to violent acts and/or develop truancy issues.
- Each officer will make referrals of students to the Seattle Youth Violence Initiative.

### **Referral and assessment process**

- Students will be identified using a combination of factors including truancy and suspension risk indicators.
- Officers will work with the students who are at highest risk of criminal or violent activities.
- Students may be assessed using a screening uniformed youth risk intake form through SYVPI Intake, to determine risk levels and what level of services might be needed to appropriately serve each youth.
- Officers will assess changes in student behavior or characteristics make additional referrals.

### **Indicators to measure results**

By reducing truancy and suspensions we could see measurable results in:

- Reduction in criminal acts
  - Reduction in violent incidents at school
  - No new arrests
- Improvement in academic success
  - Reduction in suspensions
  - Increase attendance
  - Advancement to the next grade level
  - Improvement in specific academic subjects

### **Involvement of other organizations**

The assignment of School Emphasis officers, focusing on violence prevention and intervention within schools, demonstrates a collaborative approach to reducing violence in the communities. The officers, however, will not be fully effective as a stand-alone program. The involvement of other organizations is essential to the success of this program. School Emphasis officers will support and refer students into programs that are part of the Seattle Youth Violence Prevention Initiative, such as case management, recreation, mental health, or mentoring. By building a system of collaboration between schools, officers, and community-based organizations, all partners will be more effective in delivering services.

### **City-Schools partnership**

The Seattle Police Department and the Seattle School District have developed and signed a memorandum of understanding to better collaborate our services. Both agencies support officers being in the school in the right context. The School Emphasis officers' project was designed to provide a support role for the schools. Some information will be necessary to track performance measurements. Access to the "Source" database will be helpful to ensure priority students are up to date on academics and attendance is improving.

It is critical that officers be integrated into the school staff, officers will work in collaboration with the principal. Officers need direct access to an email account or to be incorporated into the school emailing system and space for the delivery of services. This will allow the officer to be updated on school issues as needed.

### **Family Involvement**

Family support is essential to addressing the needs of the priority youth. Officers will work with community-based organizations and school staff to help assist parents and families with their needs and provide referrals to local resources.

### **Strategies for community police officers**

#### ***Rationale for the strategies selected***

- Provide priority students an opportunity to develop a positive relationship with an adult
- Keep priority students engaged in school
- Assist in improving academic achievement of priority students
- Provide priority students an opportunity to develop important social and interpersonal skills
- Ensure a positive and safe learning environment.

#### ***Key features of strategies***

The School Emphasis officers will focus on three strategies: School Support, Safety and Security, and Education.

#### **School Support**

- Officers will utilize school activities to develop positive, trusting relationships with youth. Lunch and breaks are great times for this interaction to occur.
- Officers will work in conjunction with school to identify students experience truancy issues and identify goals to improve attendance
- Officers will help identify students who develop factors that could lead to dropping out of school.
- Officers will refer students to the appropriate resources for specific needs that cannot be met in the school setting.
- Officers will work with local community-based organizations and regularly meet to identify new programs or existing successful programs to assist youth.



- Officers will have an opportunity to participate in home visits with school staff and/or case managers.
- Officers will attend regular support staff meetings, such as, Student Academic Success Teams, to review data.
- Officers will meet regularly with school administration to ensure effective communication.
- Officers will provide a vital function to the school that requires some level of flexibility in their assignment. Officers generally will not be assigned to a specific area as an agent of the school staff.

### **Safety and Security**

- Officers will collaborate with the Director of Security for the Seattle School District to ensure that school emergency plans and police response to school emergencies are uniform.
- Officers will work with schools to address off campus issues that could affect the school.
- Officers will provide periodic tips using the Crime Prevention Through Environmental Design (CPTED) model for the school campus as a crime prevention tool.

### **Education**

- Officers will assist schools in setting up workshops to address specific needs, such as gang prevention or conflict resolution.
- Officers will encourage parents to participate and facilitate workshops on topics of interest.

### **Management plan**

- The Sergeant of Community Outreach will oversee the school emphasis officers program.
- The officers are directly responsible to SPD. The officers will work with school administrators to determine daily operational objectives and support the district's administrative control of the learning environment and the disciplinary process.

### **Performance measures**

The Seattle Police Department in conjunction with the Seattle School District will regularly evaluate the School Emphasis Officer program. This will allow the program to make changes that align and support the school environment.

- Officers will use a weekly activity report to track basic information on their interactions with priority students (and their families).
  - Contact with students (type, duration, etc.)
  - Home visits
  - Referrals to additional services

- Officers will identify indicators on priority students on a weekly basis.
  - Attendance
  - Suspensions
  - Arrests
- Officers and school staff will meet regularly through an Academic Success teams to make program decisions and address any pending or potential issues.

**APPENDIX C: Proposal for a Revised Program Manual**

# SCHOOL EMPHASIS OFFICERS PROGRAM

## About the Program

The School Emphasis Officers (SEO) program is a collaboration between the Seattle Police Department (SPD) and the Seattle Youth Violence Prevention Initiative (SYVPI). We provide **trauma-informed, non-law enforcement** support to Seattle middle schools. SEOs work in schools with high levels of truancy, suspensions, and expulsions that are located in neighborhoods with high rates of violence.

## What We Do

The goals of the SEO program are to:

- Reduce crime and gang participation
- Improve student connectedness to school
- Help connect students with the services and support they need
- Improve police-community relations

Early problems with school attendance and behavior can lead to delinquency, violence, mental health and substance abuse problems, school dropout, and teen pregnancy. SEOs help schools, students, and families to protect against these problems through **building trust and relationships in the schools**. Through one-on-one mentoring, decision-making education, and special classes and workshops based on their skills, SEOs encourage students to stay in school, focus on academics, and make good choices on and off the school campus. When fights and other disciplinary issues do occur, the SEOs are there not to intervene, but to support the school discipline process and provide advice and follow-up. By supporting the school in their safety and security planning, the SEOs help to ensure a safe, healthy school environment where all students have the opportunity to thrive. Through trust-building with students and their families, SEOs help to improve police-community relations both within and outside the school.

By combining our relationship-building with law enforcement knowledge, SEOs are well placed to identify those **students who need additional support**. Students who act out in class, fight with their peers, or skip school frequently may be at higher risk of violent offending and victimization. They might be suffering from personal challenges and problems at home. Working in collaboration with school counselors and administrators, SEOs help these students and their families access the help and services they need through **referral to SYVPI and other services**.

## What is the “Trauma-Informed” Approach?

A **law enforcement response is the last resort** in the SEO program. Many disciplinary issues can be handled by the school, with the SEO on hand to provide follow-up and support to the parties involved. Where an arrest or other law enforcement response is necessary, SEOs work with local precinct officers to ensure it is carried out discreetly and without harming the relationship between the SEO, the affected students, and the school community.

The SEO program is **flexible** and the **personal skills, experiences, and passions** of each officer are important to the success of the program. Within the framework of program activities, SEOs are encouraged to bring their own ideas to the table to better engage students and stay motivated. For example, an officer who enjoys playing basketball might start an after-school basketball program for students—or just shoot some hoops in the playground during the lunch break.

Non-enforcement and flexibility feed into our overall philosophy of a **trauma-informed approach to school policing**. The [trauma-informed approach](#), developed by the Substance Abuse and Mental Health Services Administration (SAMHSA), places trauma at the center of program development. Trauma—whether caused by personal or family substance abuse, physical and sexual abuse, poverty, criminal justice system involvement, exposure to violence—can impact young people’s risk of involvement in violent offending and victimization. SEOs can help students and their families access services and strengthen ties to the school, police department, and community. This assistance can help students overcome the negative consequences of trauma. In developing strategies for working with youth, SEOs should follow the six principles of the trauma-informed approach: safety; trustworthiness and transparency; peer support; collaboration and mutuality; empowerment, voice, and choice; and cultural, historical, and gender issues. SEO strategies should emphasize trust-building, collaboration, and compassion, and be applied with consistency as far as possible to avoid **re-traumatization**.



## SEO Skills

### *What makes a successful SEO?*

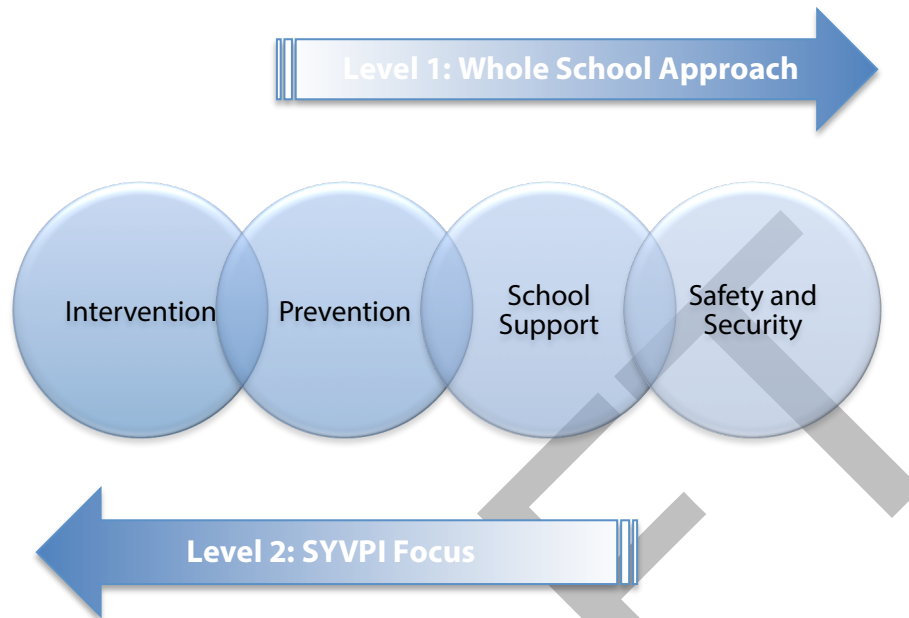
- 1. Supportive orientation.** SEOs must be empathetic and understand the importance of not trapping youth in the criminal justice system.
- 2. Youth orientation.** SEOs must like young people and working with them; they must recognize the value of reaching out; willingness to come “off the beat” and work in a school setting;
- 3. Community minded.** SEOs must understand the dynamics of the community in which the school is located; be culturally responsive, civic-minded, and have good values.
- 4. Patience.** Community and school processes can be complex and move slowly. SEOs must understand their limitations.

### *Is this police work?*

**Yes!** The police do not always have to be an “opposing force.” As police officers, SEOs have privileged access to information and flexibility in activities such as home visits that other service providers do not enjoy. This helps SEOs to build up a full picture of a student’s risk and need levels and direct them to the most appropriate assistance. However, SEOs must be sensitive to students’ legal rights to privacy and must not share privileged information with unauthorized parties.

The relationships that SEOs develop with students and their families can help to improve trust and confidence in the police within the school and the surrounding community. This may have longer-term benefits, as research shows that people who trust the police are more likely to comply with the law. Good working relationships between police officers and community members (whether in the school community or the neighborhood) are important for facilitating collaborative crime prevention strategies.

## Levels of SEO Service



### Level 1: Whole School Approach

#### Level 1 Objectives

- ✓ Develop positive relationships with students
- ✓ Help students develop social and interpersonal skills
- ✓ Prevent escalation of early discipline issues
- ✓ Ensure a positive and safe learning environment
- ✓ Support school safety and security activities and planning

#### Level 1 Outcomes

- Reduced overall violence and disciplinary problems in school
- Reduced overall suspensions, expulsions, truancy; improved attendance
- Improved school climate and classroom behavior
- Improved grades and advancement to the next grade level
- Reduced arrests, police contacts, and gang participation
- Improved trust in police and police-community relations

Suggested Level 1 Activities	
Intervention	<ul style="list-style-type: none"> <li>▪ Provide follow-up to school discipline incidents; for example, by speaking with each party to a fight and working through alternative responses to problems and the consequences of violence</li> </ul>
Prevention	<ul style="list-style-type: none"> <li>▪ Use lunch and break times to develop trust and relationships with students through informal conversations, sports and games</li> <li>▪ Develop relationships with students, parents, and community members through after-school supervision and activities</li> <li>▪ Develop activities in line with officer skills and interests to develop relationships with students and support academic and social success [examples—chess club, martial arts, sewing, tutoring in specific subjects, culturally relevant workshops and programs]</li> <li>▪ Implement evidence-based programs to build social, interpersonal, and decision-making skills</li> </ul>
School Support	<ul style="list-style-type: none"> <li>▪ Meet regularly with school administrators, grade counselors, and discipline staff to review school trends and data</li> <li>▪ Collaborate with school principal and administration to tailor the SEO model to the needs and culture of the school and its staff and students</li> <li>▪ Assist school with chaperoning and supervision at school trips and events—this is another opportunity to build trust and relationships</li> </ul>
Safety and Security	<ul style="list-style-type: none"> <li>▪ Provide support and reassurance to the school and students in response to criminal incidents near the school</li> <li>▪ Collaborate with the local precinct to ensure that law enforcement support is available when necessary and appropriate</li> <li>▪ Work with the school administration and SPS to develop and implement emergency response plans</li> <li>▪ Assist the school in emergency management situations, such as fire and earthquake drills and events</li> </ul>



## Level 2: SYVPI Focus

### Level 2 Objectives

- ✓ Identify students at risk of truancy, suspension, and violence
- ✓ Screen at-risk students using SYVPI intake form
- ✓ Support school in referring at-risk students to SYVPI and other services
- ✓ Collaborate with SYVPI and service providers to ensure student is engaging in services
- ✓ Work with at-risk and referred students in school to maintain school engagement, monitor changes in risk factors, and ensure continued appropriateness of services
- ✓ Conduct home visits with at-risk and referred students, especially those who are suspended, to maintain contact with the youth and family, encourage transition back to school, and identify underlying causes of problems

### Level 2 Outcomes

- Increased contacts with at-risk students (quantity and quality)
- Increased home visits (quantity and quality)
- Increased referrals to SYVPI
- Increased successful completion of SYVPI services and case management
- Reduced violence and disciplinary problems in school among referred youth
- Reduced suspensions, expulsions, truancy; improved attendance among referred youth
- Improved grades and advancement to the next grade level among referred youth
- Reduced arrests, police contacts, and gang participation among referred youth
- Improved trust in police and police-community relations among referred youth and their families

### Suggested Level 2 Activities

#### Intervention



- Work with the school and using knowledge gained through trust building activities to identify at-risk students
- Provide screening and referrals to SYVPI and other services
- Conduct follow-up meetings and conversations with school administration, SYVPI case manager, youth and family to ensure needs are being met
- Conduct home visits to gather information and provide holistic support to families in need
- Provide mentoring and one-on-one support to help referred students meet their school-based goals (e.g. academics, attendance)
- Meet with community organizations and service providers to identify additional services and intervention opportunities
- Follow up with referred and at-risk youth if they do become involved in the criminal justice system to provide support and advice and facilitate return to school if needed

Prevention	<ul style="list-style-type: none"> <li>▪ Use lunch and break times to develop trust and relationships with students through informal conversations, sports and games; seek deeper relationships and one-on-one mentoring with youth who appear to be or are flagged as being at risk</li> <li>▪ Encourage participation of at-risk youth in prosocial activities and programs provided by the SEO</li> <li>▪ Provide tailored gang resistance and decision-making skills training to referred youth</li> <li>▪ Develop workshops and activities that connect at-risk students with opportunities for volunteer or paid work in the community, or supervised socializing (e.g. teen late night program) to keep youth occupied and away from difficult family situations</li> <li>▪ Provide academic mentorship and tutoring to at-risk students in line with officer skills and interests</li> <li>▪ Work with SPD crime analysis unit and SYVPI to track data and outcomes (as lawful and appropriate) on referred youth and assess changes over time and emerging problems</li> </ul>
School Support	<ul style="list-style-type: none"> <li>▪ Attend Student Academic Success Team meetings with school administrators and counselors to keep track of and share information (when appropriate and lawful) on individual students' cases</li> <li>▪ Provide support and relief to school counselors and administrators by leading the SYVPI referral and follow-up process</li> </ul>

# SCHOOL EMPHASIS OFFICERS PROGRAM

## Information for Schools

### Who We Are

The School Emphasis Officers (SEO) program is a collaboration between the Seattle Police Department (SPD) and the Seattle Youth Violence Prevention Initiative (SYVPI). We provide **trauma-informed**,<sup>1</sup> **non-law enforcement** support to Seattle middle schools. SEOs work in schools with high levels of truancy, suspensions, and expulsions that are located in neighborhoods with high rates of violence.

### What We Do

- ✓ **Intervention.** SEOs partner with SYVPI and other service providers to identify and assist youth at risk for truancy, suspension, and violence.
- ✓ **Prevention.** Through one-on-one mentoring and activities that center around officers' skills and passions, SEOs build trust and relationships with all students that can help to identify those in need of additional assistance.
- ✓ **School Support.** SEOs support the school in responding sensitively and collaboratively to discipline issues and provide a bridge between SPD, the school, and SYVPI.
- ✓ **Safety and Security.** SEOs help the school manage emergency responses and local crime problems that affect the school, and provide a link to local law enforcement if needed.

### How We Can Support You

- Reduce the burden on school counselors and administrators by managing the SYVPI referral and follow-up process
- Collaborate with local community agencies and service providers to share best practices
- Participate in Student Academic Success Team meetings to share insights and develop support plans for at-risk youth
- Conduct home visits with school staff and case managers to keep suspended and truant youth engaged in school and address family problems
- Develop programs, activities, and workshops for all students that teach prosocial skills, violence prevention, and decision-making
- Act as a positive role model, mentor, and trusted adult for all students in need
- Provide crime prevention and emergency response advice for the school campus

### How You Can Help

- Collaborate with SEO and SPD to develop a written memorandum of understanding that tailors the program components to the specific culture of your school
- Collaborate with the SEO to develop culturally responsive activities that maximize student engagement, school priorities, and SEO skills
- Allow SEOs access to data and information about the school and students in line with legal and privacy considerations to assist in service tracking and planning
- Provide the SEO with internet access and private office space to work and meet with students

<sup>1</sup> SEO activities are informed by the principles of [SAMHSA's trauma-informed care model](#).

# SCHOOL EMPHASIS OFFICERS PROGRAM

## Information for Parents

### Who We Are

The School Emphasis Officers (SEO) program is a partnership between the Seattle Police Department (SPD) and the Seattle Youth Violence Prevention Initiative (SYVPI). We work in middle schools to support students and staff in preventing truancy, suspensions, expulsions, and violence. Although we are police officers, our goal is to help students reach their full potential and avoid ending up in the criminal justice system. We do not arrest or discipline students in school.

### What We Do

#### *For all students*

- ✓ Provide mentoring and fun activities for all students to build trust and provide a positive role model. We want to show students and families that the police are here to support them.
- ✓ Offer workshops and programs based on SEO and student shared interest, like chess club or basketball.
- ✓ Talk to parents and students before and after school to build friendly relationships and partnerships in the community
- ✓ Work with the school to help

#### *For students who need extra support*

- ✓ Work with students and families who need assistance to get them the help they need and reconnect them with the school.
- ✓ Discuss options for your child and guide you through the referral process to SYVPI
- ✓ Visit you and your child at home to help your child get back to school and address any needs you have that may be affecting your child's school attendance
- ✓ Help the school to make sure your child's needs are being met and they are receiving appropriate assistance and services
- ✓ Connect your child with opportunities to participate in volunteer and paid work and supervised activities to keep them occupied when you can't be at home
- ✓ Build a positive relationship with you and your child—we hope you will trust us to keep your best interests in mind

#### *For the school and community*

- ✓ Help the school to keep students safe in the classroom, during breaks, and in the event of an emergency
- ✓ Support and reassure students, school staff, parents and community members if crimes happen in the neighborhood

### Where To Get More Information

- More information about SEOs: <http://safeyouthseattle.org/whatwedo/school-emphasis/>
- Seattle Youth Violence Prevention Initiative: <http://safeyouthseattle.org>
- Seattle Public Schools: <http://www.seattleschools.org>
- Your child's school principal \_\_\_\_\_
- Your child's grade counselor/house administrator \_\_\_\_\_

STUDENTS  
— NOT —  
SUSPECTS

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*The Need to Reform School  
Policing in Washington State*

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## Introduction

In December of 2015, Tucker, a 13-year-old Black student in Washington state, was arrested as a result of an incident that started when he mumbled a curse word to himself. Tucker’s teacher ordered him to go sit outside on a bench; when Tucker refused to go outside unprotected in the cold, his teacher called the school police officer.<sup>1</sup> The officer grabbed Tucker, slammed him to the ground, and as Tucker flailed, put his knee of the back of Tucker’s head. Tucker was then arrested and booked into juvenile detention. He was charged with the crimes of “disturbing school” and “disrupting a law enforcement officer.”

Thirty years ago, few schools would routinely use police to respond to such student discipline incidents.<sup>2</sup> Fewer than 100 police officers patrolled public schools in the late 1970s.<sup>3</sup> Today, the lines between the education system and the criminal justice system are increasingly blurred. More than 24 percent of elementary schools and 42 percent of high schools nationwide have school police officers embedded in school campuses.<sup>4</sup> These numbers are even higher for predominantly Black or Latinx<sup>5</sup> schools, 51 percent of which have regularly stationed school police.<sup>6</sup>

As the numbers of police officers regularly stationed in schools has risen, so too have arrests in school. In districts around the country, police are regularly assigned or called to schools and have the full power of the criminal law to control students and their behaviors. In Washington, this includes the power to refer children for prosecution for the crime of “disturbing school.” In the 2013-2014 school year, the 100 Washington schools with the largest student enrollments reported referring over 3,400 students to law enforcement.<sup>7</sup>

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*The ACLU of Washington believes that police officers should not be a regular part of the school environment. **STUDENTS, TEACHERS, AND SCHOOL STAFF DESERVE SAFE, QUALITY SCHOOLS**—but this cannot be accomplished by reliance on school policing.*

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Regular police presence increases the likelihood that students will be arrested or prosecuted for misbehavior. Arrest is an inappropriate and ineffective way to address the causes of juvenile misbehavior. In-school use of traditional law enforcement tools (including arrest) helps create a “school to prison pipeline” where students are funneled directly from their schools into the criminal justice system. The school to prison pipeline not only harms students, it harms communities. Students who are arrested are more likely to drop out of school, less likely to graduate and more likely to be further involved in the juvenile and adult criminal justice systems.

School policing in Washington is largely unregulated; no state law or policy directly addresses the use of police in schools. No state agency systematically tracks police placement, program structure, or the impact on students. To investigate school policing in Washington, the ACLU reviewed public records from over 100 school districts, and spoke with parents, juvenile attorneys, police officers, educators, and community leaders. We found:

- School policing is widespread. **Eighty-four of Washington's 100 largest school districts have police officers assigned to schools** on a daily basis. In addition, even schools without police officers assigned to campus may call police to respond to incidents of routine student misconduct.
- School policing is costly. **Schools pay on average \$62,000 (and as much as \$125,000) per full-time equivalent officer per year.** This money that could be more effectively spent on counselors, teachers, and other student support services.
- Police officers have broad discretion in almost all Washington school districts to arrest students for minor misbehavior. **Having police in schools makes it more likely that students will be arrested.** Washington's school police programs often lack written guidelines distinguishing between student discipline matters and crimes. This is particularly troubling because Washington law makes it a crime to disturb school, exposing students to criminal prosecution for routine misbehavior.
- Few of the police officers assigned to schools are required to undergo training on how to work in schools. **Only 25 of the school/police contracts surveyed require police officers in schools to participate in any form of specialized training.** This fails to account for the fact that schools are educational environments that should not be policed like a normal beat.
- Few schools collect any data on officer activities, including arrests. **Only 14 school/police contracts require any form of data collection on officer activities.** This makes it hard for districts to assess the impact of police in school, including the effects on students' constitutional rights and any discriminatory impact on students of color or students with disabilities.
- School police are rarely accountable to students, parents, and teachers. Only one school district has a clear civilian complaint process to address officer conduct in schools. **In over 70 school districts, school officials have no clear role in supervising or evaluating police officers stationed in schools.** In 55 districts, school officials have no input in the hiring or selection of an officer to be assigned to schools.

The ACLU of Washington believes that police officers should not be a regular part of the school environment. Students, teachers, and school staff deserve safe, quality schools—but this cannot be accomplished by reliance on school policing.

On the contrary, school policing as currently practiced in Washington—with few guidelines and scant oversight—may even make schools less safe by alienating students from school and contributing to the school to prison pipeline. Rather than investing in police, schools should prioritize counselors, mental health professionals, social workers, teacher training and evidence-based programs to improve the school climate, schools can help students reduce routine adolescent misbehavior and address the underlying social causes that may be contributing to it.

This report documents and evaluates Washington’s school policing and recommends policies that schools, law enforcement, and the legislature should adopt to protect students and ensure safe schools.

## The History of School Policing

Historically, schools had no special relationship with law enforcement and used police the way any other community member would: calling officers to respond to suspected criminal activity. Many schools, in Washington and across the country, continue to operate that way. Increasingly, however, schools have developed formal partnerships to place an officer in schools on assignment. These police officers, sometimes called “campus resource police officers” or “school resource police officers” are present on school campuses every day. Some are assigned to a single school as their particular “beat.” Other police officers are assigned to multiple schools, typically based in a high school, but also involved in middle and elementary schools. And some schools have a rotating patrol, where several police officers share the school deployment.

**IN THE PAST 20 YEARS,  
SCHOOL-BASED POLICE OFFICERS HAS GROWN FROM**



**OFFICERS STATIONED IN SCHOOLS NATIONWIDE**

The use of these school-based police officers has grown significantly. In the past 20 years, their number has increased from virtually none to an estimated 17,000 police officers on school campuses nationwide.<sup>8</sup> The increase is likely a result of several factors.<sup>9</sup> First, the federal government has provided significant funds to support the presence of police in schools. For example, between 1999 and 2005, the federal COPS program awarded in excess of \$753 million to schools and



police departments to place police officers in schools;<sup>10</sup> other grants are available through federal education programs.<sup>11</sup> Second, highly reported instances of school violence spurred moves to place police officers in schools. In one study, about 25 percent of schools reported that national media attention about school violence was the primary reason for school policing programs.<sup>12</sup> Third, schools have instituted a variety of harsh “zero tolerance” policies to respond to perceived student disorder or rowdiness, in line with a general “tough on crime” approach to juvenile justice.<sup>13</sup> About 25 percent of law enforcement officers in a national survey cited school disorder (like rowdiness and vandalism) as the primary reason to assign an officer to schools.<sup>14</sup>

The rise in school policing cannot be attributed to a rise in dangerous crime in schools. Particularly in black and brown communities, school police have historically gone well beyond addressing serious criminal activity, instead targeting perceived disorder or rowdiness.<sup>15</sup> Moreover, as a general rule, schools are safe places, and are safer now than they were 20 years ago. The numbers of students reporting being victims of crime at school actually decreased 82 percent between 1992 and 2014,<sup>16</sup> consistent with an overall decrease in juvenile crime.<sup>17</sup> There is also little empirical evidence that routine police presence promotes student safety.<sup>18</sup>

## **School Policing in Washington is Widespread & Costly**

No state agency oversees or tracks school policing in Washington. The ACLU surveyed three sources of data to identify where and how police are present. First, we analyzed data from the U.S. Department of Education to identify which school districts report having a school police officer in 2013, the most recent year in which the data was reported. We followed up with public records requests to the 100 school districts in Washington with the largest enrollments, as well as smaller districts that self-identified as having police officers stationed in schools. This allowed us to confirm the continued presence of police officers in schools, and identify districts that either failed to self-report or that established their school police programs within the last 3 years. A list of districts surveyed is included in Appendix A. In addition, we reviewed reports of police calls for service to a limited number of schools that do not have police assigned on a daily basis. This enabled us to get a sense of where police are regularly present, and when police officers are called to schools.

### **A. NUMEROUS WASHINGTON SCHOOL DISTRICTS HAVE ASSIGNED POLICE OFFICERS**

In Washington, school policing is prevalent. The models of policing vary by district and sometimes by school. It is clear, though, that police have a regular presence in many Washington schools.

A growing number of Washington school districts—84 of the state’s 100 largest school districts— have police assigned to schools on a daily

basis. Police are also routinely present in much smaller districts, including those with total K-12 enrollments as low as 500 students. Spokane employs its own police officers, who are specially commissioned law enforcement officers under the daily supervision of a school administrator who is also a former sheriff. In every other district we surveyed, police officers are stationed through formal or informal agreements with local law enforcement agencies and remain subject to the law enforcement chain of command.

**84** **OF THE** **100**

## LARGEST SCHOOL DISTRICTS HAVE POLICE PRESENCE



School policing occurs in every part of the state, and at every grade level. School police can be found in urban, rural, and suburban schools in every corner of Washington. Police can also be found in all types of schools, from large comprehensive high schools to small alternative schools. The majority of districts we surveyed primarily assign school police to middle and high schools. But, at least 26 school districts report having police routinely present in elementary schools.<sup>19</sup>

Nationwide, schools with high populations of low income students, or Black and Latinx students are more likely to have embedded school police.<sup>20</sup> There is some evidence of similar demographic disparities in school police placement in Washington state. We reviewed districts that assigned police to only particular schools at a grade level (for example, districts where police are present in some, but not all, high schools), comparing the demographics of schools with and without assigned police officers.<sup>21</sup> Some of those districts assign police to schools with higher than average populations of students of color and low-income students. For example:

- **SEATTLE POLICE DEPARTMENT** places “School Emphasis Officers” in three of nine middle schools in the Seattle Public Schools. These three schools have student populations that are, on average, 77 percent students of color and 67 percent low-income, compared with a district-wide average of 38 percent students of color and 38 percent low income.
- **EVERETT SCHOOL DISTRICT** has police assigned to the three of five middle schools with the highest percentages of low-income students.
- **EDMONDS SCHOOL DISTRICT** reported having a police officer assigned to only one of five high schools. The school with an officer has the largest enrollment of students of color and low income students in the district.

- **CENTRAL KITSAP SCHOOL DISTRICT** has a police officer assigned to only one of three high schools, which is also the high school with the largest enrollment of students of color and low income students in the district.
- **WALLA WALLA PUBLIC SCHOOLS** has an officer assigned to its alternative high school, where 80 percent of students are low-income, but not to its comprehensive high school, where only 45 percent of students are low-income.

Some of these districts may have reasons for the disparate placement of police officers in schools that are not facially discriminatory. Nevertheless, parents, students, and community members may receive troubling messages from the placement of police in predominantly low-income schools or schools with significant concentrations of students of color. In particular, students and families may feel as if they are particularly targeted by school police. As one student in King County stated, “School seems like a prison. You have police. You have all these security guards. There are security cameras everywhere you go, in your class and even outside the bathroom. They treat you like you’re always about to do something. It feels like everyone has it out for you.”

Whether or not school district and law enforcement officials deliberately target particular schools, selective placement can be seen as another facet of the well-documented over-policing of communities of color and low-income communities.<sup>22</sup> In addition, selective placement ensures that the impacts of policing are disproportionately concentrated in communities of color and low income communities.




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***SCHOOL SEEMS LIKE A PRISON.*** *You have police. You have all these security guards. There are security cameras everywhere you go, in your class and even outside the bathroom. They treat you like you’re always about to do something. **IT FEELS LIKE EVERYONE HAS IT OUT FOR YOU.***

***- A King County student***




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It is important to note that the statistics on school-based police officers do not fully capture officer interactions in schools. Even schools that do not have regularly assigned police officers may call the police to respond to routine student misconduct. For example, the ACLU reviewed police logs from a school district in rural eastern Washington that does not have police officers assigned to any school. Our review shows that the district’s high school, which has a population of less than 400 students, called the police approximately 4 times a month and an average of 39 times a year to respond to non-violent student misconduct, including theft, drug possession, and vandalism.

In addition, a number of districts in Washington have armed security guards, some in lieu of assigned school police and some in addition to police.<sup>23</sup> Contracts governing armed security police officers indicate that armed security police officers patrol schools and investigate offenses, but call law enforcement to make arrests or referrals to the prosecutor.

### B. SCHOOL POLICING IS COSTLY

Washington schools spend significant resources on policing. All but 9 of the districts surveyed paid all or some cost of those police officers' salary and benefits.<sup>24</sup> The majority of the districts we surveyed paid 50 percent or more of the total cost of stationing an officer in school. Seventeen school districts paid the entire cost of school police, covering the officer's salary and benefits for the school year. Two school districts even leased the officer's patrol car.



Among the districts that paid any part of an officer's salary, the average school district contribution per officer per year was approximately \$62,000,<sup>25,26</sup> but the total costs to individual districts can be much higher. Throughout the state, school district contributions vary from \$10,000 to over \$120,000 per officer per year. At least 7 school districts pay \$100,000 or more per officer per year.<sup>27</sup> For districts with multiple police officers, this adds up quickly. For example, in the 2014-2015 school year, public records indicate that the Spokane School District paid over \$1 million in salary and benefits for its school police officers.<sup>28</sup> The Kent

School District paid nearly \$500,000 in salary to school police officers in the 2015-2016 school year.<sup>29</sup>

School district spending on police necessarily reduces the amount available for other resources. For example, a district that pays \$100,000 toward the cost of a school police officer could have used that same money to hire 1.8 teachers, 1.8 guidance counselors, 1.8 school psychologists, 1.8 school social workers, 2.4 school nurses, or 5 teacher's aides.<sup>30</sup>

## **Misbehavior as a Crime: PROSECUTING STUDENTS FOR SCHOOL DISCIPLINE INCIDENTS**

Very few districts in Washington provide any substantive guidance on the types of matters in which police officers should be involved. This creates unfettered discretion to use police in schools as a super-disciplinarian,<sup>31</sup> heightening the risk of unnecessary arrest and prosecution of students.<sup>32</sup> Excessive reliance on school-based law enforcement officers can also promote distrust in schools,<sup>33</sup> reducing student respect for in the authority of school administrators and making students feel alienated.<sup>34</sup> In turn, this can promote, not curb, misbehavior.<sup>35</sup> The routine use of police to address student misbehavior can make schools less safe, because policing can alienate students from adults and undermine trusting relationships. Washington law and policy should place clear limitations on when and how school officials call police to respond to student misbehavior.

### **A. CRIMINALIZING MISBEHAVIOR AT SCHOOL**

Research demonstrates that regular law enforcement presence in school tends to lead to higher rates of student arrest, particularly for low-level issues like disorderly conduct or disturbing school, even controlling for other variables like neighborhood violence and demographics. One study showed that after officers were regularly assigned to schools, arrest rates for disorderly conduct dramatically increased.<sup>36</sup> Another study showed that when police were assigned to schools, arrest rates for low-level assault (such as fighting) more than doubled.<sup>37</sup> In New York City, a school-police partnership initiative resulted in a 50 percent increase in the number of students cited or ticketed by police for noncriminal incidents after one year.<sup>38</sup> Lastly, a comprehensive review of a national dataset reveals that even after controlling for general levels of criminal activity in a neighborhood and other demographic variables, a police officer's regular presence at school increases the odds that school officials refer students to law enforcement for all offenses, including minor ones.<sup>39</sup>

In Washington, both school administrators and school police generally have wide latitude to involve police officers in student discipline matters. There is no statewide law or policy standard on school policing, so each program is independently regulated, most typically by contracts or agreements between school districts and law enforcement agencies. In our review of 92 such contracts, we found that 21 Washington school/police contracts explicitly authorize police officers to enforce school

disciplinary plans, or otherwise “assist” school officials in disciplining students.<sup>40</sup> Another 37 make no mention of student discipline at all, leaving full discretion to teachers and police officers. This runs directly contrary to guidance from the United States Department of Education, which encourages jurisdictions to minimize student arrests and citations on campus and “explicitly articulate that [school police] should not administer discipline in schools.”<sup>41</sup>

### **BETTER POLICY: SPOKANE**

Spokane Public Schools Procedure 6514 lays out specific guidelines for when a student will be referred to the criminal justice system. The procedure states that most times, student behavior should be addressed through restorative practices or corrective action. Students will be referred to the criminal justice system only with the approval of a supervisor and generally only for felony charges and limited misdemeanor offenses named in the procedure.<sup>42</sup>

### **BETTER POLICY: ABERDEEN**

The Aberdeen School District and Aberdeen Police Department contract states that “responsibility for the administration of school discipline shall be the duty of the District” except for certain serious and enumerated offenses, including physical attack on another that requires medical attention outside of the school health room, death, rape, robbery, arson, manufacture of an explosive device, theft above \$500, possession of a firearm or deadly weapon, possession of a controlled dangerous substance, gang related crimes, and hate crimes.

A number of school districts in Washington attempt to clarify officer roles by including in contracts a single sentence that the officer “should not act as a disciplinarian” and should instead investigate violations of the law. But, in Washington, **IT IS A CRIME TO DISTURB SCHOOL**. Thus, there is no legal line between school discipline and criminal activity. A simple statement that police officers are not to discipline students is insufficient to prevent criminalization of student misconduct. Appendices B and C to this report provide more comprehensive model policies to limit police involvement in student discipline.

RCW 28A.635.030 states that “any person” who “willfully create[s] a disturbance on school premises during school hours or at school activities . . . shall be guilty of a misdemeanor.” Under our state’s disturbing schools crime, any student misbehavior (from talking back to a teacher, to making an off-color joke, to throwing spitballs) could be treated like a crime.

A 2016 incident in South Carolina illustrates the risk of failing to clearly limit officer involvement in discipline. In a widely shared video, an officer was called into a classroom in Spring Valley High School in Richland after a student refused to put away her cell phone.<sup>43</sup> When the student failed to comply with the officer's directive, he dragged the student and her desk across the room, arrested the student, booked her, and charged her with a crime.<sup>44</sup> Another student who shouted at the officer to stop was also arrested, booked, and charged with a crime. Like many districts in Washington, the South Carolina district had a contract directing that law enforcement "shall not act as a school disciplinarian."<sup>45</sup> That language was rendered virtually meaningless because police officers were also allowed to take action whenever a law is violated. South Carolina, like Washington, makes it a crime to disturb school.

A number of Washington jurisdictions make use of the disturbing schools crime. The ACLU reviewed court data from the past 20 years and found over 800 cases where a juvenile was charged with disturbing school.<sup>46</sup> This indicates it is likely that some Washington students are being charged with crimes for disciplinary matters. Moreover, the charges for "disturbing schools" fail to capture the full extent of referrals to the criminal justice system for disciplinary incidents. Students could be charged with crimes for any number of routine adolescent behaviors. For example, a student who writes "School Sucks" on his desk could be charged with malicious mischief, for writing on another's personal property without permission of the owner. Students who get into a shoving match could be charged with assault. While these behaviors violate school rules, they shouldn't become matters for the criminal justice system.

### IN THE PAST 20 YEARS, THE ACLU FOUND

> **800 CASES**

### WHERE A JUVENILE WAS CHARGED WITH DISTURBING SCHOOL

Policies that give complete discretion to refer a student for criminal prosecution leave students vulnerable to implicit racial bias. Studies show that teachers instructed to identify misbehavior are more likely to watch Black students than White students, even as early as preschool.<sup>47</sup> Black students are disproportionately disciplined for subjective behaviors like disobedience or disrespect.<sup>48</sup> Further, Black boys as young as 10 are also more likely to be perceived as older and more threatening than their peers.<sup>49</sup> This bias contributes to the documented disproportionate rates of arrest of black and brown students.<sup>50</sup>

## DISTURBING SCHOOL CASES

Washington students have been referred to the criminal justice system for behavior that is typical for adolescents and could safely have been handled at school. For example, students have been referred to prosecutors or charged with crimes for:

- **DISCHARGING FART SPRAY:** Caleb, a 15-year-old high school student in Asotin County, was charged with felony assault after he brought a bottle of fart spray to school. He sprayed the product in a hallway and the library at his school. The spray triggered breathing problems in another student. Caleb was charged with felony assault in the second degree and disturbing schools, and was arrested by the officer embedded in his high school. The charges were later reduced to a misdemeanor, and Caleb agreed to write a letter of apology and split the hospital bill of the student who had breathing problems.
- **POURING CHOCOLATE MILK ON ANOTHER STUDENT:** A high school student in Pierce County was referred by school police to the prosecuting attorney on suspected charges of assault in the fourth degree after the student poured chocolate milk on another student in the school lunch room. The prosecutor declined to file charges in juvenile court.
- **THROWING A SINGLE PUNCH IN A SCHOOL PARKING LOT:** Esteban was charged with disturbing school activities after he threw one punch at a fellow student in the parking lot of a school in Walla Walla County. Esteban was apprehended by the police officer embedded in his school, and was arrested despite the fact that he had never been involved with the criminal justice system before. He was convicted of disturbing school and sentenced to three days in juvenile jail, a sentence a court later overturned.

### LAURA'S STORY

Students who aren't formally arrested or prosecuted may still be impacted when police officers use traditional law enforcement tools, like handcuffing or restraining students, to discipline them. For example, in 2015, Laura was called to her son's elementary school in King County because he was having behavior problems. Laura's son has been diagnosed with attention deficit hyperactivity disorder and anxiety. When Laura arrived in her son's classroom, she found her 8 year old son handcuffed and restrained face down on the floor by two police officers. Her son was sobbing and had urinated on himself. He was unable to calm down due to the continued restraint and ended up being hospitalized. After that incident, Laura's son was so traumatized that he refused to return to his school.



## **B. THE NEGATIVE IMPACTS OF CRIMINALIZING STUDENTS**

Arrests have terrible consequences for students. A first-time arrest doubles the odds that a student will drop out of high school, and a first-time court appearance quadruples the odds.<sup>51</sup> One study found that only 26 percent of students who were arrested graduated from high school, as opposed to 64 percent of their peers; arrested students were also half as likely to enroll in a four-year college.<sup>52</sup> Young people who drop out of school in turn have lower income and lifetime earnings than their peers.<sup>53</sup> Juvenile arrest also increases students' chances of future imprisonment: young people with an arrest record are subject to greater surveillance and harsher discipline from police and other adults that significantly increases their chances of arrest.<sup>54</sup>

Arrest can have particularly negative consequences for students who are non-citizens. Schools have a legal obligation to educate all students, regardless of immigration status.<sup>55</sup> If a student is arrested by campus police, his or her fingerprints may be submitted to the FBI and then to Immigration and Customs Enforcement.<sup>56</sup> Under executive orders and implementing memoranda promulgated in January 2017, non-citizens who have been accused (but not convicted) of a crime are considered a priority for deportation.<sup>57</sup> Thus, non-citizen students who are arrested by school police—whether or not they entered the United States with legal status and whether or not they are charged with or convicted of a crime—could face the harsh sanction of deportation or inability to naturalize as United States citizens.

In addition, there is evidence that all students suffer in highly punitive or policed schools. Students in schools with “zero tolerance” or other harsh discipline policies report feeling less connected, less trusting, and less engaged in their schools.<sup>58</sup> While some police officers do work to build connections between students and police, those efforts are too often driven by an individual officer's personality rather than the structure or expectation of school police programs.

Washington's school districts must draw a clear line between adolescent misconduct and criminal behavior. In particular, school districts should adopt policies that direct teachers and administrators to call law enforcement only for incidents that pose a risk of or involve serious physical harm. All other incidents should be handled by school administrators. The policies should also direct police officers to de-escalate situations whenever possible, and be reflected in agreements between law enforcement and schools.

Policies that limit the role of school police in discipline can lead to a significant drop in arrest and referrals of students. One district that implemented clear policies saw referrals drop by more than 50 percent, with no change in reported instances of student victimization.<sup>59</sup> Another district reported an 88 percent drop in student arrests after implementing policies limiting police involvement in minor disciplinary incidents.<sup>60</sup>

## JACOB'S STORY

Jacob was 12 years old when he had a negative interaction with a school police officer that led to felony charges. Jacob is a student in Snohomish County who has disabilities, including mental health issues. One day, he had a breakdown in class that led to him knocking over chairs in his classroom while yelling and being verbally aggressive to his teachers. The teachers called the school police officer and Jacob's mother, who rushed to the school to help deescalate the situation. The officer and teachers pinned Jacob to the ground outside his school's de-escalation room. During the struggle, Jacob spit on the officer and teachers. When his mother arrived, Jacob was able to calm down and go home with her. The school did not suspend or expel Jacob, concluding that his behavior was related to his disability. Nevertheless, the school police officer filed a police report. Jacob was later charged with felony assault for spitting on the officer and misdemeanor assault for spitting on his teachers. As Jacob's mother explained, "I worry about sending Jacob to school now. What if every time he has a meltdown, the school treats him like he's a criminal or a bad person? The school police officer doesn't treat him like he has a mental illness. Filing charges tells my son that he's a criminal, and that he's a bad person, when he has a disease. I don't want school to be the thing that sends him to jail."

### **C. SEARCH AND INTERROGATION: BLURRING THE LINES BETWEEN EDUCATORS AND LAW ENFORCEMENT**

Routine law enforcement presence in schools can also undercut students' constitutional and statutory rights to privacy and to avoid self-incrimination.

#### ***1. Searching Students***

Both the United States Constitution and the Washington Constitution guarantee the right to be free from unreasonable search and seizure. Students in public schools have a legitimate expectation of privacy in the personal belongings they bring to school, such as backpacks.

Educators who are tasked with providing a safe learning environment may search student belongings brought to school if the educator has a reasonable and individualized suspicion that the search will turn up evidence of a violation of schools rules.<sup>61</sup> Generalized, "dragnet" style searches are not permissible.<sup>62</sup> School police, on the other hand, cannot search student belongings without a warrant or a legally recognized exception to the warrant requirement.<sup>63</sup> In both instances, the searches may be unconstitutional if they are too intrusive.<sup>64</sup>

The distinction between educators and police is blurred when police officers are routinely in schools. For example, 4 school/police contracts state that police officers "shall" accompany educators who are conducting searches of students; either in all cases or in particular cases. Under such

circumstances, educators may be implicitly directed or encouraged to conduct searches for police officers, thus circumventing the requirement that police officers obtain a warrant before searching students. In addition, when a student is searched by both school officials and police officers, it may shift the student's perception of his or her relationship to school, increasing distrust.<sup>65</sup> In fact, the vast majority of the school/policing contracts and school policies we reviewed failed to clarify the role of educators and police in searching students.

School and police contracts should clarify that police officers will only search students if the officer has a warrant, or when the officer is acting under a recognized exception to the warrant requirement. Police officers should not generally accompany school officials conducting searches for school purposes; in cases where there is a real and immediate threat of serious physical harm connected with the search, the officer may accompany a school official under the emergency exception to the warrant requirement. School policy should clearly reflect the difference between searches conducted by school officials for educational purposes, and searches by law enforcement officials. Appendix E to this report provides model policy language that schools can use to govern officer questioning, search, and arrest of students.

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### **BETTER POLICY**

The agreement between the Prosser School District and the Prosser Police Department acknowledges that police officers “cannot conduct a search at the school without obtaining a search warrant, absent the existence of a legally acknowledged exception.”

## ***2. Student Interrogation***

Students have the right to remain silent when questioned by police. If a student is suspected of a crime and reasonably believes he or she is not free to end the conversation with police, a police officer cannot question the student until the officer has provided the student with developmentally appropriate warning of his or her right to remain silent.<sup>66</sup> These laws protect young people, who are particularly vulnerable to suggestive police questioning, from the serious consequences that can flow from saying the wrong thing in an interview with an officer.<sup>67</sup> Young people may be particularly vulnerable to police officers who are routinely present on campus and occasionally function as a teacher or advisor.

Some school police contracts deliberately blur the line between law enforcement and educators in questioning students. Oak Harbor School District, for instance, has entered into a contract with the Oak Harbor Police Department directing that “when appropriate and feasible,” the school and police will conduct joint interviews of students in matters that may involve both school discipline and potential criminal charges.<sup>68</sup> The policy does not require police officers to inform students of their constitutional right to remain silent. This could create confusion for

students about whether they are required to answer questions (and thus potentially mitigate or avoid school disciplinary action) or whether they can or should exercise their right to remain silent.

School/police contracts should clearly delineate that police officers are required to provide warnings of the right to remain silent whenever a student is being interviewed in connection with behavior that could be a crime. In addition, every district should adopt policies that prohibit police questioning of students younger than 12 years of age without a parent or guardian present. For older students, parents must be notified of any potential law enforcement interview of students over 12 and be given a reasonable opportunity to be present before the interview begins. Appendix E to this report provides model policy language that schools can use to govern officer questioning, search, and arrest of students.

### **BETTER POLICY**

Seattle Public Schools policy 4310SP states that “as a general rule, interviewing students should take place at the agency or the student’s home.” It creates different standards for students who are victims, witnesses or suspects to a crime and in many cases requires a school official to be present during law enforcement interviews. It goes on to state that “student suspects under twelve may only be interviewed with parent/guardian consent” and requires principals to “make a reasonable effort to notify the parent/guardian of the interview” for students over the age of twelve.

## **A Learning Alternative: STUDENT SUPPORTS AND SCHOOL CLIMATE**

Washington’s schools should better invest financial resources in solutions that address the underlying reasons behind student misbehavior or negative school climate. Police may play a role in protecting students in crisis situations or from threats of violence outside school.<sup>69</sup> However, schools do not need police to manage internal disorder, improve negative school climate, or respond to student misbehavior.

Adolescent misconduct is simply not the same as criminal behavior. Adolescents can engage in risky or defiant behavior simply due to the lack of mature development of the parts of the brain that facilitate self-regulation.<sup>70</sup> Teachers may be more likely to attribute misbehavior to students of color, due to implicit bias.<sup>71</sup> Students who have been exposed to trauma may interact differently with their school environments in ways that can be interpreted as misbehavior.<sup>72</sup> And students with disabilities may require additional behavioral supports to reinforce positive behaviors.<sup>73</sup> Regardless of the underlying reasons, schools can implement successful systems to improve school climate, school safety, and academic achievement for all students.<sup>74</sup>

Among valuable personnel are counselors, school psychologists, nurses, teacher’s aides, behavioral interventionists, and school social workers

trained to identify the causes of negative school climate or student misbehavior and provide resources that support students and keep them in schools. Yet there are too few school social workers, counselors, and other student support professionals in the state. For example, in Washington, each counselor is responsible, on average, for 520 students, far outstripping the nationally recommended ratio of 250 students per counselor.<sup>75</sup> The state funds a fraction of these positions.<sup>76</sup>

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*I think the best thing we can do is **MAKE SURE TEACHERS ARE ABLE TO WORK WITH OUR STUDENTS** in a trauma informed way. We do our best at home to help our children and want the same at school.*

*Safety is having people you can talk to, people that are, you know, available. **WE NEED OUR SCHOOLS AND THEIR ADMINISTRATORS TO DO MORE** and not put it all on the police.*

*- A parent in Yakima County*



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School-wide positive climate systems can also play a significant role in reducing incidents of student misbehavior and promoting engagement with school. Teachers and students report feeling safer in schools that have consistent and positive cultures and that provide targeted behavioral interventions for struggling students.<sup>77</sup> Some of the approaches being successfully implemented in schools in Washington and across the country include:

- **RESTORATIVE JUSTICE OR RESTORATIVE PRACTICES:** Restorative practices is an approach that emphasizes relationships, bringing together all affected by an action to address the needs and responsibilities of all involved, repair harm, and rebuild community.<sup>78</sup> Schools that implement restorative practices create more positive relationships between students and teachers and a better school environment overall. This typically leads to higher academic success, better attendance, and lower drop-out rates.<sup>79</sup>
- **SCHOOL-WIDE POSITIVE BEHAVIOR INTERVENTIONS OR SUPPORTS (PBIS):** Schools that implement PBIS explicitly teach shared behavior expectations and positively recognize students who meet those expectations. PBIS also uses data-based decision making and analysis, and increasing levels of support for students with higher-level behavioral, emotional, and mental health needs. Research has shown that the implementation of school wide PBIS results in better student behavior and thus fewer disciplinary incidents and suspensions.<sup>80</sup> This in turn leads to a better school climate and higher academic achievement and attendance rates.<sup>81</sup>
- **SOCIAL EMOTIONAL LEARNING:** Social Emotional Learning (SEL) specifically teaches students emotional and social skills in an academic setting. SEL programs teach social and self-awareness, decision-

making, self-management, and cooperation and communication in relationships. Research has shown that SEL leads to a reduction in problem behaviors like physical aggression and disruption. These in turn lead to an increase in academic achievement and graduation rates as well as a general more positive attitude towards school.<sup>82</sup>

- **TRAUMA-SENSITIVE SCHOOLS:** Trauma-informed or trauma-sensitive schools seek to respond to students who have been exposed to trauma in a way that does not exacerbate behavioral issues. Instead trauma-sensitive schools offer resources such as classes on coping with stress, support groups, and more intensive services to address behavioral health needs. Research shows that trauma-sensitive schools reduce violent incidents and discipline referrals from classrooms.<sup>83</sup> Case studies of trauma-sensitive schools demonstrate that a trauma-informed approach can result in massive decreases in suspension and expulsion rates. Other case studies have seen related rises in academic achievement and testing scores.<sup>84</sup>

Each of these models demonstrate that schools can improve school climate and lessen student misbehavior. Washington's schools should invest in long-term preventative solutions, like counselors and evidence-based behavior systems, not police.

## Training, Accountability, & Transparency of School Police

Whenever there are routine contacts between schools and law enforcement, the agencies should establish clear roles and protocols to govern their interactions. School districts and law enforcement agencies should adopt a comprehensive memorandum of understanding (MOU) that (1) establishes the reason for police presence in schools; (2) requires training necessary to mitigate the risk of officer presence in schools; (3) increases accountability and public reporting; and (4) clearly defines the types of behaviors or incidents where police officers should be called to respond. At least four school districts in Washington have police assigned to schools and no formal MOU or contract governing their relationship.

However, training and transparency alone do not eliminate concerns about daily school policing. Improving training and accountability for school policing can reduce the risks of violating students' constitutional rights, but it is not a substitute for a robust community discussion about whether and how police officers should be present in schools.

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*At least three school districts in Washington **HAVE POLICE ASSIGNED TO SCHOOLS AND NO FORMAL MOU OR CONTRACT GOVERNING THEIR RELATIONSHIP.***

”

### 1. Training

Children are developmentally different from adults, and those differences have serious consequences when they interact with police officers. Generally, adolescents perceive, process, and respond to information differently than adults. Adolescents are more likely to respond defiantly to adult assertions of authority, particularly when peers are present.<sup>85</sup> In addition, significant numbers of adolescents have been exposed to trauma, which may complicate their interactions with police.<sup>86</sup> Mental health issues and disability can also influence young people's interactions with teachers and police officers.<sup>87</sup> In any given adolescent population, and particularly in schools, police officers should expect to interact with youth whose responses to police presence will be influenced by typical adolescent development and by factors such as trauma, mental health issues, and disability.

## OF THE 92 SCHOOL & POLICE CONTRACTS REVIEWED:

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25



required school police to have any specialized training.

9



required police officers to participate in trainings “on request.”

6



additional districts offered to pay for training, but did not specify when or how training would be provided.

5



recognized any role for the school district in training police officers regularly present in those schools.

52



school & police contracts make no mention of specialized training.

Consequently, proponents of school policing programs agree that police officers should be thoroughly trained in how to work with youth.<sup>88</sup> In fact, 11 states require some form of school police training by statute.<sup>89</sup> The U.S. Department of Justice and Department of Education have recommended that police officers working in schools receive extensive training in bias-free policing, implicit bias and cultural competence, child and adolescent development, disability and special education issues, school climate improvement, restorative justice techniques, and privacy.<sup>90</sup>

Washington law does not require any specialized training for school police. As a preliminary matter, Washington's Criminal Justice Training Academy offers 8 hours of training in juvenile justice, and offers no specialized training for school police officers.<sup>91</sup> Thus, any training of school police officers would fall to local police departments and school districts. Our investigation reveals that few school/police contracts require any specialized training of police officers.

Of the 92 school/police contracts that the ACLU reviewed, only 25 required school police to have any specialized training.<sup>92</sup> Another 9 required police officers to participate in trainings “on request” or “as required” by either law enforcement or school officials;<sup>93</sup> 6 additional districts offered to pay for training, but did not specify when or how training would be provided.<sup>94</sup> Moreover, only 5 school/police contracts recognize any role for the school district in training police officers regularly present in those schools. The other 52 school and police contracts make no mention of specialized training.

Even among districts that do require training, only 7 specifically required training in the needs of students with disabilities or students with mental health needs. None of the contracts that we reviewed required any training in implicit bias or best practices in student discipline.

Schools are specialized environments, and specialized training can help protect students’ constitutional rights.<sup>95</sup> Students have the right to be free from excessive force at school, and Washington law specifically prohibits the use of restraints (such as handcuffs and Tasers) against students unless necessary to control behavior that poses an imminent likelihood of serious harm.<sup>96</sup> Police officers who lack sufficient training may resort to traditional law enforcement tactics in schools, in violation of state law.

School districts may also be liable for police officers’ constitutional or statutory violations.<sup>97</sup> And, law enforcement officers without specialized training in working with youth may find themselves in escalating situations, relying on traditional law enforcement techniques to subdue students. A recent case in Kentucky illustrates the risk; there, an officer with no training in use of force or working with students with disabilities handcuffed an 8-year-old student with disabilities around his elbows.<sup>98</sup> Any school district that has campus police or that regularly calls officers to respond to schools should ensure that any school/police contract requires specialized training and sets strict standards for officer use of force. Appendix D to this report provides model policy language on use of force.

### **BEN'S STORY**

Ben, a high school student with autism, was shot in the back with a Taser by a police officer as he was leaving his school building. Ben had spent a portion of his morning walking a hallway in his Pierce County school in an attempt to regulate his behavior. As he was walking the halls, he bumped into another student, resulting in a pushing match that resolved without further incident. Still, school officials called the officer, and directed Ben to leave the hallway and walk on the school track outdoors. As Ben was exiting the school building and heading towards the track, the officer Tased him as he was walking away. Ben fell immediately, flat on his face, into the pavement, and received injuries that required medical attention.



## 2. Data Collection

Washington school districts do not appear to routinely collect or analyze data on police interactions with students, including the rates and causes of calls to law enforcement or student arrest on campus. Washington law requires schools to report uses of physical restraint of students (including by police officers)<sup>99</sup> but does not require reporting of other officer interactions with students. In addition, a significant number of schools failed to report any data on restraints under state law.<sup>100</sup> Federal law requires schools to biannually report school-based arrests and referrals to law enforcement, but that self-reported data may be inaccurate or incomplete.<sup>101</sup> Accordingly, we cannot confidently use existing data sources to identify the numbers of students arrested in Washington.

School/police contracts similarly fail to require comprehensive data collection. Only 18 of the 92 school/police contracts we reviewed require police officers to track or log their activities, most typically through a periodic “activities log” of interactions with students.<sup>102</sup> Another 4 require school police officers to produce logs of activities “on request.”<sup>103</sup> Even in these districts, the school/police contracts do not explicitly require data to be disaggregated by race, gender, or disability; the contracts also fail to indicate whether any data is systematically analyzed to better understand how police are interacting with students in school. The other 70 school/police contracts did not require any data collection or logs of officer activities. No school/police contract that we reviewed required publication of any data on police interactions in schools.

### IN THE 2011-2012 SCHOOL YEAR

**993 OF THE 3860**

### **SCHOOL-BASED ARRESTS & REFERRALS TO LAW ENFORCEMENT WERE STUDENTS WITH DISABILITIES**

The failure to collect data may subject districts and law enforcement agencies to legal liability. Nationwide, there is significant evidence that school police programs disproportionately impact students of color and students with disabilities. In 2011-2012, the Department of Education found that over 70 percent of students involved in school-related arrests or referred to law enforcement are Hispanic or African-American, despite making up significantly less of the student population.<sup>104</sup> In addition, data from the same year indicated that students with disabilities represent a quarter of students arrested and referred to law enforcement, even though they are only 12 percent of the overall student population.<sup>105</sup>

Washington shows similar disparities. In the 2011-2012 school year, Washington schools reported arrest and referrals to law enforcement of 3860 students to law enforcement; 993 or nearly 26 percent of those students had disabilities.<sup>106</sup> Latinx students were also highly over-represented in the population of students referred to law enforcement,

forming 28 percent of those students referred to law enforcement but only 13 percent of Washington’s student population.<sup>107</sup>

In light of these disparities, Washington’s school districts have a responsibility to collect and analyze data on the impact of law enforcement interactions with students. Both state and federal law prohibit discrimination on the basis of race and disability.<sup>108</sup> This includes programs that have an unintended effect of discriminating on the basis of race.<sup>109</sup> School districts have an obligation to keep the necessary information to determine that they are not discriminating against students in the administration of disciplinary policies, including referrals to law enforcement.<sup>110</sup> In addition, robust data collection can help schools to evaluate the best ways to school resources, and reveal whether police officers are focused on serious offenses or engaged in student discipline.<sup>111</sup> Appendix F to this report provides model policies on data reporting and accountability.

### ***3. Accountability***

Typically, Washington’s school police officers are solely accountable to their home law enforcement agencies. Of the 92 school/police contracts we reviewed, only 30 gave school districts any input in the officer hiring or assignment process. Nineteen districts recognized that building level administrators have either functional supervision of an officer in their buildings, or would work with the officer or his or her supervisors to set a daily agenda. In all other jurisdictions, though, law enforcement maintains sole supervision or fails to address how the officer will interact with the school. The lack of clear authority for school administrators could lead to confusion about whether police officers are in any way accountable to administrators, or where parents and students should turn with complaints.

#### **BETTER POLICY**

**TUKWILA.** Tukwila Police Department requires police officers who are assigned to Tukwila Public Schools to have a meeting with the building principal “at least once a month to provide communication, services, and support” and then to transmit information from that meeting to the Chief of Police and others in the law enforcement chain of command.

**STEILACOOM.** The contract between the Steilacoom Police Department and the Steilacoom Public Schools gives the district “advance approval of all staff assigned to serve as [a school police officer] in District facilities.” The city also agrees to “replace any selected [school police officer] upon request of the District that is based on any reason permissible by law applicable to the District.”

School districts should actively and explicitly engage students, parents, community leaders and service providers in holding police in schools accountable. Each school district should form an independent

community board to provide review and input into any decision to regularly place law enforcement in schools. The board should have timely access to data on arrests and referrals to law enforcement from schools. In addition, schools should ensure that law enforcement personnel who operate within and around schools are subject to clear civilian complaint processes, and that students and parents are notified of investigations, outcomes, and the right to appeal.

We were unable to identify a single school district in Washington that has established a community board to regularly review school policing policies and practices. Moreover, only one school district — Spokane Public Schools — recently established a clear school-based complaint system for parents and students to use in response to police conduct in schools.<sup>112</sup> School districts in other parts of the country have created similar complaint processes. For example, in 2012, the Oakland (CA) Unified School District and Oakland Police Department created a transparent process for complaints about school policing, including clear timelines, investigation protocols, and public reporting.<sup>113</sup> Complaint mechanisms and community accountability can ensure that Washington's school police programs do not undermine educational goals. Appendix F to this report provides model policies on data and accountability.

## Call for Reform

Placing police officers in Washington schools on a daily basis, particularly with a lack of oversight and regulation, increases the risk of transforming classroom behavior into criminal behavior. Washington schools should invest in evidence-based solutions that support students and keep them in the classroom. This can be accomplished by:

### **RECOMMENDATION # 1: Invest Education Dollars in Student Support Services, Not Police:**

Washington schools should invest in counselors, mental health professionals, school social workers and other professionals trained in working with adolescents, including those facing trauma or mental health issues. Teachers and school administrators should be trained in positive and preventative systems to improve school climate and support students in meeting behavior expectations.

### **RECOMMENDATION # 2: Involve Students, Parents and Community Members in Decision-Making Around School Policing:**

School districts should actively engage parents, teachers, school administrators, community members, and other stakeholders in the decision to place police in schools. Any placement of police in schools should be reviewed to ensure it does not exacerbate racial or income inequality. School/police relationships should be regularly reviewed by a community accountability board to determine whether the school/police relationship continues to meet school and community needs.

The Washington legislature and school districts should also take steps to ensure that existing school police programs do not result in criminalizing students. This can be accomplished by:

**RECOMMENDATION # 3: Amend Washington’s**

**Disturbing Schools Statute:** The legislature should amend the state’s “disturbing schools” statute to prevent students from being arrested and prosecuted for classroom misbehavior. If the law remains on the books, it should be limited to disruption by outsiders, not students.

**RECOMMENDATION # 4: Prohibit Police Involvement**

**in Student Discipline:** School districts and law enforcement agencies should develop clear contracts and policies to govern their relationship. Those policies should:

- Prohibit teachers and administrators from calling police unless a student’s behavior poses real and immediate risk of serious physical harm.
- Establish a list of school rule violations that will not warrant police involvement, including:
  - All discretionary discipline offenses listed in RCW 28A.600.015, including disturbing schools, disorderly conduct, dress code violations, and cell phone use.
  - Misdemeanor offenses, including: possession of alcohol, possession of contraband not intended or used as a weapon; graffiti; being under the influence, assault in the 4th degree, malicious mischief, theft under \$750, vandalism or destruction of property.

**RECOMMENDATION #5: Ensure Transparency and**

**Accountability of School Police:** School districts should track and publish data on police activities on campus, and establish school-based complaint systems for students and families. School/ police contracts should require school district input into officer hiring, regular communication with building administrators, and clear lines of authority over police officers in schools.

**RECOMMENDATION #6: Require Training of Police Who**

**Are Based in or Respond to Schools:** Washington law should require that all police who respond to schools be trained in:

- Adolescent brain development
- Disability
- Trauma
- Mental health issues in adolescence
- Implicit bias and cultural awareness
- De-escalation

- Crisis intervention
- Student privacy rights
- Best practices in student discipline, including preventative and restorative practices.

This training should be provided to both police officers who are routinely present in school and police officers who are regularly called to respond to schools. School districts should take an active role in training both police officers who are regularly in schools and teachers and school administrators who work with police officers.

## Conclusion

School policing is not a new phenomenon, but it is one that, in Washington, has garnered scant policy attention. Given the substantial risk of criminalizing students, Washington's parents, students, teachers, school administrators, law enforcement, and lawmakers should push for change in school policing policy at the state and local level.

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## Credits & Acknowledgements

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## Endnotes

- <sup>1</sup>This report will primarily use the terms “school police” or “school policing” to refer to law enforcement officers who are stationed in schools as their primary assignment. This includes officers who are assigned to a single school and officers who are assigned to patrol multiple schools within a district.
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- <sup>3</sup>Portner, J (1994). Cops on Campus. *Education Week*, 13: 26-30. Retrieved from <http://www.edweek.org/ew/articles/1994/06/22/39police.h13.html>
- <sup>4</sup>United States Department of Education, Office for Civil Rights. (2016). 2013-2014 Civil Rights Data Collection: A First Look, pp.4. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>
- <sup>5</sup>“Latinx” is a gender inclusive way to refer to people of Latin American descent (in other words, a gender neutral alternative to “Latino” or “Latina”). See Ramirez, T. and Blay, Z. (2016, July 5). Why People Are Using the Term ‘Latinx.’ *Huffington Post*. Retrieved from [http://www.huffingtonpost.com/entry/why-people-are-using-the-term-latinx\\_us\\_57753328e4b0cc0fa136a159](http://www.huffingtonpost.com/entry/why-people-are-using-the-term-latinx_us_57753328e4b0cc0fa136a159)
- <sup>6</sup>United States Department of Education, supra n. 4, pp.4.
- <sup>7</sup>United States Department of Education, Office for Civil Rights. (2016). 2013-2014 Civil Rights Data Collection. Available from <http://ocrdata.ed.gov/flex/Reports.aspx?type=school>. A spreadsheet tracking the reported arrests and referrals to law enforcement for each of the 100 largest school districts in Washington is on file with the author.
- <sup>8</sup>James and McCallion, supra n. 2
- <sup>9</sup>Thurau, L. and Wald, J. (2009). Controlling Partners: When Law Enforcement Meets Discipline in Public Schools. *New York Law School Law Review*, 54: 977-1020, 978. Retrieved from <http://www.nylslawreview.com/wp-content/uploads/sites/16/2013/11/54-4.Thurau-Wald.pdf>
- <sup>10</sup>United States Department of Justice, Community Oriented Policing Services (2016). Cops in Schools. Retrieved from <http://www.cops.usdoj.gov/default.asp?Item=54>
- <sup>11</sup>Other districts have funded school police programs through grants from the Safe and Drug-Free Schools and Communities Act, which allows “the hiring and mandatory training, based on scientific research, of school security personnel.” 20 USC 7115(b)(2). One school district in Washington funded its SRO through a grant from the US Department of Education Rural and Low Income School Program. The grant award on file with author.
- <sup>12</sup>Travis, L. and Coon, J. (2005). The Role of Law Enforcement in Public School Safety: A National Survey, pp. 85. *National Institute of Justice*, Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/211676.pdf>
- <sup>13</sup>Thurau and Wald, supra n. 9.
- <sup>14</sup>James and McCallion, supra n. 2.
- <sup>15</sup>French-Marcelin, M. and Hinger, S (2017). Bullies in Blue: The Origins and Consequences of School Policing, 3-7. *American Civil Liberties Union*. Retrieved from [https://www.aclu.org/sites/default/files/field\\_document/aclu\\_bullies\\_in\\_blue\\_4\\_11\\_17\\_final.pdf](https://www.aclu.org/sites/default/files/field_document/aclu_bullies_in_blue_4_11_17_final.pdf); Morgan, E., Salomon, N., Plotkin, M., & Cohen, R. (2014). The School Discipline Consensus Report, pp. 190. *Council for State Governments Justice Center*. Retrieved from [https://csjjusticecenter.org/wp-content/uploads/2014/06/The\\_School\\_Discipline\\_Consensus\\_Report.pdf](https://csjjusticecenter.org/wp-content/uploads/2014/06/The_School_Discipline_Consensus_Report.pdf); Hirschfield, P. (2008); Preparing for Prison: The Criminalization of School Discipline in the USA, *Theoretical Criminology*, 12(1), 79-101, 82-83.
- <sup>16</sup>Zhang, A., Musu-Gillette, L., and Oudekerk, B. (2016). Indicators of School Crime and Safety: 2015. *National Center for Education Statistics*. Retrieved from <http://nces.ed.gov/pubs2016/2016079.pdf>
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- <sup>19</sup>These include the following districts: Arlington; Asotin-Anatone; Auburn; Centralia; Cheney; Clarkston; Ellensburg; Evergreen (Clark);Ferndale; Franklin Pierce; Freeman; Grandview; Kent; Liberty; Mukilteo; Othello; Orting; Riverside; Selah; Sequim; South Kitsap; Spokane; Sunnyside; Yakima; Wapato; West Valley.
- <sup>20</sup>United States Department of Education, supra n. 4, pp.4. According to this report, nationwide, black students represent 16% of overall enrollment, but 27% of students referred to law enforcement and 31% of students subject to school arrest. In comparison, white students represent 51% of enrollment, 41% of students referred to law enforcement, and 39% arrested. See also Price P. (2009), When is a Police Officer an Officer of the Law? The Status of Police Officers in Schools. *Journal of Criminal Law and Criminology*, 99(2): 548. Retrieved from <http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7325&context=jclc>
- <sup>21</sup>We excluded districts where officers were assigned to patrol all schools, or where officers were assigned to the larger schools in the district but not the smaller schools.
- <sup>22</sup>See, e.g., Fagan, J., Davies, G. and Carlis, A. (2012), Race and Selective Enforcement in Public Housing. *Journal of Empirical Legal Studies*, 9: 697–728; Geller, A. and Fagan, J. (2010), Pot as Pretext: Marijuana, Race, and the New Disorder in New York City Street Policing. *Journal of Empirical Legal Studies*, 7: 591–633; Epp, C. and Maynard-Moody, S. (2014, January/February), Driving While Black, *Washington Monthly*. Retrieved from <http://washingtonmonthly.com/magazine/janfeb-2014/driving-while-black/>; see also Brady, K., Balmer, S. and Phenix, D. (2007). School-Police Partnership Effectiveness in Urban Schools: An Analysis of New York City’s Impact Schools Initiative. *Education and Urban Society*, 39(4), 455-478, 468 (noting that schools targeted for increased security personnel in New York City “stood out as racially isolated” with high proportions of African American students and minuscule proportions of White and Asian students).
- <sup>23</sup>See, e.g. Phoenix Protection Solutions Inc. & West Valley Yakima School District, Security Services Agreement (2015); Phoenix Protection Solutions Inc. & Toppenish School District, Professional Services Agreement (2015). Both agreements on file with the author.
- <sup>24</sup>The 9 districts that did not pay for school police officer salaries are: Finley School District; Kiona-Benton City Schools; Oak Harbor School District; Port Townsend School District; Prosser School District; Pullman School District; Seattle Public Schools; Tukwila School District; and Tumwater School District.
- <sup>25</sup>We calculated school district contributions by reviewing a variety of sources. In some instances, school/police contracts specify the exact amount of the school district’s contribution. In other instances, the contracts specified a proportion that the district would pay for officers; we then multiplied that proportion by the average officer salary in the police department, based on city or county records. Finally, we submitted requests for public records to those districts where public records did not reveal school district payments for SROs. In cases where school districts paid multiple officers different amounts, we report an average number per officer.
- <sup>26</sup>This is slightly above the national average salary for a police officer. According to the Bureau of Labor Statistics, the median salary nationwide for a police or sheriff’s patrol officer was \$58,320. See Bureau of Labor Statistics (2015). Occupational Employment and Wages: Police and Sheriff’s Patrol Officers. Retrieved from <http://www.bls.gov/oes/current/oes333051.htm>
- <sup>27</sup>See Appendix A. These include Cheney School District (\$127,299); Everett School District (\$111,282); Evergreen(Clark) School District (\$105,891); Franklin Pierce School District (\$101,800); Peninsula School District (\$101,800); Steilacoom Historical School District (\$101,000); Sunnyside School District (\$125,000);
- <sup>28</sup>The ACLU obtained public records from Spokane Public Schools that listed the names of each officer. We then obtained data on each of their salaries from an online tool published by the Spokesman Review newspaper, at <http://data.spokesman.com/salaries/schools/2015/>. A spreadsheet listing the information is on file with the author.
- <sup>29</sup>Kent School District No. 415. (2015). 2015-2016 Adopted Budget, pp. 101. Retrieved from <http://www.kent.k12.wa.us/cms/lib/WA01001454/Centricity/Domain/8/Monthly%20Financials/F-195%20and%20F-196/ASBO%20BUDGET%20DOCUMENT%20FY16.pdf>
- <sup>30</sup>Tigas, M. and Lawrence-Turner, J. (2015). Washington State School Salaries: 2015, Average Salary by Job Title. *Spokesman Review*. Retrieved from <http://data.spokesman.com/salaries/schools/2015/>

- <sup>31</sup>Wolf, K. (2013). Arrest Decision Making by School Resource Officers. *Youth Violence and Juvenile Justice*, 00(0): 1-15.
- <sup>32</sup>Theriot, M. (2009). School Resource Officers and the Criminalization of Student Behavior. *Journal of Criminal Justice*, 37: 280–87, 280. Retrieved from <http://youthjusticenc.org/download/education-justice/school-policing-security/School%20Resource%20Off%EF%AC%81cers%20and%20the%20Criminalization%20of%20Student%20Behavior.pdf>
- <sup>33</sup>Advancement Project, et. al., (2013). Police in Schools are Not the Answer to the Newtown Shooting, pp 7. Retrieved from [http://b.3cdn.net/advancement/df16da132af1903e5b\\_zlm6bkclv.pdf](http://b.3cdn.net/advancement/df16da132af1903e5b_zlm6bkclv.pdf)
- <sup>34</sup>*Id.* at 13.
- <sup>35</sup>Highly restrictive efforts to control students by involving police in school disciplinary matters cause higher levels of school disorder by diminishing students' belief in the legitimacy of school staff authority, creating an adversarial relationship between school officials and students. See, e.g., Theriot, M. (2016). The Impact of School Resource Officer Interaction on Students' Feelings About School and School Police. *Crime and Delinquency*, 62(4): 446-469 (study indicating that students with high levels of contact with school police have lower levels of school connectedness); Nolan, K. (2011). Police in the Hallways: Discipline in an Urban High School, pp. 53-72, 163-161; Gottfredson, G., et. al., (2005). School Climate Predictors of School Disorder: Results from a National Study of Delinquency Prevention in Schools, *Journal of Research in Crime and Delinquency* 42: 412, 433 (finding students rate their schools higher on scales of student delinquency and victimization when they report unfair implementation of arbitrary rules); Berger, R. (2003). The Worst of Both Worlds: School Security and the Disappearing Fourth Amendment Rights of Students, *Criminal Justice Review* 28: 336, 340; Mayer, M. and Leone, P. (1999). A Structural Analysis of School Violence and Disruption: Implications for Creating Safer Schools. *Education and Treatment of Children*, 22: 333, 349, 352 (study "suggests that more efforts to secure schools through physical means or personnel interventions, the more disorder may be present.")
- <sup>36</sup>Theriot, supra n. 32, pp. 280–87.
- <sup>37</sup>Na, C. and Gottfredson, D. (2011). Police Officers in Schools: Effects on School Crime and the Processing of Offending Behaviors. *Justice Quarterly*, pp 1-32.. Retrieved from <https://ccjs.umd.edu/sites/ccjs.umd.edu/files/pubs/Police%20Officers%20in%20Schools-Effects%20on%20School%20Crime%20and%20the%20Processing%20of%20Offending%20Behaviors.pdf>.
- <sup>38</sup>Brady, et. al, supra n. 22, pp. 473.
- <sup>39</sup>Nance, J. (2016), Students, Police and the School to Prison Pipeline. *Washington University Law Review*, 93: 919. Retrieved from [http://openscholarship.wustl.edu/law\\_lawreview/vol93/iss4/6/](http://openscholarship.wustl.edu/law_lawreview/vol93/iss4/6/)
- <sup>40</sup>These include: Northshore School District (School resource officer "may assist with discipline problems"); Tumwater School District (same); Yelm School District (same); Bethel School District (School officer will engage in "behavior modification of problem students"); Yakima School District (directing the school resource officer to complete incident reports on violations of school rules); Central Valley School District (School resource officer will "enforce school disciplinary plans."); Mead School District (same); East Valley School District (same); West Valley School District (same); Oak Harbor School District (calling for joint investigations of incidents that may be both violations of school rules and violations of the law); Bellevue (Officer will not act as disciplinarian but may assist with student discipline); Orting (SRO will "assist school district personnel in the identification of and behavior modification of behaviors not conducive to a positive school environment). All agreements on file with the author.
- <sup>41</sup>United States Department of Education, Office for Civil Rights. (2016). Dear Colleague Letter on Police in Schools. Retrieved from <http://www2.ed.gov/documents/press-releases/secretary-sro-letter.pdf>
- <sup>42</sup>Spokane Public Schools, Procedure 6514, District and Campus Safety (March 22, 2017), at <https://weba.spokaneschools.org/polpro/View.aspx?id=767>.
- <sup>43</sup>Keierleber, M. (2015, November 5). Why So Few School Cops Are Trained to Work With Kids. *The Atlantic*. Retrieved from <http://www.theatlantic.com/education/archive/2015/11/why-do-most-school-cops-have-no-student-training-requirements/414286/>
- <sup>44</sup>Blad, E. (2016, August 11). ACLU, Arrested Students Sue Over South Carolina's Disturbing Schools Law. *Education Week*. Retrieved from [http://blogs.edweek.org/edweek/rulesforengagement/2016/08/aclu\\_arrested\\_students\\_sue\\_over\\_south\\_carolinas\\_disturbing\\_schools\\_law.html](http://blogs.edweek.org/edweek/rulesforengagement/2016/08/aclu_arrested_students_sue_over_south_carolinas_disturbing_schools_law.html)
- <sup>45</sup>Brown, E. (2015, November 8). Police in schools: Keeping kids safe, or arresting them for no good reason? *The Washington Post*. Retrieved from [https://www.washingtonpost.com/local/education/police-in-schools-keeping-kids-safe-or-arresting-them-for-no-good-reason/2015/11/08/937ddfd0-816c-11e5-9afb-0c971f713d0c\\_story.html](https://www.washingtonpost.com/local/education/police-in-schools-keeping-kids-safe-or-arresting-them-for-no-good-reason/2015/11/08/937ddfd0-816c-11e5-9afb-0c971f713d0c_story.html)
- <sup>46</sup>This number only approximates the use of disturbing schools charges against students. No statewide agency systematically tracks the offenses leading to arrests in schools, and, as discussed in greater detail in section III of this report, few schools and law enforcement agencies collect this data. To get a general sense of charges for disturbing school, the ACLU obtained data on every charge filed in Washington state over the past 20 years from the Administrative Office of the Courts. We then identified every charge filed under RCW 28A.635.030 and equivalent municipal offenses. The data set does not indicate whether a young person was a student at the time, so we limited our analysis to individuals who were under 18 at the time of the incident. The data reported may be both under-and over-inclusive. It is likely that some of these charges were filed against juveniles who were not students of the school that was disturbed. At the same time, the data set does not include juvenile arrestees who entered into agreement diverting them from the courts before charges are event filed. As discussed further in section III of this report, we recommend schools collect and publish detailed data on school police contacts, including tracking the charges for which students are arrested.
- <sup>47</sup>Turner, C. (2016, September 28). Bias Isn't Just a Police Problem, It's a Preschool Problem. *National Public Radio*. Retrieved from <http://www.npr.org/sections/ed/2016/09/28/495488716/bias-isnt-just-a-police-problem-its-a-preschool-problem>
- <sup>48</sup>Monroe, C. (2005). Why are "Bad Boys" Always Black? Causes of Disproportionality in School Discipline and Recommendations for Change. *The Clearing House: A Journal of Education Strategies, Issues and Ideas*. 79:45, 46.
- <sup>49</sup>Goff, P., Leone, B., Culotta, C. and DiTomasso, N. (2014). The Essence of Innocence: Consequences of Dehumanizing Black Children. *Journal of Personality and Social Psychology*. 106: 526-545. Retrieved from <http://www.apa.org/pubs/journals/releases/psp-a0035663.pdf>
- <sup>50</sup>See, e.g., *Report Under Administrative Code 14-152: Arrests Effective by SSA or Officers Assigned to School Safety Division* (2015) (showing that Black students are over 50% of the students arrested in New York City Public Schools, despite being only 25% of the student population). Retrieved from [http://www.nyclu.org/files/NYPD\\_Data\\_2015\\_Q1.pdf](http://www.nyclu.org/files/NYPD_Data_2015_Q1.pdf); Fowler, D., et. al. (2007). Texas's School-to-Prison Pipeline: Dropout to Incarceration, the Impact of School Discipline and Zero Tolerance. *Texas Appleseed*. Retrieved from <https://www.texasappleseed.org/sites/default/files/01-STPPReport2007.pdf>; Etsy, S. (2013). Arresting Development: Student Arrests in Connecticut. *Connecticut Voices for Children* 5. Retrieved from <http://www.ctvoices.org/sites/default/files/jj13schoolarrestfull.pdf>; Dahlberg, R. (2012). The Criminalization of School Discipline in Massachusetts' Three Largest School Districts. *American Civil Liberties Union of Massachusetts*. Retrieved from [https://www.aclu.org/files/assets/maarrest\\_reportweb.pdf](https://www.aclu.org/files/assets/maarrest_reportweb.pdf) (In districts surveyed, Black students account for 2/3 of the arrests but only 1/3 of the student body).
- <sup>51</sup>Advancement Project, et. al, supra n.33, pp 7.
- <sup>52</sup>Kirk, D. and Sampson, R. (2013). Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood. *Sociology of Education*, 86(1): 36-62. Retrieved from <http://www.asanet.org/sites/default/files/savvy/journals/soe/Jan13SOEFeature.pdf>.
- <sup>53</sup>Bureau of Justice Statistics. (2015). Earning and Unemployment Rates by Educational Attainment. Retrieved from [http://www.bls.gov/emp/ep\\_chart\\_001.htm](http://www.bls.gov/emp/ep_chart_001.htm)
- <sup>54</sup>Lieberman, A., Kirk, D., and Kim, K. (2014). Labeling Effects of First Juvenile Arrests: Secondary Deviance and Secondary Sanctioning, *Criminology* 52: 345, 359, 363.
- <sup>55</sup>*Plyler v. Doe*, 457 U.S. 202 (1982).
- <sup>56</sup>Executive Order: Enhancing Public Safety in the Interior of the United States, Sec. 10 (Jan. 25, 2015) (pledging to reinstitute the "Secure Communities" program). Retrieved from <https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>.; American Immigration Council (November 29,2011). Secure Communities: A Fact Sheet. Retrieved from <https://www.americanimmigrationcouncil.org/research/secure-communities-fact-sheet>.
- <sup>57</sup>Executive Order, supra n. 55.

- <sup>58</sup>Perry, B., and Morris, E. (2014). Suspending Progress: Collateral Consequences of Exclusionary Punishment in Public Schools. *American Sociological Review* 79: 1067-087.
- <sup>59</sup>National Juvenile Justice Network. (2015). School Discipline and Security Personnel. Retrieved from <http://www.njjn.org/our-work/school-discipline--security-personnel>. (discussing program in Clayton County, GA).
- <sup>60</sup>Criscione, W. (2017, Feb. 9). Arrests in Spokane Public Schools down 88 percent from last year. *The Inlander*. Retrieved from <http://www.inlander.com/Bloglander/archives/2017/02/09/arrests-in-spokane-public-schools-down-88-percent-from-last-year>.
- <sup>61</sup>*New Jersey v. T.L.*, 469 U.S. 325 (1985)
- <sup>62</sup>*York v. Wahkiakum School District No. 200*, 163 Wn.2d 297 (2008) (holding that random drug testing of student athletes violates Washington's constitution); *Kuehn v. Renton School District No. 403*, 103 Wn. 2d 594 (1985) (holding that required search of student luggage as precondition of participation in band concert tour violates constitution).
- <sup>63</sup>*State v. Meneese*, 282 P.3d 83 (2012). In this respect, Washington law is more protective of privacy than other states.
- <sup>64</sup>*Safford Unified School District v. Redding*, 557 U.S. 364 (2009).
- <sup>65</sup>Nance, J. (2013). Random, Suspicionless Searches of Students' Belongings: A Legal, Empirical, and Normative Analysis. *University of Colorado Law Review*, 84: 367-431, 395-96.
- <sup>66</sup>*J.D.B. v. North Carolina*, 564 U.S. 261, 269 (2011); *State v. D.R.*, 84 Wn. App 832 (Wn. Ct. App 1997).
- <sup>67</sup>Malloy, L., Schulman, E., and Cauffman, E. (2013) Interrogations, Confessions, and Guilty Pleas Among Serious Adolescent Offenders. *Law and Human Behavior*, 38:181-193. Retrieved from <http://legalpsych.fiu.edu/recent-pubs/2013/malloy-shulman-cauffman-in-press/malloy-shulman-cauffman-interrogations-confessions-guilty-pleas-2013.pdf>; Leo, R. (2009) False Confessions: Causes, Consequences, and Implications. *Journal of the American Academy of Psychiatry and the Law*. 37: 332, 336. Retrieved from <http://jaapl.org/content/37/3/332.full.pdf+html>
- <sup>68</sup>Oak Harbor School District and Oak Harbor Police Department, Memorandum of Understanding at 2, on file with the author.
- <sup>69</sup>For example, police in some communities help provide safe passage to students who are not going to school because they feared crossing a rival gang's territory in order to reach campus. See Morgan, et. al, supra n. 15 , pp. 209.
- <sup>70</sup>Teske, S. (2011). A Study of Zero Tolerance Policies in Schools: A Multi-Integrate Systems Approach to Improve Outcomes for Adolescents. *Journal of Child and Adolescent Psychiatric Nursing*. Retrieved from [http://www.ncjfcj.org/sites/default/files/ZerotoTolerancePoliciesinSchools\(2\).pdf](http://www.ncjfcj.org/sites/default/files/ZerotoTolerancePoliciesinSchools(2).pdf)(noting that "[y]outh are biologically wired to exhibit risk-taking behaviors, impulsive responses, and exercise poor judgment.")
- <sup>71</sup>One study showed that when teachers are directed to identify problematic behavior in the classroom, they disproportionately track students of color. See Gilliam, W., et. al. (2016, September 28). Do Early Educators' Implicit Biases Regarding Sex and Race Relate to Behavior Expectations and Recommendations of Preschool Expulsions and Suspension? A Research Brief. *Yale Child Study Center*. Retrieved from [http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief\\_final\\_9\\_26\\_276766\\_5379.pdf](http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379.pdf)
- <sup>72</sup>Cole, S., et. al. (2005). Helping Traumatized Children Learn: Supportive School Environments for Children Traumatized by Family Violence. Massachusetts Advocates for Children Trauma and Learning Policy Initiative. Available from <http://massadvocates.org/publications/help-traumatized-children-learn/> (noting that children who have been exposed to trauma may engage in behaviors that are perceived as impulsive, aggressive, defiant, withdrawn, or less attentive to school activities.)
- <sup>73</sup>U.S. Department of Education, Office for Civil Rights. (2016, August 1). Dear Colleague Letter on the Inclusion of Behavioral Supports in Individualized Education Programs. Retrieved from <http://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-on-pbis-in-ieps--08-01-2016.pdf>
- <sup>74</sup>Bradshaw, C., Koth, C.W., Thornton, L.A., & Leaf, P.J., (2009). Altering school climate through school-wide positive behavioral interventions and supports: findings from a group-randomized effectiveness trial. *Prevention Science* 10(2), 100-115.
- <sup>75</sup>American School Counselor Association. (2014). Student to School Counselor Ratio: 2013-2014. Retrieved from <http://www.wa-schoolcounselor.org/Files/SchCounsratios50states.pdf>
- <sup>76</sup>RCW 28A.150.260 defines state funding for basic education in a prototypical school. The minimum state allocation for a prototypical high school of 600 students would include funding for 1/10th of a school nurse and even lower levels for social workers and school psychologists. RCW 28A.150.260(5). The state must allocate at least sufficient funds for 2.5 guidance counselors (including graduation advising) per high school. Id.
- <sup>77</sup>Skiba, R.J. et. al. (2004) Beyond Guns, Drugs, and Gangs: The Structure of Student Perceptions of School Safety. *Journal of School Violence* 3: 149-171.
- <sup>78</sup>Oakland Unified Sch. Dist. (2016) Welcome to Restorative Justice. Retrieved from <http://www.ousd.org/restorativejustice>
- <sup>79</sup>Fronius, T., et. al. (2016, February). Restorative Justice in U.S. Schools: A Research Review. *West Ed Justice and Prevention Research Center*. Retrieved from [http://jprc.wested.org/wp-content/uploads/2016/02/RJ\\_Literature-Review\\_20160217.pdf](http://jprc.wested.org/wp-content/uploads/2016/02/RJ_Literature-Review_20160217.pdf)
- <sup>80</sup>Bradshaw, C., et. al. (2012). Effects of School-Wide Behavioral Interventions and Supports on Child Behavior Problems. *Pediatrics*. 130: 1136-1145.
- <sup>81</sup>Vincent, C. et. al. (2014). Effectiveness of Schoolwide Positive Behavior Interventions and Supports in Reducing Racially Inequitable Disciplinary Exclusion. *The National Institute on Drug Abuse*. Retrieved from <http://fixschooldiscipline.org/wp-content/uploads/2015/03/Vincent-Chapter-Chapter-14-of-Losen-Book.pdf> (referencing studies which suggest that implementation of SWPBS results in less school discipline incidents and higher academic success); Faer, L., and Omojola, S. Fix School Discipline: How We Can Fix School Discipline Toolkit. *Public Counsel*. Retrieved from <http://nyspbis.org/RegionalForum1516/Guides%20and%20Workbooks/Fix%20School%20Discipline%20Toolkit%20for%20Educators.pdf>.
- <sup>82</sup>Faer, et. al, supra n. 80, pp. 7 (referencing studies which show reduction in discipline referrals and problem behaviors in SEL schools as well as increases in academic and testing performances.)
- <sup>83</sup>*Id.* at 46-48
- <sup>84</sup>McInerney, M., and McKlindon, A. (2014, December). Unlocking the Door to Learning: Trauma-Informed Classrooms & Transformational Schools. *Education Law Center*. Retrieved from <http://www.elc-pa.org/wp-content/uploads/2015/06/Trauma-Informed-in-Schools-Classrooms-FINAL-December2014-2.pdf>.
- <sup>85</sup>Steinberg, L. (2014) Age of Opportunity: Lessons from the New Science of Adolescence.
- <sup>86</sup>Dudley, R. (2015, July). Childhood Trauma and Its Effects: Implications for Police. *Harvard Kennedy School and National Institute for Justice*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/248686.pdf>
- <sup>87</sup>Buckley, P, Gann, G., Thurau, L. and Wald, J. (2013, February). If Not Now, Then When?: A Survey of Juvenile Justice Training in America's Police Academies. *Strategies for Youth*. Retrieved from [http://strategiesforyouth.org/sfsite/wp-content/uploads/2013/03/SFYReport\\_02-2013\\_rev.pdf](http://strategiesforyouth.org/sfsite/wp-content/uploads/2013/03/SFYReport_02-2013_rev.pdf)
- <sup>88</sup>Keierleber, supra n. 42; Weier, S. and Cray, M. (2011). Police at School: A Brief History and Current Status of School Resource Officers. *The Clearing House: A Journal of Education Strategies, Issues and Ideas*, 84:160-160.
- <sup>89</sup>California, Ca. Ed. Code 32282.1 (training for school police must prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and supports); Colorado, C.R.S.A. 24-31-312 (state peace officers standards and training board shall create and approve school resource officer training curricula); Connecticut. C.G.S.A. § 17a-22bb, (subject to funding, school police to be trained in nationally-recognized best practices to prevent disproportionate referral of students with mental health issues); Indiana, Ind. Code 202-6-18.2-1 (school police must have at least 40 hours of specialized school policing training by approved training board); Mississippi. Miss Admin Code 7-6 2.2. (specific topics for training include juvenile development); Missouri, V.A.M.S. 168:450 (requires 40 hours of specialized school police training); New Jersey, NJSJA 18A:17-43.1 (any assigned school officer must complete required training course); South Carolina, S.C. Code 5-7-12 (same); Tennessee, TCA 49-6-4217 (school officers must have 40 hours of basic training in the first year and 16 hours per year thereafter); Texas, 37 Tex. Admin Doe 22.43 (school police in larger districts must obtain state proficiency certificate); Utah, U.C.A. 1953 53A-11-1603 (state board of education to create school police training program); Vermont, V.T.C.A. Occupations Code 1701.262, 263 (school police required to have training in child and adolescent development and psychology)



<sup>90</sup>United States Department of Education and Department of Civil Rights. (2016). Safe School-based Enforcement through Collaboration, Understanding and Respect (SECURE) Local Implementation Rubric, at 5, at <http://www2.ed.gov/policy/gen/guid/school-discipline/files/sro-local-implementation-rubric.pdf>; United States Department of Education, *supra* n. 42, Appendix A.

<sup>91</sup>Buckley, et. al, *supra* n. 86

<sup>92</sup>These include both districts that require a one-time training course and districts that require specific ongoing training. They are: Auburn; Bellingham; Central Valley; Deer Park; East Valley (Spokane); Edmonds; Ellensburg; Evergreen (Clark); Lake Stevens; Monroe; Mount Vernon; Mukilteo; North Thurston; Othello; Pasco; Seattle; Spokane; Shoreline; Snohomish; Sunnyside; Tahoma; Tukwila; Tumwater; West Valley; and Yelm.

<sup>93</sup>These are: Bethel; East Valley; Fife; North Kitsap; Prosser; Sequim; Snoqualmie Valley; Stanwood-Camano; and University Place.

<sup>94</sup>These include: Aberdeen, Anacortes, Battle Ground, Bellevue, Lake Stevens, and Wapato.

<sup>95</sup>United States Department of Justice, Civil Rights Division. (2015, March 4). Investigation of the Ferguson Police Department, at 37-38. Retrieved from [https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf)

<sup>96</sup>RCW 28A.600.485

<sup>97</sup>United States Department of Education, Office for Civil Rights. (2014). Dear Colleague Letter on the Non-Discriminatory Application of School Discipline. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.pdf>

<sup>98</sup>*S.R. v. Kenton County*, no. 2:15-CV-143 (E.D. KY, October 2, 2015)(Statement of Interest of the United States), at <https://www.justice.gov/opa/file/780346/download>.

<sup>99</sup>RCW 28A.600.485.

<sup>100</sup>Office of Superintendent of Public Instruction (2016, October 19). Dorn Releases Data on Restraint, Isolation of Students. Retrieved at <http://www.k12.wa.us/Communications/pressreleases2016/Data-Restraint.aspx> (noting that only 217 of 295 districts sent data).

<sup>101</sup>Morgan, et. al, *supra* n. 15, pp. 264; Dignity in Schools (2014, August 9), Moratorium-Model Code Training and Strategy Session. Retrieved at [http://www.dignityinschools.org/files/Portland\\_CRDC\\_DataSlides.pdf](http://www.dignityinschools.org/files/Portland_CRDC_DataSlides.pdf)

<sup>102</sup>These include the following school districts: Asotin (police must keep a “detailed and accurate records, including a log describing student contact, month, school, grade, situation”); Bellevue (activity log); Clarkston (log of student contacts); Edmonds (monthly report summarizing SRO activities); Everett (quarterly reports); Highline (monthly report); Issaquah (quarterly activities report); Mukilteo (monthly report); North Kitsap (activity log and monthly report); Rochester (daily log of activities); Seattle (weekly reporting); Snohomish (monthly report); South Kitsap (activity log and monthly report); Sultan (monthly report); Wāhluke (quarterly activity report); and Yakima (patrol log).

<sup>103</sup>These include the following school districts: Ferndale (regular reports as may be requested); Shoreline (report as needed); Sunnyside (quarterly report as may be required); and Wapato (record of patrol services on request).

<sup>104</sup>United States Department of Education, Office for Civil Rights (2012). The Transformed Civil Rights Data Collection Summary. Retrieved at <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf> (for districts with over 50,000 students).

<sup>105</sup>United States Department of Education, Office for Civil Rights. (2014, March). Data Snapshot: School Discipline. Retrieved at <http://ocrdata.ed.gov/downloads/crdc-school-discipline-snapshot.pdf>

<sup>106</sup>United States Department of Education, Civil Rights Data Collection: 2011-2012 State and National Estimations for Washington. Available from [http://ocrdata.ed.gov/StateNationalEstimations/Estimations\\_2011\\_12](http://ocrdata.ed.gov/StateNationalEstimations/Estimations_2011_12).

<sup>107</sup>*Id.*

<sup>108</sup>See RCW 28A.642.010 (specifically prohibiting discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, sexual orientation, or disability); 42 U.S.C. § 2000d et seq. (prohibiting discrimination in any program receiving federal funds).

<sup>109</sup>34 C.F.R. § 100.3 (prohibiting criteria or methods of administration that have the effect of discrimination); WAC 392-190-007; United States Department of Education, Office for Civil Rights. (2014). Dear Colleague Letter, *supra* n. 96, at 7.

<sup>110</sup>United States Department of Education, *supra* n. 96, pp. 20.

<sup>111</sup>For example, one study in Delaware showed that only 9% of SRO arrests were for felony offenses, and the remainder were for misdemeanors. 63% of these cases were ultimately dismissed by the juvenile court for lack of evidence and via prosecutorial discretion, indicating that the misdemeanor arrests were unnecessary. See Wolf, K. (2013). Booking Students: An Analysis of School Arrests and Court Outcomes. *Northwestern Journal of Law & Social Policy* 9:58. Retrieved from <http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1109&context=njls>

<sup>112</sup>Spokane Public Schools (2017). Policy and Procedure 6514, District and Campus Safety. Retrieved from <https://weba.spokaneschools.org/polpro/Search.aspx#16>.

<sup>113</sup>Oakland School Police Department Public Complaints Process and Complaints Report Policy, 2012, June 27). Retrieved at [https://www.aclupa.org/files/2514/2427/8287/Oakland\\_Policy.pdf](https://www.aclupa.org/files/2514/2427/8287/Oakland_Policy.pdf); Black Organizing Project. Frequently Asked Questions About the Oakland Unified School District Police Complaint Policy and Complaint Form. Retrieved from <http://www.publiccounsel.org/tools/assets/files/FAQ-on-Oakland-School-Police-Complaints.pdf>

## Appendix A: Districts Surveyed

District Name	K-12 Enrollment	Police Regularly Stationed in Schools?	2013-14 Police Program Reported to US DOE OCR	Officers Assigned to Elementary Schools?	Reviewed agreement between police and schools?	School District Budgets Used to Pay Officer(s) Salary in Part or Whole?	Approximate or Average Paid by District Per Officer
Aberdeen School District	3,218	Y	N	N	Y	Y	\$77,761
Anacortes School District	2,757	Y	N	N	Y	Y	60,000
Arlington School District	5,503	Y	Y	Y	Y	Y	\$71,170
Asotin-Anatone School District	643	Y	Y	Y	Y	Y	\$77,545
Auburn School District	15,621	Y	Y	Y	Y	Y	\$55,400
Battle Ground School District	13,478	Y	Y	N	Y	Y	\$43,000
Bellevue School District	19,888	Y	Y	N	Y	Y	\$58,400
Bellingham School District	11,229	Y	N	N	Y	Y	\$58,400
Bethel School District	18,692	Y	N		Y	Y	\$95,440
Bremerton School District	5,035	Y	N	N	Y	Y	\$60,000
Camas School District	6,841	Y	N	N	Y	Y	\$57,850
Cashmere School District	1,532	Y	Y	N	Y	Y	\$49,815
Central Kitsap School District	10,965	Y	N	N	Y	Y	\$40,000
Central Valley School District	13,199	Y	Y	N	Y	Y	\$35,552
Centralia School District	3,595	Y	N	Y	Y	Y	\$72,348
Cheney School District	4,447	Y	Y	Y	Y	Y	\$127,299
Clarkston School District	2,653	Y	Y	Y	Y	Y	\$68,089
Clover Park School District	12,496	Y	Y	N	Y	Y	
Deer Park School District	2,486	Y	N		Y	Y	\$32,552
East Valley School District (Spokane)	4,227	Y	N		Y	Y	\$35,410
Edmonds School District	20,683	Y	Y	N	Y	Y	\$85,565
Ellensburg School District	3,215	Y	N	Y	Y	Y	\$10,000
Everett School District	19,123	Y	Y	N	Y	Y	\$111,282
Evergreen School District (Clark)	25,926	Y	Y	Y	Y	Y	\$105,891
Federal Way School District	22,719	Y	Y	N	Y	Y	\$98,400
Ferndale School District	4,764	Y	N		Y	Y	\$57,000
Fife School District	3,636	Y	N	N	Y	Y	\$52,275
Finely School District	912	Y	N	N	N/A#	N	\$0
Franklin Pierce School District	7,662	Y	Y	Y	Y	Y	\$101,800
Freeman School District	895	Y	Y	Y	Y	Y	\$17,776*
Grandview School District	3,653	Y	Y	Y	Y	Y	\$51,492
Highline School District	19,273	Y	Y	N	Y	Y	\$75,500

District Name	K-12 Enrollment	Police Regularly Stationed in Schools?	2013-14 Police Program Reported to US DOE OCR	Officers Assigned to Elementary Schools?	Reviewed agreement between police and schools?	School District Budgets Used to Pay Officer(s) Salary in Part or Whole?	Approximate or Average Paid by District Per Officer
Issaquah School District	19,738	Y	Y	N	Y	Y	\$34,000
Kelso School District	4,990	Y	N	N	Y	Y	\$86,375
Kennewick School District	17,550	Y	Y	N	Y	Y	
Kent School District	27,448	Y	Y	Y	Y	Y	\$83,030
Kiona-Benton City School District	1,472	Y	Y	N	N/A#	N	\$0
Lake Chelan School District	1,426	Y	N		Y	Y	\$46,000
Lake Stevens School District	8,485	Y	N		Y	Y	\$70,979
Lake Washington School District	27,707	Y	Y	N	Y	Y	\$40,000
Liberty School District	441	Y	Y	Y	Y	Y	\$17,776*
Longview School District	6,733	Y	Y	N	Y	Y	\$54,550
Manson School District	662	Y	Y	N	Y	Y	
Marysville School District	11,069	Y	Y	N	Y	Y	\$96,000
Mead School District	9,705	Y	Y	N	Y	Y	\$35,552
Mercer Island School District	4,412	Y	Y	N	Y	Y	\$24,147
Monroe School District	6,945	Y	Y	N	Y	Y	\$49,483
Moses Lake School District	8,285	Y	N	N	Y	Y	\$65,000
Mount Vernon School District	6,686	Y	N	N	Y	Y	\$20,847.00
Mukilteo School District	15,244	Y	Y	Y	Y	Y	\$88,123
North Kitsap School District	6,037	Y	N	N	Y	Y	\$38,791
North Thurston Public Schools	14,789	Y	N	N	Y	Y	\$47,000
Northshore School District	21,160	Y	Y	N	Y	Y	\$40,000
Oak Harbor School District	5,720	Y	N	N	Y	N	\$0
Olympia School District	9,864	Y	N		Y	Y	\$76,032
Orting School District	2,459	Y	Y	Y	Y	Y	\$59,000
Othello School District	4,253	Y	N	Y	Y	Y	\$40,500
Pasco School District	17,403	Y	Y	N	Y	Y	\$71,323
Peninsula School District	8,828	Y	N		Y	Y	\$101,800
Port Townsend School District	1,162	Y	N		N/A#	N	\$0
Prosser School District	2,789	Y	N	N	Y	N	\$0
Pullman School District	2,787	Y	Y		N/A#	N	\$0
Puyallup School District	22,665	Y	Y	N	Y	Y	\$65,000
Quincy School District	2,881	Y	Y	N	Y	Y	N/A
Renton School District	15,648	Y	N	N	Y	Y	\$75,000
Richland School District	13,049	Y	Y	N	Y	Y	\$25,000

District Name	K-12 Enrollment	Police Regularly Stationed in Schools?	2013-14 Police Program Reported to US DOE OCR	Officers Assigned to Elementary Schools?	Reviewed agreement between police and schools?	School District Budgets Used to Pay Officer(s) Salary in Part or Whole?	Approximate or Average Paid by District Per Officer
Riverside School District	1,460	Y	Y	Y	Y	Y	\$32,000
Riverview School District	3,219	Y	N	N	Y	Y	\$25,000
Rochester School District	2,163	Y	N	N	Y	Y	\$60,000
Seattle Public Schools	52,630	Y	Y	N	Y	N	\$0
Selah School District	3,586	Y	N	Y	Y	Y	\$38,350
Sequim School District	2,810	Y	Y	Y	Y	Y	
Shelton School District	4,252	Y	Y	Y	Y	Y	\$58,204
Shoreline School District	9,322	Y	N	N	Y	Y	\$60,000
Snohomish School District	10,052	Y	N	N	Y	Y	\$96,646
Snoqualmie Valley School District	6,800	Y	N	N	Y	Y	\$51,391
South Kitsap School District	9,610	Y	Y	Y	Y	Y	\$75,400
Spokane School District	29,852	Y	Y	Y	Y	Y	\$54,781
Stanwood-Camano School District	4,460	Y	N	N	Y	Y	\$57,225
Steilacoom Hist. School District	3,108	Y	N	N	Y	Y	\$101,000
Sultan School District	1,951	Y	Y	N	Y	Y	\$84,000
Sumner School District	9,153	Y	N		Y	Y	
Sunnyside School District	6,703	Y	N	Y	Y	Y	\$125,000
Tacoma School District	29,044	Y	Y	N	Y	Y	\$65,000
Tahoma School District	8,075	Y	N	N	Y	Y	\$45,000
Tukwila School District	3,017	Y	N	N	Y	N	\$0
Tumwater School District	6,382	Y	N	N	Y	N	\$0
University Place School District	5,580	Y	Y	N	Y	Y	\$58,458
Vancouver School District	23,345	Y	Y	N	Y	Y	\$84,000
Wahluke School District	2,358	Y	N		Y	Y	\$73,000
Walla Walla Public Schools	5,878	Y	N	N	Y	Y	\$51,467
Wapato School District	3,344	Y	Y	Y	Y	Y	\$69,225
Washougal School District	3,179	Y	N	N	Y	Y	\$44,105
Wenatchee School District	7,893	Y	N	N	Y	Y	\$90,369
West Valley School District (Spokane)	3,731	Y	N	Y	Y	Y	\$35,522
Yakima School District	15,941	Y	Y	Y	Y	Y	\$90,326
Yelm School District	5,627	Y	Y	N	Y	Y	\$60,000

## Appendix A Endnotes

Note: A blank space indicates that information was not available.

\* The Liberty and Freeman School Districts share the cost of a full time school resource officer between them.

# According to school district representatives, the district has no formal agreement governing its school police.

## Appendix B: Model School Policy on Police Involvement in Discipline

- I. General Principles:** District administrators have primary responsibility to ensure consistent enforcement of school rules and policies. No law enforcement officer shall be engaged in student discipline. Disciplining students is the sole responsibility of [District] staff.
- II. Requests for law enforcement assistance:**
- a. District staff shall not notify or request the assistance of law enforcement officers to resolve student disciplinary issues. School site administrators and staff may call for law enforcement assistance only when there is a real and imminent physical threat to student, staff, or the public.
  - b. District or school staff should not request the involvement of a law enforcement officer in a situation that can be safely and appropriately handled by the District's internal student disciplinary procedures. District and school staff and administrators shall not request the involvement of a law enforcement officer in cases of student conduct involving:
    - i. Altercations, abuse, and/or harassment over the internet;
    - ii. Any violations of school rules that do not also violate the criminal code, such as dress code violations, violations of school policy on personal electronic devices, profanity, or inappropriate public display of affection;
    - iii. Absenteeism or truancy;
    - iv. Disorderly conduct;
    - v. Failure to follow school rules or failure to cooperate with school staff; disturbing school or disrupting school activities; insubordination or defiance.
    - vi. Loitering or trespass;
    - vii. Malicious mischief or destruction of property;
    - viii. Perceived drunkenness or intoxication;
    - ix. Physical altercations that do not involve a weapon;
    - x. Possession of a tool that could be taken to be, but is not intended as a weapon – such as a nail clipper or file, small pen knife, butter knife, toy gun, pepper spray, etc. – unless that item is being brandished as a weapon; and
    - xi. Possession of alcohol, tobacco, or marijuana for personal use;
    - xii. Theft under \$750;
    - xiii. Vandalism and/or graffiti;
    - xiv. Verbal altercations, abuse, and/or harassment;
    - xv. Any other offense that would be a misdemeanor or gross misdemeanor crime if charged.
  - c. For all offenses that do not cause or pose a direct threat of harm to students or school staff, District administrators should exhaust all alternatives before involving law enforcement officers. Alternatives may include: issuing a warning, admonishing and counseling, and referring the student for community service, restorative justice, or mediation.
  - d. If a student commits a serious offense, District and school staff may request assistance from Department officers after considering the totality of the circumstances.
    - i. Serious offenses include:
      1. Armed robbery.
      2. Assaults involving serious bodily harm;
      3. Possession of a firearm;
      4. Serious violent offenses such as rape or kidnapping;
      5. Sex offenses;
      6. Use of a weapon; or
    - ii. The totality of the circumstances include:
      1. whether a lesser intervention will achieve the desired goal of correcting behavior;
      2. whether the child intended to cause serious harm;
      3. whether the child acted impulsively without any specific intent to cause serious harm;
      4. the child's age;
      5. whether the child has a disability; and
      6. other mitigating circumstances.
    - iii. In an emergency or crisis situation, District and school staff should call 911 or any Department officer or both and notify school administrators as soon as possible
    - iv. If there is no immediate danger to students or others, school staff will contact their school site administrator to make the decision about whether to request Department police assistance for an incident potentially involving a serious offense by a student, based on the totality of the circumstances set forth above.

## **Appendix C: Model Memorandum of Understanding Language on Police Involvement in Student Discipline**

### **I. General Principles:**

- a. District administrators have primary responsibility to ensure consistent enforcement of school rules and policies. No law enforcement officer shall be engaged in student discipline. Disciplining students is the sole responsibility of District and school staff. Accordingly, officers must refuse to engage in disputes that are related to issues of school discipline, even if District or school staff requested the assistance.
- b. Students who are referred to police officers for school discipline issues or disability related behavior may experience long-term, negative consequences as a result, including a higher likelihood of not graduating and having future interactions with the criminal justice system.
- c. Young people who are facing behavioral challenges or engaged in minor criminal activity are most likely to benefit from positive behavioral intervention and supports, access to adults who mentor and guide them, and additional counseling or tutoring rather than arrest and exclusion from school.
- d. Searching and interrogating students, and arresting and referring students to court, unless absolutely necessary, is counterproductive to the purpose of schools.
- e. Meaningful engagement of all stakeholders – including students, parents, teachers, and other school staff – is essential to school safety and positive school climate.

### **II. Issues Not Appropriate for Department Officer Intervention:**

- a. Officers will not generally respond to District or school staff requests for involvement in situations that can be safely and appropriately handled by the [District]'s internal student disciplinary procedures. These include instances of student conduct including:
  - i. Altercations, abuse, and/or harassment over the internet;
  - ii. Any violations of school rules that do not also violate the criminal code, such as dress code violations, violations of school policy on personal electronic devices, profanity, or inappropriate public display of affection
  - iii. Absenteeism or truancy;
  - iv. Disorderly conduct;
  - v. Failure to follow school rules or failure to cooperate with school staff; disturbing school or disrupting school activities; insubordination or defiance.
  - vi. Loitering or trespass
  - vii. Malicious mischief or destruction of property;
  - viii. Perceived drunkenness or intoxication;
  - ix. Physical altercations that do not involve a weapon;
  - x. Possession of a tool that could be taken to be, but is not intended as a weapon – such as a nail clipper or file, small pen knife, butter knife, toy gun, pepper spray, etc. – unless that item is being brandished as a weapon; and
  - xi. Possession of alcohol, tobacco, or marijuana for personal use;
  - xii. Theft under \$750;
  - xiii. Vandalism and/or graffiti;
  - xiv. Verbal altercations, abuse, and/or harassment;
- b. Department officers who witness any of the above incidents should locate school staff to respond to the situation.

## **Appendix D: Model Memorandum of Understanding on Officer Use of Force**

### **I. Governing Principles:**

- a. Both the District and Department recognize that there is no educational or therapeutic benefit to the use of restraint, isolation, or physical force against students, and that the use of restraints in nonemergency situations poses significant physical and psychological danger to students and school staff.<sup>1</sup>
- b. The District and Department seek to minimize the use of force by officers against students by prioritizing de-escalation techniques and limiting the use of force to situations posing an imminent risk of serious harm.

### **II. Definitions**

- a. Restraint means physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement.<sup>2</sup>

- b. Restraint device means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, plastic or flexicuffs, oleoresin capsicum (pepper spray), tasers, or batons.<sup>3</sup>
- c. Likelihood of serious harm means a substantial risk that physical harm will be inflicted by a person upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm.
- d. Serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

**III. Limitations on Use of Force**

- a. Police officers in school may not use physical force or restraint on a student except when reasonably necessary to control spontaneous behavior posing an imminent likelihood of serious harm.
- b. Officers shall not use force or other restraint unless they have attempted de-escalation tactics as described in subsection (3) of this policy, except where the student’s behavior poses an imminent threat of serious bodily injury to students, school staff, or the officer.
- c. In determining whether to use physical force or restraint, the officer shall consider the totality of the circumstances, including:
  - i. The student’s size, age, and weight
  - ii. The emotional and physical capacity of the student
  - iii. Whether the student’s primary language is other than English
  - iv. The severity of the potential harm
  - v. Number of students and adults present
  - vi. Whether the officer is aware of any additional limitations on use of force or restraint contained within the student’s individualized education plan or accommodation plan.
- d. Even when the restraint or physical force is reasonable necessary to control spontaneous behavior posing an imminent likelihood of serious harm, the officer shall use the least restrictive force technique necessary to end the threat. In assessing whether the use of force is proportionate and necessary to end, the officer must consider:
  - i. Is this how I would want a child I love and care for to be treated?
  - ii. How would the general public view the action? Would the public think this action is appropriate to the situation and the severity of the threat posed?
- e. The use of force must be closely monitored to prevent harm to the student, and must be discontinued as soon as the likelihood of serious harm has dissipated.
- f. Neither physical force nor restraint shall ever be used:
  - i. to punish or discipline the student;<sup>4</sup>
  - ii. against students who only verbally confront officers or school officials;
  - iii. as a result of refusal of the student to comply with school rules or a staff directive, unless the student’s spontaneous behavior poses an imminent likelihood of serious harm.

**IV. De-Escalation Tactics:**

Except where there is a real and immediate threat of serious bodily injury to students, school staff, or the officer, the first course of action should be the application of specific strategies designed to diffuse the situation by addressing students’ needs and de-escalating the immediate behavior. The intent of de-escalation is to restore the student’s capacity to control his or her immediate impulse or behavior and to move toward safer or more constructive resolution of the immediate problem situation. The following de-escalation tactics should be employed:

- a. Identify the student distress level and employ staff response using appropriate verbal, nonverbal, and paraverbal communication strategies (i.e., identifying precipitating factors of behaviors, limit setting, empathetic listening, respecting personal space, and utilizing appropriate body language).

<b>Do...</b>	<b>Don't...</b>
Remain calm	Raise your voice
Use positive body language	Continue to argue
Take a step back	Use negative body language
Recognize the student's feelings	Give ultimatums

Use "I" statements	Use sarcasm to defuse the situation
Suggest talking about the issue at a later time	
Tell the person what you are doing at all times, preferably before you do it	
Conduct yourself so as to avoid or minimize the possibility of accidentally touching private areas	
Always respect the student's history and cultural background	

- b. Slow down the situation by means of tactical disengagement: If an officer can calm the situation down and walk away from a minor confrontation – and nothing bad will happen upon the officer's exit – the officer should find a way to tactically disengage.
- c. Other examples of de-escalation include:
  - i. Placing barriers between an uncooperative student and an officer;
  - ii. Withdrawing;
  - iii. Decreasing the exposure to the potential threat by using distance or cover;
  - iv. Concealing oneself or others
  - v. Communicating from a safe position that is intended to gain compliance using verbal persuasion, advisements, and/or warnings;
  - vi. Avoiding physical confrontation unless immediately necessary, using verbal techniques such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making; and
  - vii. Calling additional support like a trusted teacher, administrator, parent, or other officer.

Officers should expect that a significant portion of the students they interact with have disabilities, and that many disabilities are not immediately visible.

- d. When permitted by educational privacy laws, any school staff member who calls an officer to respond to an incident involving a student with a disability shall inform the officer of any limitations on the use of force contained in the student's IEP.

**V. Use of Force to Effectuate an Arrest of a Student:**

- a. The standard approach to student behavior is to use restorative practices and seek to ensure that students remain connected to the learning environment and school community.
- b. Officers should limit arrests of students to those situations involving a direct threat of physical harm.
- c. An officer may use restraint or other force to effectuate an arrest of the student only if necessary to control spontaneous behavior that poses an imminent risk of serious harm, or if the subject flees or forcibly resists.

**VI. Medical Attention:** Medical assistance shall be provided to any person who requests it or who is injured as a result of use of force or restraint. Decontamination efforts should take place as soon as possible for persons who been exposed to the use of oleoresin capsicum (i.e. pepper spray).

**VII. Training Required of Officers Using Restraint:** Officers may only use those restraints for which they have successfully completed approved training.

**VIII. Documenting Use of Force:** Any officer who uses force on a student during school-sponsored instruction or activities must inform the building administrator or designee as soon as possible, and within two business days submit a written report of the incident to the district office. The written report must include:

- a. date and time of the incident;
- b. the name and job title of the officer who administered the force;
- c. a description of the circumstances that led to the use of force;
- d. any de-escalation tactics used by the officer to avoid the use of force;
- e. whether the student or any staff were physically injured during the use of force and any medical care provided;
- f. any recommendations for changing the amount or nature of resources available to the student or staff to avoid such incidents in the future.

The building administrator or his designee must verbally inform the student or parent's guardian of the use of force within 24 hours of the incident, and must send a copy of the written report of the incident to the district office no later than five business days after the use of force.



## IX. Resolution of Complaints About Use of Force:

- a. A student or his/her parent or guardian who has concerns regarding a specific incident involving restraint or other forms of physical force may seek to resolve the concern by filing a complaint with the Superintendent or the Department.
- b. Notifying Parents and Students Regarding Complaint Procedures: The District shall publish on its website, and make available in student handbooks and in every school building, a procedure for filing complaints regarding school police with the District. The procedure shall permit parents or students to file complaints in person, via mail or electronic mail, orally or in writing.
- c. Sharing Complaints: The District & Department will each forward all complaints received regarding officer use of force to the other entity.
- d. The District shall investigate the actions of school staff leading up to and during the use of force incident. The Superintendent shall respond to the complaint within 10 business days of receipt.
- e. The Department shall investigate the actions of officers involved in use of force in accordance with its internal procedures, and shall transmit to the complaining party a notice of those procedures within 10 business days of receipt of the complaint.

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## Appendix D Endnotes

<sup>1</sup>See RCW 28A.155.020 (notes of legislative finding)

<sup>2</sup>RCW 28A.600.485 (1)(b)

<sup>3</sup>RCW 28A.600.485(1)(c)

<sup>4</sup>U.S. Dep't of Educ, Restraint and Seclusion: Resource Document 16 (May 2012), available at:

## Appendix E: Model School Policy on Student Questioning, Search, & Arrest

### I. Questioning by District Staff:

- a. Staff may informally question students about safety-related concerns if staff has a reasonable suspicion that the student knows information that would help ensure the safety of students or staff.
  - i. Reasonable suspicion shall be based on specific and objective facts that the questioning will produce evidence related to an alleged violation of law or school rules.
  - ii. Curiosity, rumor, hunch, mere disruptive activity, attempts to shield private possessions from view or invocations of a student's constitutional rights cannot form the basis for reasonable suspicion.
- b. Where the student is suspected of having committed a crime, District staff shall first notify the student's parent or guardian before questioning the student about the alleged violation of law, even if the alleged violation of the law is also a violation of school rules.
  - i. Efforts to contact parents by the principal or designee must include calling all numbers listed on the student's emergency card and all numbers supplied by the student. The principal or designee shall record the time(s) of contact or attempted contact with the parent/guardian.
  - ii. If the student is 12 years of age or older, District staff shall inform the parent or guardian of his or her right to be present for the questioning. Unless the parent or guardian waives his or her right to be present for questioning, District staff shall cease questioning until the parent or guardian can arrive.
  - iii. If the student is below the age of 12, District staff shall not question the student without his or her parent or guardian present.
  - iv. District staff shall further notify the student in age-appropriate language that anything he/she says may be shared with school officials or police and can be used against him/her in a criminal case.

### II. Questioning by Law Enforcement:

- a. Warrant or Other Legal Authority: As a general rule, law enforcement should interview students off campus. Law enforcement officers may not remove students from class for questioning without a court order or arrest warrant permitting questioning unless there is an immediate threat of bodily injury. Where there is no court order, arrest warrant, or immediate threat, law enforcement officers should wait until after school or, at a minimum, after class to approach the student.
- b. Identification of Officer: When any law enforcement official requests an interview with a student, the principal or designee shall request that the official provide verification of his/her identity and official capacity and certify the legal authority under which the interview is being conducted. If the officer refuses to provide certification of the legal authority for the interview, the principal or designee shall document such refusal and should consult with [District] legal counsel and receive approval before allowing the interview to proceed.
- c. Location of Interview: Where practicable, the school shall identify a private location out of sight and hearing of other students for any interview by law enforcement.
- d. Parental Notification and Presence:
  - i. No student under 12 shall be interviewed or questioned by law enforcement on school grounds without the consent of that student's parent or guardian. District staff must inform the parent or guardian of the law enforcement officer's presence, and the parent or guardian's right to refuse consent to student questioning.

- ii. If the student is age 12 or older, District staff must, prior to the commencement of questioning, contact the student's parent or guardian and give the parent or guardian a reasonable opportunity to be present when a student is questioned by a law enforcement officer, unless the student is a suspected victim of child abuse.
  - 1. If the parent/guardian requests that the student not be questioned until the parent/guardian can be present, the staff member shall notify the student and police officer of the parent's request and advise the student of his or her right to remain silent.
  - 2. Efforts to contact the student's parent/guardian by the principal or designee must include calling all numbers listed on the student's emergency card, including work numbers, cell phone numbers, and all numbers supplied by the student. The principal or designee shall record the time(s) of contact or attempted contact with the parent/guardian.
  - 3. If the principal or designee cannot reach the parent, he/she should leave messages where applicable and follow up with written documentation.
  - 4. If a parent/guardian cannot be found, the school site should offer the student the option of having an adult of his or her choice from the school available during the interrogation.

### III. Search of Students By School Officials

#### a. General Principles:

- i. As necessary to protect the health and welfare of students and staff, under limited circumstances outlined in this policy, school officials and staff may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items under the circumstances described in this policy.
- ii. The District Board urges that employees exercise discretion and good judgment that respects student dignity and promotes a positive school climate. When conducting a search or seizure, school officials and staff shall act in accordance with the law, Board policy, and administrative regulations.

#### b. Individual Searches: School officials and staff may search any individual student or his/her property within the student's possession, or district property under the student's control when there is individualized and reasonable suspicion that the search will uncover evidence that the student is violating the law, district policy, or administrative regulations.

- i. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation.
- ii. Curiosity, rumor, hunch, mere disruptive activity, attempts to shield private possessions from view, or invocations of a student's constitutional rights cannot form the basis for said reasonable suspicion.
- iii. Any search of a student, his/her property, or district property under the student's control shall be limited in scope and designed to produce evidence related to the alleged violation.
- iv. Factors to be considered by school officials when determining the scope of the search shall include:
  - 1. the danger to the health or safety of students or staff, such as the possession of weapons or other dangerous instruments;
  - 2. whether the item(s) to be searched by school officials are reasonably related to the contraband to be found;
  - 3. the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.
- v. School officials and staff shall not conduct strip searches or body cavity searches of any student.
- vi. School officials and staff may not require students to remove or lift any items of clothing during a search.
- vii. Searches will be conducted by or under the supervision of the school site administrator or certificated designee. It is preferred that searches be made in the presence of at least two [District] employees. Any [District] employee conducting a student search shall be of the gender identity of the student's choosing.
- viii. The principal or designee shall notify the parent/guardian of a student subjected to an individualized search verbally and in writing immediately after the search.
- ix. All searches and pat downs that take place at school should happen outside the view of other youth (unless emergency situations make it impossible), to maintain the student's privacy and to decrease public embarrassment, humiliation, and any other future stigmatization and discrimination against the student(s) involved.
- x. The Superintendent shall create and disseminate a policy regarding the return of seized student property. Seized items, such as electronics, clothing, or personal effects will be returned to the student at the end of the school day unless they are controlled or illegal substances. Seized items will only be turned over to law enforcement if these items are part of a criminal investigation, otherwise, seized items will be disposed of by the administration.

#### c. Searches of Student Lockers/Desks:

- i. School officials shall have the ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.
- ii. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned. The contents of any closed or sealed student belongings found in a locker shall not be searched without

individualized and reasonable suspicion that it will contain evidence that the student is violating the law, district policy, or administrative regulation.

- iii. Immediately upon seizing any item from a student locker or desk, the District official who conducted the search shall record the time, place, circumstances of the search, and list all items seized. The District official shall file such report with the school principal's office along with any item seized which shall be sealed and stored appropriately to assure that it is not tampered with or destroyed. The student shall be dealt with in accordance with District policies concerning disciplinary procedures.
- iv. If District officials confiscate any student possessions that should be returned to the student, they must maintain it in a secure location and make it available to the student at the end of the school day.

d. Search of Personal Electronic Devices:

- i. School administrators may only search an individual student's cell phone or electronic device with the informed consent of the student, pursuant to a search warrant based on probable cause to believe the phone contains evidence of criminal activity, or pursuant to a good faith belief that an emergency involving threat of death or serious physical injury exists that requires an immediate search of the device.
- ii. Simple possession or use of a cell phone or electronic device in violation of a school rule is insufficient justification for a search of the device.
- iii. In no instance shall a school administrator require a student to log into his or her email, chat, messaging, social media, or other accounts on the student's electronic device.
- iv. In conducting any search of a student's personal device pursuant to a search warrant, school staff shall:
  - 1. document the individualized facts that supported the finding of probable cause;
  - 2. notify the student and the student's parent or legal guardian of the particular suspected criminal activity and the type of data to be searched for as evidence; and
  - 3. provide the student's parent or legal guardian the opportunity to be present during the search.
- v. In conducting any search of a student's personal device pursuant to a good faith belief that an emergency exists, school staff shall, no later than 72 hours after accessing the device, provide to the student, the student's parent or legal guardian, and the principal's office:
  - 1. a written description of the emergency, including the facts that supported the good faith belief that an emergency required an immediate search of the device;
  - 2. a description of the search conducted, including a summary of the data accessed and/or seized when the device was searched.
- vi. In the course of conducting a search, a school official shall not copy, share, or in any way transmit any information from a student's cell phone or electronic device, or modify or delete any information. The scope of any search shall not extend beyond that to which the student consents, that which is necessary to produce evidence of criminal activity, or that which is required in an emergency.
- vii. Log of Searches: The school principal's office shall maintain a personal device access log in which the following information shall be recorded for each search of a student's personal device by school staff or other public employees: the name of the school official or other public employee accessing the device; the business address and other contact information for the person accessing the device; the date of access; the data or functions accessed; and the basis for the search. The log shall include documentation of searches undertaken in emergencies. Personal device access logs maintained pursuant to this provision shall not contain any personally identifiable student data, shall be made available to members of the public upon request, and shall be public records subject to the public records law. Confiscated electronic devices, as well as information obtained from the electronic device through a search under this policy, will only be turned over to law enforcement when there is a real and immediate physical threat to student, teacher, or public safety or law enforcement requests the device or information pursuant to a warrant.

e. Search of Students by Law Enforcement Official:

- i. Warrant Requirement: No sworn law enforcement officer (whether regularly stationed at school through a cooperative agreement with a law enforcement agency, employed by a school or school district, or responding to a call for service or assistance) shall search a student or property within the student's possession unless the officer has a warrant authorizing the search, or is operating pursuant to a recognized exception to the warrant requirement. No sworn law enforcement officer may seize property within the student's possession unless the officer has a warrant authorizing the seizure or is operating pursuant to a recognized exception to the warrant requirement.
- ii. School Official Exception Prohibited: A sworn law enforcement officer is not a "school official" authorized to invoke the school official exception to the warrant requirement.
- iii. An officer shall not in any way request or encourage a school official to search a student in an effort to circumvent these protections. School and district personnel shall refuse to cooperate with law enforcement requests to search students that are designed to circumvent these protections.

## Appendix F: Model School Policy on Data & Accountability

### I. Definitions: For purposes of this section:

- a. "School-related offenses" is defined as a criminal offense occurring or originating on a [District] school site during hours the school site is regularly open to the public or its students for school-related business.
- b. "School site" is defined as the property upon which the school is located. It also includes any location where a school-sponsored event is being held for the duration of such event.
- c. "Student" refers only to youth who are enrolled in a [District] public school.

### II. Monthly Written Report:

- a. District staff shall compile a monthly written report of law enforcement officers who respond to situations within the District's jurisdiction. These monthly written reports shall be filed with the School Board and shall include:
  - i. School site crime incidents reported to, or observed by, any law enforcement officer;
  - ii. Number of times that a law enforcement officer was called to a school site, and included for each incident: the type of call, related offense (e.g., trespassing, disruption, battery, possession of a weapon), and resolution of call;
  - iii. Number of times a law enforcement officer referred a student for prosecution
  - iv. Number of times that law enforcement officers handcuffed, restrained, or summoned a student on campus and the basis for each incident.
  - v. Number of arrests of students made:
    1. By a law enforcement officer on District school sites for school-related offenses;
    2. By a law enforcement officer on District school sites for non-school-related offenses; and
    3. By a law enforcement officer off District school sites for school-related offenses.
  - vi. Such data shall be disaggregated by school site, offense, and student subgroup, including age, race, ethnicity, student English Learner status, foster youth status, gender, and disability (if applicable), whether the student has an Individualized Education Plan or section 504 Plan, and the disposition of the matter.
- b. Complaints/grievances: To the extent known by District staff, the number of complaints/grievances against law enforcement officers, present or acting in District schools, disaggregated by the number of complaints lodged against individual officers, identified by the officer's individual assigned code number. Complaint/grievances should include but not be limited to any reports of injuries or excessive force. All complaints against law enforcement officers shall be handled according to police department policy and procedure. All complaints received by [District] shall be forwarded to the law enforcement officer's supervisors and/or directly to police department Internal Affairs.
- c. Referrals: Number of referrals by law enforcement officers of students from school sites to wellness centers, medical facilities, tutors, mentors, or other resources in lieu of arrest or citation.

### III. Bi-Yearly Report and Yearly Review

- a. The District School Board shall request and obtain a written report from District staff twice a year (in January and July, or as soon as reasonably possible thereafter) during open session of a regularly scheduled public Board meeting regarding:
  - i. the information contained in the aforementioned monthly reports; and
  - ii. the percentage of percentage of officer time spent on the following activities, based on a review of officer's daily activity logs submitted to the district:
    1. Teaching lessons
    2. Supervising or facilitating extracurricular activities, electives, or school clubs
    3. Patrolling campus
    4. Investigating criminal activity
    5. Other activities
  - iii. the impact of District policies and practices regarding law enforcement involvement with students,
  - iv. the District's efforts to reduce disproportionate contact between high risk or high-need populations and the police and/or juvenile justice system, as well as to reduce the rate of school-based arrests and citations while maintaining a safe school climate.
- b. The District should request the police department chief or designee be available to answer any questions posed by the Board or community related to safety, disproportionate minority contact with law enforcement, if any, student arrest or citation rates, and any other issues.
- c. The written report shall be made publicly available through the standard Board process and thereafter shall be posted on the

[District] website, consistent with applicable federal, state, and local privacy laws.

- d. The District shall provide the public with the following information by posting the information on its website, updated on an annual basis unless stated otherwise
  - i. Regulations, policies, and protocols governing law enforcement officer interactions with students, including any changes made in the prior year;
  - ii. Training materials for law enforcement officers about working with students; i
  - iii. Number of law enforcement officers regularly interacting with particular school sites; and
  - iv. The aforementioned monthly written report.
- e. On a yearly basis, the District shall convene a community oversight committee on school policing to review and make recommendations regarding the policies and procedures governing law enforcement involvement with students, and to review the bi-yearly report and make recommendations about continuing law enforcement engagement in the District.

#### **IV. Complaint Process**

- a. Any person who believes that any law enforcement officer or District staff have violated Board policy regarding law enforcement involvement in school may file a complaint with the Superintendent or his/her designee within 60 days of the alleged misconduct.
- b. The District shall establish a central complaint form, which will be available at the Superintendent's office, at each school in the central office, and online at [insert URL]. Complaint forms shall be available in languages other than English. A complainant may make a complaint using the central complaint form, or may make a complaint in writing.
- c. The Superintendent or designee shall investigate any complaints regarding District staff who may be violating Board policy regarding law enforcement involvement in school.
  - i. The Superintendent shall report the on District investigation to the complainant no later than 30 days after submission of the complaint, and shall use his or her best efforts to complete the investigation within 45 days of the filing of the complaint.
  - ii. An investigation shall not exceed 90 days unless circumstances beyond the District's control render completing the investigation within 90 days is impossible.
- d. Each report of disposition of a complaint shall include:
  - i. Whether the complaint was sustained or not sustained;
  - ii. A description of the investigation;
  - iii. Findings of fact (i.e., a detailed description of what the investigator believes occurred and what, if any, laws or policies were violated);
  - iv. An explanation of and rationale for the result and conclusion;
  - v. If a violation occurred, what remedies must be effectuated.
  - vi. The Superintendent and his or her designee shall keep a log of all complaints received by his or her office, and shall log each disposition.
- e. If the complainant disagrees with the Superintendent's resolution of the complaint, s/he shall have a right to appeal the resolution to the District Board. Within 60 days, the District Board shall either: a. Uphold the Superintendent's decision; or b. Reverse the Superintendent's decision and request further investigation. The Board's decision shall be made public, unless the complainant requests that the results of the appeal remain confidential.
- f. No officer or employee of the District or law enforcement officer In District schools shall retaliate against, intimidate, harass, or threaten any person making a complaint. Any District employee found to have retaliated against, intimidated, threatened, or harassed any person attempting to make or who has made a complaint will be disciplined to the full extent of the law.



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4/2017

# Model Board Policy Regarding School District Police Departments

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## **I. INTRODUCTION**

### **A. Governing Principles**

The District recognizes the following values and governing principles, which guide this Board Policy:

1. Excellent public education is essential to the well-being of individuals, communities, and the State of California.
2. For students to access an excellent public education, they must feel safe in school.
3. Positive relationships and a supportive school culture to crucial in maintaining safety and security in school.
4. Law enforcement officers can provide an important role in the community.
5. School and District administrators and teachers, and not School Police Department (“SPD”) officers, should and must be responsible for addressing student discipline issues.
6. Students who are referred to police officers for school discipline issues or disability-related behavior may experience long-term, negative consequences as a result, including a higher likelihood of not graduating and having future interactions with the criminal justice system.
7. Young people who are facing behavioral challenges or engaged in minor criminal activity are most likely to benefit from positive behavioral intervention and supports, access to adults who mentor and guide them, and additional counseling or tutoring rather than arrest and exclusion from school.
8. Searching and interrogating students, and arresting and referring students to court, unless absolutely necessary, is counterproductive to the role of schools.
9. Meaningful engagement of all stakeholders – including students, parents, and teachers – is essential to school safety and positive school climate.

## **B. Program Goals and Action Plan**

The goals of this Board Policy are:

1. To promote school safety and a positive school climate;
2. To create a school environment in which conflicts are de-escalated and students are provided developmentally appropriate and fair consequences for misbehavior that address the root causes of their misbehavior, while minimizing the loss of instruction time;
3. To create a common understanding that:
  - a. School administrators and teachers are ultimately responsible for school discipline and culture;
  - b. Law enforcement should not be involved in the enforcement of school rules; and
  - c. A clear delineation of the roles and responsibilities of law enforcement, with regular review by all stakeholders, is essential.
4. To minimize the number of school-based arrests and citations while maintaining a safe school climate;<sup>1</sup>
5. To promote effectiveness and accountability;
6. To ensure that any SPD officers who have contact with students will first receive the requisite training and experience on how to work with youth, especially youth with disabilities and youth from high-risk or high-need backgrounds;<sup>2</sup> and
7. To ensure that SPD officers do not have disproportionately more contact with high-risk or high-need populations.<sup>3</sup>

To the extent that SPD contact with District students is disproportionately with high-risk or high-need populations, the District shall set goals for reducing the disparities and develop an action plan to reach such goals, including training for District staff, including SPD staff, as noted above. The District, including SPD, shall also identify any services or resources that are needed from the District and community to support students who have experienced multiple law enforcement contacts and to reduce such contacts.

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<sup>1</sup> U.S. Department of Justice & U.S. Department of Education, Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline at 6 (Jan. 8, 2014).

<sup>2</sup> This training should include but not be limited to officer training on topics such as de-escalation techniques, adolescent development, mental health and other disabilities, implicit bias, and cultural competency.

<sup>3</sup> Such student groups include, but are not limited to, low income students, English learners, foster youth, students of color, and students with disabilities.

## II. SCOPE OF SCHOOL POLICE DEPARTMENT INVOLVEMENT

The intent of this section is to give clear guidance to law enforcement officers and school officials, and to ensure law enforcement is not involved in the enforcement of school rules and policies. This section is not intended to be a recitation of existing law. Instead, it spells out heightened protections for students and parents that are more consistent with the unique setting of schools, the mission of the District, and the special characteristics of young people.

### A. Roles & Responsibilities

1. Disciplining students is the responsibility of District and school administrators, while preventing serious crime is primarily the responsibility of School Police Department (“SPD”) officers.
2. District or school staff should never ask for SPD officer assistance simply because the officer is available.
3. Designated school site administrators and staff may request SPD officers’ assistance only as a last resort when: (1) required by law under California Education Code § 48902; or (2) appropriate to address or prevent actual criminal conduct; or (3) there is a real and immediate physical threat to student, teacher, or public safety.
4. Except where there is a real and immediate physical threat to student, teacher, or public safety, school administrators shall conduct an investigation prior to making a decision to request the involvement of SPD officers. The school investigation should include interviewing the student suspect and other witnesses to determine whether law enforcement involvement is appropriate, pursuant to the standards set forth below in Sections II(B)-II(E), below.
5. In all matters involving SPD officers, the role of the District administrator is clear: s/he must act to safeguard the student’s rights because of his/her *in loco parentis* (i.e., “in place of the parent”) relationship.
6. Training on the administrator’s *in loco parentis* role shall be provided to all District administrators annually and on an as-needed basis.
7. Disproportionate use of SPD officers’ intervention in inappropriate situations shall be cause for corrective action by the District, including, but not limited to raising the issue with the Board of Education.

The following guidelines are intended to assist both school personnel and officers in evaluating when and how it is appropriate to involve SPD officers in situations involving District students.

## **B. School Disciplinary Issues**

1. School administrators, in partnership with the community and parents, have exclusive authority over school discipline issues.
2. No SPD police officer shall act as a school disciplinarian. Accordingly, SPD officers must refuse to engage in disputes that are related to issues of school discipline, even if other District staff or school staff have requested assistance from SPD officers. Issues that should be considered “issues of school discipline” are listed in detail below.
3. SPD officers should not be asked by school staff to interview students or collect evidence for District disciplinary purposes, including expulsion matters.
4. District or school staff shall not notify or request the assistance of SPD officers, and SPD shall not respond to notifications or requests for assistance, to resolve student disciplinary issues (“Disciplinary Issues”).

A non-delinquent act is a typical adolescent behavior that should be addressed by school administrators without the involvement of law enforcement. Issues that would not be appropriate for SPD officer involvement include, but are not limited to:

1. Disorderly conduct such as yelling, disrupting class, throwing food, or running;
2. Failure to participate in class or being unprepared for class;
3. Failure to carry hall-pass or other appropriate identification;
4. Trespassing;
5. Loitering or hallway wandering;
6. Using profanity against students and/or staff;
7. Insubordination/defiance;
8. Verbal altercations, abuse, and/or harassment;
9. Altercations, abuse, and/or harassment over the internet;
10. Vandalism and/or graffiti;
11. Failure to follow school rules;
12. Inappropriate public displays of affection;
13. Failure to wear or correctly wear school uniform or follow policies regarding clothing;
14. Possession of a prohibited item that does not violate the penal code (*e.g.*, cell phones or markers);
15. Inappropriate use of electronic devices;
16. Being late, cutting class, absenteeism, or truancy;
17. Physical altercations that do not involve a weapon or result in serious bodily injury;
18. Unintentional contact with school personnel when staff is breaking up a fight.
19. Perceived drunkenness or intoxication;
20. Possession of alcohol;
21. Possession of a tool that could be taken to be, but is not intended as a weapon – such as a nail clipper or file, small pen knife, butter knife, toy gun, pepper spray, etc. – unless that item is being brandished as a weapon;

22. Alleged or witnessed promoting or claiming of a neighborhood or crew (including verbally, through graffiti, through clothing, or hand signs);
23. Theft, including unarmed robbery; and
24. Gambling.

SPD officers or personnel who witness Disciplinary Issues shall locate school staff (including, when available, intervention workers) to respond to the situation.

### **C. Low-Level School-Based Offenses**

Low-level school-based offenses (“Low-Level Offenses”) rise above Disciplinary Issues and are defined as an offense involving:

1. Battery;
2. Battery on school property;
3. Battery against a District employee;
4. Disturbing the peace (or similar offense such as causing a disturbance); or
5. Possession of marijuana for personal use.

When a student commits a Low-Level Offense, District or school administrators should exhaust all other alternatives before involving police officers. Such alternatives include, but are not limited to: (1) issuing a warning; (2) admonishing and counseling; and (3) referring for community service, restorative justice, or mediation. District administrators shall develop a matrix for, and track the use of, alternatives. SPD officers shall have the discretion to refer students who have committed Low-Level Offenses to District or school administrators.

#### **1. Graduated Responses to Low-Level School-Based Offenses**

SPD officers shall use the graduated response system outlined below to address Low-Level Offenses. SPD officers shall not refer a student to the Juvenile Probation Department for the commission of a Low-Level Offense unless the student has committed a third Low-Level Offense during the same school year.

- a. **First Offense:** If a student commits a Low-Level Offense, an SPD officer shall have the discretion to refer the student to a District or school administrator, to admonish and counsel the student, or to take no action.
- b. **Second Offense:** If a student commits a second Low-Level Offense in the same school year, an SPD officer shall have the discretion to refer the student to a District or school administrator, to admonish and counsel the student, or to require the student to attend a District or other diversion program.
- c. **Third or Subsequent Offense:** If a student commits a third Low-Level Offense in the same school year, an SPD officer shall have the discretion to refer the student to a District or school administrator, admonish and counsel the student, or refer the case to the Juvenile Probation Department.

#### **D. Serious Offenses**

Serious school-based offenses rise above Low-Level Offenses. Below are examples of serious offenses:

1. Assaults involving serious bodily harm;
2. Serious violent offenses such as rape or kidnapping;
3. Possession of a firearm;
4. Use of a weapon; or
5. Armed robbery.

If a student commits a serious offense, District and school staff may request assistance from SPD officers according to the following guidelines:

1. Only after considering the totality of the circumstance, including but not limited to: (1) whether a lesser intervention will achieve the desired goal of correcting behavior; (2) whether the child intended to cause serious harm; (3) whether the child acted impulsively without any specific intent to cause serious harm; (4) the child's age; (5) the child's disability status; and (6) other mitigating circumstances.
2. In an emergency or crisis situation, call 911 or any SPD officer and notify school administrators as soon as possible.
3. If there is no immediate danger to students or others, school staff will contact their school site administrator to make the decision about whether to request SPD assistance for an incident involving potentially criminal behavior by a student, based on the criteria in Section II(A)-(D)(1) of this Board Policy, above; and
4. The site administrator shall notify the Superintendent and enter a written Incident Report the same day to detail SPD response to any incident involving a student. All Incident Reports shall be logged into the District centralized database system. All Incident Reports, and the centralized database system, must record key information about the incident, including, but not limited to: the school site, nature of the incident or offense, race, ethnicity, gender, disability (if applicable), and age of the student or students involved in the incident; but the database system shall be structured in a way that will protect an individual student's identity if records from the system are released to the public. This data will be provided in a written report at the bi-annual Board of Education meetings discussed in Section III(F) of this Policy, below.

**E. De-escalation Procedures for District Staff and SPD Officers**

Except where there is a real and immediate physical threat to student, teacher, or public safety, the first course of action should be the application of specific intervention strategies designed to diffuse the situation by addressing students’ emotional needs and de-escalating the immediate behavior. The intent of de-escalation is to restore the student(s) capacity to control his or her immediate impulse or behavior and move toward safer or more constructive resolution of the immediate problem situation. In the event of student behavior representing an incident warranting a police referral, as described in Section II(D) above, the following de-escalation strategies should be employed:

1. Identify student distress level and employ staff response utilizing appropriate verbal, nonverbal, and paraverbal communication strategies (*i.e.*, identifying precipitating factors of behaviors, limit setting, empathetic listening, respecting personal space, and utilizing appropriate body language)

DO...	DON'T...
Remain calm.	Raise your voice.
Use positive body language.	Continue to argue.
Take a step back.	Use negative body language.
Recognize the student’s feelings.	Give ultimatums.
Use “I” statements.	Use sarcasm to defuse the situation.
Suggest talking about the issue at a later time.	
Tell the student what you are doing at all times, preferably before you do it.	
Conduct yourself so as to avoid or minimize the possibility of accidentally touching private areas.	
Always respect the individual's history and cultural background.	

2. Slow down the situation by means of tactical disengagement: If an SPD officer can calm the situation down and walk away from a minor confrontation – and nothing bad will happen upon the officer’s exit – the officer should find a way to tactically disengage.

3. Other examples of de-escalation include:
  - a. Placing barriers between an uncooperative student and an officer;
  - b. Withdrawing;
  - c. Decreasing the exposure to the potential threat by using distance or cover;
  - d. Concealing oneself or others;
  - e. Communicating from a safe position that is intended to gain compliance using verbal persuasion, advisements, and/or warnings;
  - f. Avoiding physical confrontation unless immediately necessary, using verbal techniques such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making; and
  - g. Calling additional support like a trusted teacher, administrator, parent, or other officer.

#### **F. SPD Officer Entry on Campus**

SPD officers should notify school officials (*e.g.*, principal, dean, or head counselor) of their presence and/or purpose on school property. The only exception to this requirement is if there is a real and immediate threat to student, staff or public safety. During the meeting between the SPD Chief and the site principals before the school year starts or at the beginning of the school year (see Section III(B) of this MOU), the SPD Chief shall receive a list of school contacts to be used for this purpose.

#### **G. Questioning Students on Campus**

SPD officers shall not interview or question students or collect evidence for District disciplinary purposes, including for expulsion matters. School site administrators and staff are responsible for interviewing students under those circumstances.

##### **1. Criteria Which Must Be Satisfied Before an SPD Officer Questions Students Regarding School-Related Matters**

Absent (1) a real and immediate physical threat to student, staff or public safety, (2) an SPD officer's possession of a court order or validly-issued warrant authorizing the SPD officer's questioning of the student(s), or (3) where the student is a victim of suspected child abuse, SPD officers shall not question students (including, but not limited to, students who are suspects) about their involvement in or knowledge of suspected criminal activity unless all of the following criteria are met:

- a. The officer possesses probable cause to believe the student has committed, or will commit in the foreseeable future, an offense that poses a real and immediate physical threat to student, staff or public safety;
- b. The student's parent/guardian has been given an opportunity to be present and has consented to the questioning;



- c. The officer has communicated heightened, developmentally appropriate warnings against self-incrimination (*i.e.*, student and parent/guardian have been properly informed of the student's *Miranda* rights);<sup>4</sup> and
- d. The questioning occurs at a time in the school day when it will have a minimal impact on the student's learning.

Heightened, developmentally appropriate warnings against self-incrimination shall include the following:

- a. "You have the right to remain silent. That means you do not have to talk to me."
- b. "Anything you say to me can be used against you in court or for suspension or expulsion from school."
- c. "You have the right to have a parent, guardian, or lawyer here while I question you. If you want one of them here, you do not have to talk to me until he or she arrives."
- d. "If you go to court for delinquency or criminal charges, you will be given a lawyer."

If the student exercises his or her right to remain silent, including but not limited to choosing not to answer questions or requesting the presence of a parent/guardian or attorney, the officer shall immediately end the questioning.

## 2. Criteria Which Must Be Satisfied Before an SPD Officer Questions a Student Regarding Non-School-Related Matters

**SPD officers will avoid interviewing and apprehending students on school grounds for non-school-related issues.** SPD officers shall not question students (including, but not limited to, students who are suspects) about their involvement in or knowledge of suspected non-school-related criminal activity unless all of the following criteria are met:

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<sup>4</sup> Immediately prior to questioning a student who is in custody, SPD officers shall advise the student of the *Miranda* admonishment and attempt to contact his or her parent or guardian pursuant to Section II(L) of this Policy. The SPD officer shall make every effort to ensure that the student fully understands the *Miranda* admonishment, including by checking for understanding, explaining any terms that may or may not make sense to the student, and invoking *Miranda* in the student's primary language if not English. If the student decides to proceed with answering questions after the *Miranda* admonishment, the SPD officer shall tell the student that s/he may have a parent/guardian present before and during an interrogation and that s/he may decide to wait for the parent before questioning begins. A request by a student to have a parent/guardian present may be interpreted by the courts as an invocation of the right of the student to remain silent. Any SPD questioning of a student who is in custody shall be conducted in the language appropriate to the age of the student and in such a way as to ensure that the student understands the SPD officer, if the student decides to answer questions or provide information.

- a. The officer possesses a warrant supported by probable cause to believe the student has committed, or will commit in the foreseeable future, an offense that poses a real and immediate physical threat to student, staff or public safety;
- b. The student's parent/guardian has been given an opportunity to be present and has consented to the questioning;
- c. The officer has communicated heightened, developmentally appropriate warnings against self-incrimination (*i.e.*, student and parent/guardian have been properly informed of the student's *Miranda* rights)<sup>5</sup>; and
- d. The questioning occurs at a time in the school day when it will have a minimal impact on the student's learning.

Heightened, developmentally appropriate warnings against self-incrimination shall include those listed in in Section II(G)(1) above. If the student exercises his or her right to remain silent, including, but not limited to, choosing not to answer questions or requesting the presence of a parent/guardian or attorney, the officer shall immediately end the questioning.

### 3. School Administrators' Duties When SPD Officers Question Students

- a. When any SPD officer requests an interview with a student, the principal or designee shall request that the officer provide verification of her/his identity and official capacity and certify the legal authority under which the interview is being conducted. If the officer refuses to provide certification of the legal authority for the interview, the principal or designee shall document such refusal and should consult with District legal counsel and receive approval before allowing the interview to proceed.
- b. A school administrator shall allow an SPD officer to question a student if the SPD officer is in possession of a validly-issued warrant or court order pertaining to the student to be questioned. A school administrator may also allow an SPD officer to question a student if the officer reasonably believes that there is a real and immediate physical threat to student, staff or public safety, and the SPD officer executes a sworn declaration describing the real and immediate physical threat at the first available opportunity.
- c. If the SPD officer needs to interview or question the student immediately, the principal or designee shall accommodate the interview in a way that causes the least possible disruption for the student and school and gives the student appropriate privacy.
- d. If a parent or guardian cannot be found, the school site administrator shall offer the student the option of having an adult of his or her choice from the school available

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<sup>5</sup> *Id.*

during the questioning. The school site administrator shall immediately notify the parent or guardian by telephone regarding the questioning pursuant to Section II(L) of this Policy.

- e. School site administrators shall prevent SPD officers from questioning a student until the student's parent or guardian is present if that student:
  - i. Has an individualized education plan (IEP);
  - ii. Has a Section 504 Plan;
  - iii. Has a learning disability;
  - iv. Is 13 years or younger; or
  - v. Otherwise may not be capable of fully understanding the waiver of their right to remain silent.

#### 4. SPD Officer Conduct While Questioning Students

When questioning a student on school grounds, SPD officers shall do so in compliance with the Fourth Amendment standards that apply to detaining and questioning a student off school grounds.

Questioning or interrogating a student by SPD officers shall meet the following criteria:

- a. Officers must inform students of their *Miranda* rights immediately. The officer shall make every effort to ensure that the student fully understands the *Miranda* admonishment, including by:
  - i. Checking for understanding;
  - ii. Explaining any terms that may or may not make sense to the student; and
  - iii. Invoking *Miranda* in the student's primary language if not English.
- b. If the student decides to proceed with answering questions after the *Miranda* admonishment, the officer shall tell the student that s/he may have a parent/guardian present before and during an interrogation and that s/he may decide to wait for the parent or guardian before questioning begins.
- c. A request by a student to have a parent/guardian present may be interpreted by the courts as an invocation of the right of the student to remain silent.
- d. Any SPD questioning of a student who is in custody shall be conducted in the language appropriate to the age of the student and in such a way as to ensure that the student understands the SPD officer, if the student decides to answer questions or provide information.
- e. Whenever a SPD officer questions or interrogates a student, the juvenile's age and the nature of the alleged offense must be taken into consideration.

- f. Special effort shall be made to ensure that the student understands his/her rights as well as the juvenile justice system.
- g. If there is any indication that the student does not fully understand, the questioning shall end immediately.
- h. A child is presumed to be incapable of a knowing, willing, voluntary waiver of his or her legal rights if that child:
  - i. Has an individualized education plan (IEP);
  - ii. Has a Section 504 Plan;
  - iii. Has a learning disability;
  - iv. Is 13 years or younger; or
  - v. Otherwise may not be capable of fully understanding the waiver of their right to remain silent.

#### **5. Record of Questioning Students**

The school shall keep a record of any interviews of students by law enforcement officers on school premises. The record shall include the following information:

- a. Date and time of the interview;
- b. Name and identifying number of the officer;
- c. The agency employing the officer and his/her official capacity;
- d. The time when the officer arrived and left;
- e. The fact that the school site representative or parent/guardian was or was not present during the interview; and
- f. The reason for the questioning and/or release of the student, and any other pertinent information.

A copy of the record must be emailed to the Child Welfare, Attendance & Safety Office at [childwelfare@schooldistrict.org](mailto:childwelfare@schooldistrict.org). A copy of the record must be retained by the District in an administrative file created specifically for these records. No copies of the record shall be placed in student files.

#### **H. Searches of Students on Campus**

The same Fourth Amendment standards that apply when police conduct a search off school grounds shall apply to all searches conducted by SPD officers on school grounds. SPD officers shall not ask school officials to conduct a search to avoid this requirement.

- 1. SPD officers shall obtain permission of the school principal or designee before the officer conducts a search of a student's person, possession, locker, or other shared property. The only exception to this requirement is if there is a real and immediate physical threat to student, staff or public safety.

2. SPD officers shall also provide the school principal or designee with an opportunity to be present during the impending search, unless there is a real and immediate physical threat to student, staff, or public safety.
3. The individual officer conducting the search of the student shall be of the same gender as the student, unless the student expresses a preference for a different arrangement.
4. A school official and community intervention worker or counselor shall be present at the time of the search.
5. School officials shall not ask SPD officers to be present or participate in a search of a student about a suspected discipline issue. SPD officers shall similarly be prohibited from observing other searches conducted by school officials related to school discipline issues.
6. Probation officers shall not use schools as a place to conduct searches (including drug tests), questioning or pat downs of students, unless there is a real and immediate physical threat to student, staff, or public safety.
7. The District shall designate a section of its Parent Handbook that informs parents of its practice with respect to police searches of students.
8. Strip searches of students are prohibited. A strip search is any search where a student is directed to remove or lift clothing revealing a part of the body that would normally be covered in school.
9. Stop and frisk searches of students are also prohibited. Stop and frisk is the practice by which a police officer initiates a stop and pat-down of a student's outer clothing based on reasonable suspicion that a crime has been, is being, or is about to be committed.
10. All searches and pat downs that take place at school should happen outside the view of other youth (unless emergency situations make it impossible), to maintain the student's privacy and to decrease public embarrassment, humiliation and any other future stigmatization and discrimination against the student(s) involved.

#### **I. Seizure of Student Property**

Whenever SPD officers seize any item belonging to a student as a result of a search of a student or the student's belongings on school grounds during regular school hours, the following guidelines must be met:

1. The SPD officer will inform the student in writing within two school days after the seizure of the item;

2. The officer will provide the location where the student may obtain an itemized receipt from the Department for any and all property seized;
3. The written notification will include the relevant case number and telephone number to call, in order to enable the student and/or the student's parent or guardian to obtain the itemized receipt; and
4. The SPD officer shall either give the student this written notification and receipt at the time of the search and seizure or give the written notification and receipt to the school administrator within two school days for delivery to the student.

#### **J. Arrests of Students on School Campus**

SPD officers may enter a school to take a student into custody or to make a lawful arrest of a student **only if** the officer has a warrant or court order or the student presents a real and immediate physical threat to student, teacher, or public safety.

1. If the arrest is not made pursuant to an authorization order or warrant, the school principal or designee shall inquire as to the reason for the arrest by the officer prior to releasing the student into the officer's custody.
2. An SPD officer shall not conduct an arrest without first consulting with the school principal or the principal's designee and providing the principal or designee with an opportunity to be present during the arrest. The only exception to this requirement is if there is a real and immediate physical threat to student, staff or public safety.
3. If there is a real and immediate physical threat to student, staff or public safety that prevents consultation with the school principal or principal's designee before a student is arrested, the officer shall notify the principal immediately following the arrest and whenever safety permits before removing the student from the school site.
4. If the student is arrested, the principal or designee may release the student into the custody of the officer and shall immediately telephone the parent/guardian or responsible relative pursuant to Section II(L) of this Policy.
5. Students who are also parents or guardians must have an immediate opportunity to ensure that their children are in the custody of a trusted caregiver and have the opportunity to arrange for their child's/children's care for the duration of their time in custody.
6. In an effort to minimize disruption to the learning environment, SPD officers shall consider the reasonableness of making an arrest on campus or summoning a student from a classroom. When considering whether it is reasonable to arrest or summon a student on campus, the officer should consider the following:
  - a. Whether the arrest or summons is in response to a school-related offense;
  - b. The seriousness of the offense;

- c. Whether there is a real and immediate physical threat to student, staff, or public safety;
  - d. Federal or state legal requirements; and
  - e. Whether the officer is able to accomplish the arrest by other means.
7. SPD officers shall not arrest students for minor offenses. “Minor offenses” shall be defined as including, but not limited to, the violations listed in Section II(B)-(C) of this Board Policy. If the arrest is not reasonable given the considerations listed above, the arrest or summons of the student should be made at another time or place.
  8. A private location out of sight and hearing of other students should be arranged for the arrest of a student, where practicable, that will help avoid invading of the student’s privacy, jeopardizing the safety and welfare of other students, and further disrupt the school campus. SPD officers shall not arrest students nor escort students through school hallways in view of other students.

A school site representative must notify the Superintendent or designee of the arrest by completing the “Removal of Pupil from School During School Hours by a Police Officer” form and providing a copy to the Child Welfare, Attendance & Safety Office.

#### **K. Prohibition of Racial Profiling**

To the extent practicable, District administrators and staff, including SPD officers, shall not use or permit the use of actual or perceived race, ethnicity, or nationality when conducting stops or detentions, or in activities following stops or detentions, in the absence of a specific description of the suspect that provides sufficient identifying factors in addition to the person’s particular race, ethnicity, or nationality. SPD officers seeking one or more specific persons who have been identified or described in part by race, ethnicity, or national origin may rely on those descriptions only in combination with other appropriate identifying factors. The race, ethnicity, or nationality of individuals should not be given undue weight in the decision by SPD officers to stop or detain those individuals.

#### **L. Notification of Parent/Guardian of Student’s Arrest, Searches, Restraint or Seclusion, or Questioning by SPD Officer**

The District shall ensure that school officials immediately notify a student’s parent or guardian when a student is arrested by a law enforcement officer, before a student is questioned by a law enforcement officer, or if a student is subject to use of force by a law enforcement officer (as defined in Section II(M), below), except if the student is taken into protective custody by the officer as a suspected victim of child abuse or pursuant to California Welfare & Institutions Code § 305.

1. A school site representative must call the student’s parent/guardian and give the parent/guardian a reasonable opportunity to be present when a student is questioned by a law enforcement officer, prior to the commencement of the questioning, unless the student is a suspected victim of child abuse. If the parent/guardian requests that the pupil

not be questioned until the parent/guardian can be present, the law enforcement officer may not question the student until the parent/guardian is present.

2. Efforts to contact parents/guardians by District officials must include: (1) calling all numbers listed on an emergency card, including (a) work numbers, (b) cell phone numbers, and (c) any numbers supplied by the student; and (2) sending an email to all email addresses listed for the parent/guardian.
3. The principal or designee shall record the time(s) of contact or attempted contact with the parent/guardian.
4. If the District or school site representative is unable to reach the parent/guardian, s/he shall make repeated efforts to call or otherwise notify the parent/guardian for at least the next 24 hours. If those efforts are unsuccessful, he or she shall leave messages, where applicable, and follow up with written documentation.
5. If the parent/guardian of a student who is a victim or witness (and not a suspect) cannot be reached, SPD officers may not question the student unless there is a continuing real and immediate physical threat to student, staff, or public safety that justifies proceeding with the questioning.
  - a. If the parent/guardian is unavailable, the principal or designee must be notified as soon as possible and must offer the student the option to have an adult of the student's choice available during the interrogation before the questioning begins.
6. School officials shall convey the following information to parents:
  - a. The basis for the student questioning, arrest, or other referral to SPD;
  - b. Information regarding the student's rights, including the right to file a complaint with the Superintendent or Board of Education according to the process described in Section III(E) of this Policy;
  - c. Whether the child will also be suspended or face disciplinary consequences independent of the questioning, arrest, or other referral to law enforcement; and
  - d. Whether the child has been taken into custody and where the parent or guardian can reach the child.

#### **M. Subject Control (Use of Force)**

**Subject control** is defined as the amount of effort required by a law enforcement officer to compel compliance by an unwilling subject.



**Mechanical restraint** is “the use of any device or equipment to restrict a student’s freedom,”<sup>6</sup> and includes, but is not limited to, the use of handcuffs, flexicuffs, pepper spray, mace, TASERs and stun guns.

**Law enforcement officers operating in a school environment shall be cautious about the serious and negative impact of subject control tactics on the subject student, any student witnesses, and the entire school environment.**

SPD officers may not use physical force, which includes the use of mechanical restraints, on a student except when the student’s behavior poses an immediate danger of serious bodily injury to self or others.<sup>7</sup> Serious bodily injury means “bodily injury which involves (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.”<sup>8</sup>

1. SPD officers shall not use any type of physical force on a student, including by using mechanical restraints, to punish or discipline the student.<sup>9</sup>
2. Use of force shall not be used as a response to inappropriate behavior by the student (*e.g.*, behavior categorized as a school “disciplinary issue” as listed in Section II(B), even if the behavior is directed at an SPD officer).<sup>10</sup>
3. Even where an immediate threat of physical danger exists, SPD officers must use the least restrictive force technique necessary to end the threat.
4. SPD officers will use physical force only when no reasonable effective alternative appears to exist, and only then to the degree which is reasonable to effect a lawful purpose. Reasonable effective alternatives may include isolating the student and simply waiting for her/him to calm down; see Section II(E) for further discussion of de-escalation techniques. The use of physical force on a student shall cease when the danger is lessened.<sup>11</sup>
5. A SPD officer’s decision to use subject control tactics shall be determined by the totality of circumstances, including:

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<sup>6</sup> U.S. Dep’t of Educ., Restraint and Seclusion: Resource Document 10 (May 2012), *available at* <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

<sup>7</sup> NASRO Position Statement on Police Involvement in Student Discipline, NAT’L ASS’N OF SCH. RES. OFFICERS, <https://nasro.org/news/nasro-updates/nasro-position-statement-police-involvement-student-discipline/> 12 (last visited Oct. 11, 2016).

<sup>8</sup> 18 U.S.C. 1365(h)(3)

<sup>9</sup> U.S. Dep’t of Educ., Restraint and Seclusion: Resource Document 16 (May 2012), *available at* <https://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>

<sup>10</sup> *Id.* at 15.

<sup>11</sup> *Id.* at 12.

- a. The student's size, age, and weight;
  - b. The emotional capacity of the student;
  - c. The physical capacity of the student;
  - d. The severity of the alleged crime;
  - e. Whether the student poses an immediate threat to the safety of herself/himself or others;
  - f. Number of students present;
  - g. Number of adults present;
  - h. The potential for serious injury;
  - i. Known violent history of the subject; and
  - j. Whether the student has a disability.
6. The level of force used must be developmentally appropriate according to a child's age, developmental abilities, and other factors.
  7. The level of force applied must reflect the totality of the circumstances surrounding the situation, including the presence of imminent danger of serious physical harm. Proportional force does not require officers to use the same type or amount of force as the subject.
  8. The health and safety of the child must be monitored during the use of force.
  9. SPD officers have a duty to prevent other SPD officers from using unnecessary force. If an officer witnesses a colleague using unnecessary force, s/he is required to intervene and to report the unnecessary or excessive use of force to a superior.
  10. SPD officers are required to render first aid to subjects who have been injured as a result of police actions and should promptly request medical assistance.
  11. In assessing whether a response is proportional, an SPD officer must ask:
    - a. How would the general public view the action we took?
    - b. Would the public think it was appropriate to the entire situation and to the severity of the threat posed to me or the public?
    - c. Is this how I would want a child I love and care for to be treated?
  12. An SPD officer may never use force:
    - a. To punish or retaliate;
    - b. Against individuals who only verbally confront them unless the vocalization impedes a legitimate law enforcement function; or
    - c. On restrained subjects (*e.g.*, including subjects who are handcuffed or contained in a police vehicle) except in truly exceptional circumstances when the subject's actions must be immediately stopped to prevent injury, escape, or destruction of property. All such force shall be closely and critically reviewed.

13. SPD officers shall not unholster a firearm on District property unless there is a reasonable basis to believe someone on the property may use a firearm or other weapon to cause death.
14. If an SPD officer uses physical force on a student, the officer shall complete a “Use of Force Reporting Form”; and provide a copy of the form to: (1) her/his supervisor; (2) the school principal; and (3) the student’s parent in the parent’s primary language. The officer’s supervisor and the school principal shall maintain a record of the Use of Force Reporting Forms.

**N. Prohibited Against Entries in “Gang Database” Absent Grounds Sufficient to Support an Arrest**

In compliance with the Fourth Amendment, SPD officers shall not take photographs of a minor to be included in any database or compilation, including any kind of “mug book,” absent grounds sufficient to support the arrest and booking of the student unless: (a) there is a lawful detention of the student and the photograph serves a legitimate law enforcement purpose related to the detention; or (b) the student gives express informed consent for the photograph to be taken or used in such a manner. Informed consent includes telling the student how the photograph will be used (to the extent that such uses are known by the officer at the time), including whether the photograph may be included in a database or compilation, including a “mug book.”

**O. Limitations on Field Identification Cards Concerning Gang Activity**

An SPD officer shall not complete a field identification card regarding a minor student indicating that the student is suspected of gang activity, or otherwise collect information concerning alleged gang activity by the student, unless the SPD officer detains or formally cites the student and:

1. The detention or issuance of the citation comports with the applicable Fourth Amendment standards;
2. The basis for the detention or issuance of the citation is related to criminal gang activity, or, during the course of the detention or issuance of the citation, the officer learns information that gives rise to a reasonable suspicion that the individual is involved in criminal gang activity; and
3. The detention is brief and lasts no longer than necessary to issue the citation or to address the suspicion that provides the legal basis for the detention.

### **III. OVERSIGHT; IMPLEMENTATION; ADMINISTRATIVE DUTIES**

#### **A. Qualifications of SPD Officers**

Prerequisites to being selected as an officer assigned to respond to calls for service from District schools shall be:

1. Experience working well with children and youth, including recommendations from youth or educators; and
2. A work history free of any substantiated complaints of excessive force, racial profiling, harassment, or discrimination.

The District shall also consider or require the following additional qualifications:

1. Years of experience
2. Knowledge of the specific needs and local concerns of the community; and
3. Interviews by school staff, students, parents, and families, community stakeholders, and youth development experts.

#### **B. Coordination between SPD Chief, SPD Officers, and Schools**

##### **1. School Police Department Chief**

- a. The SPD Chief will meet at least once per school year with the Superintendent and shall be invited to one or more meetings with school site principals where the SPD Chief will provide a briefing on the relevant expectations, requirements, and operational procedures contained within this Board Policy with principals, other school staff, and SPD officers.
- b. On an annual basis, the SPD Chief and Superintendent shall jointly conduct an analysis of the previous year and discuss any adjustments that should be made to District policies or practices. The meetings shall occur before the school year or at the beginning of the school year.
- c. The SPD Chief will also meet with each school site principal on an as-needed basis when any issue arises that needs to be addressed.

##### **2. SPD Officers**

- a. With the goal of improving school climate, where SPD officers are permanently assigned to a school campus, they shall meet at least one time per month with their designated school site principal to exchange information about current crime trends, problem areas, or other issues of concern which have potential for disruption in the school or within the community, and to strategize on how to

improve school safety.

- b. Each SPD officer shall maintain a log of his/her meetings with any student and/or parent on District property. This log shall be known as the “School Police Department Officer’s Log.”
- c. The log shall include:
  - i. The SPD officer’s name;
  - ii. The name of the school where the student attends;
  - iii. The name of the school where the meeting occurred;
  - iv. Date and time of the meeting;
  - v. The name(s) of the student(s) and/or parent(s) with whom the SPD officer met; and
  - vi. The purpose of the meeting (unless the law requires any of this information to be kept confidential).

### **C. School Site Principal Duties Regarding SPD Officers on Campus**

1. It is the responsibility of the school site principal to facilitate ongoing communication between SPD officers and school staff.
2. If the Superintendent or SPD Chief requests a meeting to address an issue that has come up at the school site regarding the SPD, the site principal and any involved SPD officers shall participate in the meeting.
3. At least once each school year, the school site principal shall distribute a school climate survey to all students at the school to assess student safety and climate as it relates to student and officer interactions and contact.
  - a. The student climate survey shall be developed within 90 days of the effective date of this Policy in partnership with the stakeholder groups and organizations that work with District students.
  - b. The surveys shall be anonymous.
4. If the District already regularly administers districtwide student, staff and parent surveys, a separate school climate survey is not necessary. However, the existing surveys shall be adapted to include questions about school climate.
5. Information from the school site survey shall be analyzed, organized by school site, and shared with the Superintendent.
  - a. The Superintendent or designee shall include this data in the report that s/he provides to the District Board of Education, as described in Section III(F) below.

In the event that a school site principal feels that a particular SPD officer is not effectively performing his or her duties, or if the school site principal has a dispute or question regarding a

particular SPD officer or concern that the terms of this Board Policy are not being followed, the school site principal shall contact:

1. The Superintendent and SPD Chief as soon as it is practical to do so.
2. Alternatively, if any officer or other SPD staff member feels that other District staff are not effectively performing their duties, or believes that the terms of this Board Policy are not being followed, the officer or SPD staff member shall contact the SPD Chief and Superintendent as soon as it is practical to do so.

#### **D. Training and Distribution of Board Policy**

1. Within three months of adopting this Board Policy, the District shall ensure that the Policy is distributed to all SPD officers and other District staff. In addition, all new District staff, including SPD officers, shall receive this Board Policy within a week after their first day of employment. The Superintendent shall also provide a detailed description of this Board Policy in the Parent-Student Handbook of each school.
2. Within three months of adopting this Board Policy, the Superintendent shall ensure that appropriate training regarding the provisions of this Policy and staff responsibilities under this Policy has been provided to all school administrators and all SPD officers.
3. All SPD officers must participate in an annual training series. The training series shall consist of one training in each of the following areas, which shall be combined to form no fewer than five total training sessions:
  - a. The policies and procedures described in this policy;
  - b. Bias-free policing (including implicit or unconscious bias and cultural competence);
  - c. Review of the negative collateral consequences associated with youth involvement in the juvenile and criminal justice systems, including immigration, higher education, employment, and housing consequences;
  - d. Relevant confidentiality laws regarding student privacy;
  - e. State and federal laws prohibiting discrimination;
  - f. De-escalation and alternative approaches to conflict, including for students who have disabilities, mental health issues, or a history of abuse and trauma;
  - g. Special education laws;
  - h. Methods schools use to provide extra support to individual students (*e.g.*, 504 Plans, Individualized Education Plans (“IEPs”), Behavioral Intervention Plans (“BIPs”), and Student Study Teams (“SSTs”));
  - i. Strategies for working and communicating effectively with students in Special Education programs;
  - j. Child and adolescent development and psychology;
  - k. Age-appropriate police intervention and responses to challenging behavior;
  - l. Cultural competency;

- m. Appropriate responses to children with disabilities, LGBTQ children, and those with limited English proficiency; and
- n. The relevant district and school site staff and their roles.

### **E. Complaints**

Students, parents, administrators, and school personnel who believe there has been misconduct on the part of SPD officers, or that SPD or other District staff are violating any of the terms in this Board Policy regarding law enforcement involvement, may file a complaint with the Superintendent or his/her designee within 120 days of the alleged misconduct.

Any SPD officer or other District employee who receives a request from a person who wishes to make a complaint shall provide the person with the District Complaint Form, which shall include basic information about the complaint process in an accessible format, or direct them to the website at [Insert District Website URL], where the Complaint Form and information about the complaint process can be accessed. Members of the public who call the Superintendent's office, or any other District pupil services or personnel services office, by phone to complain will receive assistance with filling out a Complaint Form, which will be mailed to them for signature. Complaint forms shall be provided in languages other than English according to the requirements of Section 48985 of the California Education Code. Complaints may be submitted in the complainant's primary language.

The Superintendent or designee shall investigate any complaints regarding District staff, including SPD officers, who may be violating the terms of this Policy. Within two work days of receiving the written complaint, the Superintendent or designee shall assign a separate reference number to each complaint; acknowledge to the complainant, in writing, receipt of the complaint along with the assigned reference number; and provide anticipated actions on a timeline. The Superintendent shall report to each complainant the results of the District investigation into her/his complaint no later than 30 days after the submission of the complaint and as new information is obtained.

Individuals have a right to make an anonymous complaint. If an anonymous complainant provides a means of contact, the results of the complaint will be reported to the anonymous complainant. If the anonymous complainant does not provide a means of contact, the results of the complaint will not be directly reported to the complainant.

Any District employee, including any SPD officer, who files a formal written complaint against a student shall provide a copy of the complaint to the student's parent within two business days of filing the complaint.

Nothing in this Policy shall limit legally mandated due process for students, SPD employees or other District employees; or the right of a private party to pursue legal action in a court of law.

1. Log of Complaints and Semi-annual Complaint Statistical Summary Report

The Superintendent or his/her designee shall keep a log of all complaints received by her/his office and assign a separate reference number to each complaint. Reference numbers shall be provided to the complainant once assigned.

The Superintendent or his/her designee shall be responsible for preparing a semi-annual complaint statistical summary report to distribute to the SPD Chief and the District Board at a regularly scheduled public Board Meeting. The summary shall include the following:

- a. Type of complaint, by source and classification;
- b. Number of complainants and allegations against individual law enforcement officers, identified by the officer's individual assigned code number;
- c. Number of complainants and allegations against individual school security officers, identified by the officer's individual assigned code number, if applicable;
- d. Complaints per school site;
- e. Trends in complaints, if applicable;
- f. Length of time to investigate and resolve/prove a disposition for each complaint;
- g. Disposition of the complaint, including action taken to address the complaint;
- h. Number of appeals by type of complaint, source, and classification;
- i. Disposition of the appeal, including any responsive action to address a complaint; and
- j. Any and all steps taken by the [District] or [Police Department] to resolve systemic concerns.

This summary shall also be included in the publicly-available materials for each District Board meeting. All personal student information should be kept confidential pursuant to state and federal privacy laws.

2. Timelines for Handling Complaints

All complaints shall be investigated in accordance with the Peace Officers Bill of Rights.<sup>12</sup>

Best efforts shall be used in every case to provide a written response to the complainant, within 30 days of the date that the Complaint Form is received by the Superintendent or designee, describing the District's efforts to resolve or refer the complaint to the Department. If the complaint involves multiple individuals or incidents, the District shall make best efforts to complete the investigation within 45 days. If additional time is needed for the investigation, the District shall inform the complainant in writing that additional time is needed, the justification for the delay, and an update on its progress. Such additional time shall not exceed 90 days in any

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<sup>12</sup> Cal. Gov't Code § 3303.



instance, unless circumstances exist which are beyond the District's control and render completing the investigation impossible.

### 3. Disposition of Complaints

In conducting its investigation into complaints regarding District employees, including SPD officers, violating the terms of this Board Policy, the District may contact any individuals that the complainant has listed to interview them with respect to the allegations. The District shall follow up in person, by phone, or in writing with the complainant to request any additional information or documents that might be helpful to the investigation and to inform the complainant of the assigned complaint reference number, if one has not already been provided. The District must investigate all conduct described by complainants that, if true, would be a violation of the rules of employment of the SPD.

The District shall not allow District employees, including SPD officers, who were involved in an incident that is the subject of the complaint or who otherwise have a conflict of interest to participate in the investigation of that complaint.

Any District employee, including any SPD officer, who is the subject of the complaint shall be allowed to submit a written response to the Superintendent or designee.

Where serious allegations of wrongdoing are raised, the SPD officer(s) involved shall be removed from having contact with students until the investigation is completed. Such matters would include:

- a. Allegations of physical assault;
- b. Verbal threats of violence;
- c. Sexual advances or assaults; and/or
- d. Discriminatory language or practice based on race, ethnicity, national origin, language, sex, gender identity, sexual orientation, religion, disability, economic or other status.

The District shall provide a written disposition of the complaint to the complainant when the District's investigation is completed. The disposition must be signed and dated by the Superintendent or designee. The disposition shall include:

- a. Whether the complaint was sustained or not sustained;
- b. Any written response from the subject of the complaint;
- c. A description of the investigation;
- d. Findings of fact (i.e., a detailed description of what the investigator believes occurred and what, if any, laws or policies were violated);
- e. An explanation of and rationale for the result and conclusion;
- f. If a violation occurred, what remedies must be effectuated (i.e., what has to be done to make up for the harm caused by the violation(s)), as well as any other actions that will be taken by the District to address the concerns raised in the complaint; and

- g. An explanation of the appeal process described immediately below.

Where allegations of abuse or misconduct are substantiated, the SPD officer(s) involved shall be removed from any school assignments, permanently prohibited from being present on District property, and their personnel file must indicate the incident in order to ensure that no abuse, racial profiling or other targeting of certain students or groups of students is taking place.

#### 4. Appeal of the Resolution of the Complaint

If the complainant disagrees with the Superintendent's resolution of the complaint, s/he shall have a right to appeal the resolution to the District Board. Within 60 days, the District Board shall either:

- a. Uphold the Superintendent's decision; or
- b. Reverse the Superintendent's decision and request further investigation.

The Board's decision shall be made public, unless the complainant requests that the results of the appeal remain confidential.

Nothing in this Board Policy is intended to prevent or preclude a person from filing a complaint directly to the District Board in the first instance. The District Board shall also follow the same timelines and procedures as listed herein.

#### 5. Confidentiality of Complaints

Personally identifying information regarding minors that is contained in the complaint are subject to constitutional and statutory privacy protections.

#### 6. Prohibition Against Retaliation, Intimidation, Harassment or Threats

No officer or employee of the District, including the SPD, shall retaliate against, intimidate, harass, or threaten any person making a complaint. Any District employee, including any SPD officer, found to have retaliated against, intimidated, threatened, or harassed any person attempting to make or who has made a complaint will be disciplined to the full extent of the law.

### **F. Data Tracking and Public Review**

1. The following terms are defined for purposes of this section:
  - a. "School-related offenses" is a criminal offense occurring or originating on a District school site during hours the school site is regularly open to the public or its students for school-related business.
  - b. "School site" is the property upon which the school is located. It also includes any location where a school-sponsored event is being held for the duration of such event.
  - c. "Student" refers only to youth who are enrolled in a District public school (but not charter schools or private schools).

2. SPD staff shall compile and submit to the Superintendent a monthly written report of the activities of SPD officers. These monthly written reports shall be filed with the District Board of Education and should include:
  - a. School site crime incidents reported to, or observed by, the SPD;
  - b. Number of times that the SPD was called to a school site and included for each incident: (a) the type of call, (b) related offense (*e.g.*, trespassing, disruption, battery, possession of a weapon), and (c) resolution of call;
  - c. Number of times SPD officers issued a citation to a student:
    - i. On school sites for school-related offenses;
    - ii. On school sites for non-school-related offenses; and
    - iii. Off school sites for school-related offenses.
  - d. Number of times SPD officers contacted students off the school site for matters pertaining to school-related incidents.
  - e. Number of times that SPD officers handcuffed, restrained, or summoned students on campus.
  - f. Number of arrests of students made by SPD officers:
    - i. On school sites for school related offenses;
    - ii. On school sites for non-school related offenses; and
    - iii. Off school sites for school related offenses.
  - g. Such data shall be disaggregated by school site, offense, and student subgroup, including age, race, ethnicity, student English learner status, foster youth status, gender, and disability (if applicable), whether the student has an Individualized Education Plan or section 504 Plan, and the disposition of the matter.
  - h. Complaints/grievances: The number of complaints/grievances against SPD officers, disaggregated by the number of complaints lodged against individual officers, identified by the officer's individual assigned code number. Complaint/grievances should include but not be limited to any reports of injuries or excessive force. All complaints against SPD officers shall be handled according to the procedure described in Section III(E) of this Board Policy.
  - i. Referrals: The number of referrals by SPD officers of students from school sites to wellness centers, medical facilities, tutors, mentors, or other resources in lieu of arrest or citation, including referrals pursuant to California Welfare & Institutions Code § 5150.
  - j. Full and complete copies of SPD officers' logs pertaining to activities on school campuses.
  - k. Any other information SPD believes is relevant, including but not limited to information regarding the nature of any collaborative efforts between the parties.
3. The SPD Chief or designee shall provide the District Board with a written report twice a year (in January and July, or as soon as reasonably possible thereafter) during open session of a regularly-scheduled public Board meeting regarding:
  - a. The information contained in the aforementioned monthly report; and
  - b. The impact of the policies and practices described in this Board Policy, whether adverse or positive, according to the statistical information received, on the District's efforts to reduce disproportionate contact between high risk or high-

need populations<sup>13</sup> and the police and/or juvenile justice system, as well as to reduce the rate of school-based arrests and citations while maintaining a safe school climate.

4. The SPD Chief or designee will be available to answer any questions posed by the Board or community related to safety, disproportionate minority contact with law enforcement, if any, student arrest or citation rates, and any other issues.
5. The SPD Chief's monthly written report to the Board shall be made publicly available through the standard Board process and thereafter shall be posted on the District website, consistent with applicable federal, state, and local privacy laws.
6. The significance of disproportionate contact between high-risk or high-need populations<sup>14</sup> and Department officers, according to the foregoing anticipated data, shall inform and impact the development of the action plan contemplated in Section I(B), above.
7. The District shall provide the public with the following information by posting the information on its website, updated on an annual basis unless stated otherwise:
  - a. Regulations, policies, and protocols governing Department officer interactions with students, including any changes made in the prior year.
  - b. Training materials for Department officers about working with students;
  - c. Number of law enforcement officers regularly interacting with particular school sites; and the
  - d. Aforementioned monthly written report.

## RCW 28A.320.124

### School resource officer programs.

(1) If a school district chooses to have a school resource officer program, the school district must confirm that every school resource officer has received training on the following topics:

- (a) Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- (b) Child and adolescent development;
- (c) Trauma-informed approaches to working with youth;
- (d) Recognizing and responding to youth mental health issues;
- (e) Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- (f) Collateral consequences of arrest, referral for prosecution, and court involvement;
- (g) Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
- (h) Local and national disparities in the use of force and arrests of children;
- (i) De-escalation techniques when working with youth or groups of youth;
- (j) State law regarding restraint and isolation in schools, including RCW [28A.600.485](#);
- (k) Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants; and
- (l) The federal family educational rights and privacy act (20 U.S.C. Sec. 1232g) requirements including limits on access to and dissemination of student records for noneducational purposes.

(2) School districts that have a school resource officer program must annually review and adopt an agreement with the local law enforcement agency using a process that involves parents, students, and community members. At a minimum, the agreement must incorporate the following elements:

- (a) A clear statement regarding school resource officer duties and responsibilities related to student behavior and discipline that:
  - (i) Prohibits a school resource officer from becoming involved in formal school discipline situations that are the responsibility of school administrators;
  - (ii) Acknowledges the role of a school resource officer as a teacher, informal counselor, and law enforcement officer; and
  - (iii) Recognizes that a trained school resource officer knows when to informally interact with students to reinforce school rules and when to enforce the law;
- (b) School district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an officer to intervene with a student;
- (c) Annual collection and reporting of data regarding calls for law enforcement service and the outcome of each call, including student arrest and referral for prosecution, disaggregated by school, offense type, race, gender, age, and students who have an individualized education program or plan developed under section 504 of the federal rehabilitation act of 1973;

(d) A process for families to file complaints with the school and local law enforcement agency related to school resource officers and a process for investigating and responding to complaints; and

(e) Confirmation that the school resource officers have received the training required under subsection (1) of this section.

(3) School districts that choose to have a school resource officer program must comply with the requirements in subsection (2) of this section by the beginning of the 2020-21 school year.

(4) For the purposes of this section, "school resource officer" means a commissioned law enforcement officer in the state of Washington with sworn authority to make arrests, deployed in community-oriented policing, and assigned by the employing police department or sheriff's office to work in schools to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around K-12 schools. School resource officers should focus on keeping students out of the criminal justice system when possible and should not be used to attempt to impose criminal sanctions in matters that are more appropriately handled within the educational system.

[ 2019 c 333 § 12.]

## NOTES:

**Intent—2019 c 333:** "It is not the intent of the legislature to require school resource officers to work in schools. If a school district chooses to have a school resource officer program, it is the intent of the legislature to create statewide consistency for the minimum training requirements that school resource officers must receive and ensure that there is a clear agreement between the school district and local law enforcement agency in order to help establish effective partnerships that protect the health and safety of all students." [ 2019 c 333 § 11.]

**Findings—Intent—2019 c 333:** See note following RCW 28A.300.630.