

BEST PRACTICES FOR POLICE OFFICERS ASSIGNED TO SCHOOLS

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In October 2015, Richland County Sheriff's Deputy, Ben Fields, forcibly removed an African-American female student from her desk for refusing to comply with his instructions. He had been called in because the student had refused to put away her cell phone as instructed by, first, her teacher, and later a school administrator. When Deputy Fields arrived, he asked the student to leave and eventually used force to remove her from her desk, physically dragging her across the floor before placing her under arrest for the nebulous crime of "disturbing schools."

This incident is one of many that have led to questions related to the appropriate role police officers should play on school grounds. Many school districts have entered into agreements with local law enforcement agencies which assign a sworn officer, generally referred to as a School Resource Officer, to the school on either a part-time or full-time basis. Recent estimates suggest that there are about 17,000 officers employed in school districts across the nation. My ongoing research examines the effects of this police presence on students.

The History of Police in Public Schools

The first documented U.S. use of School Resource Officers occurred during the 1950s in Flint, Michigan. Although similar programs gradually spread to other U.S. cities, widespread diffusion came only in the 1990s amid escalating concerns about juvenile crime and school violence. Utilizing sworn law enforcement officers was viewed as an important way to ensure the safety of staff and students on school grounds.

In 1999, a federal program called Community Oriented Policing Services in Schools started to provide three-year grants to local law enforcement agencies to hire sworn officers. As programs expanded, the National Association of School Resource Officers took the lead in professionalizing school-based policing. This association is credited with developing the "triad" model of school-based policing, which divides the role of the officer into three distinct responsibilities: law enforcement officer, counselor, and teacher. As a police officer, the sworn officer remains a law enforcement officer with full arrest powers. As a counselor, he or she listens to students, connects them to appropriate community services, and serves as a role model. Lastly, as a teacher, the officer instructs students about legal issues such as those relating to drugs and gangs.

Support for School Resource Officers

Based on the philosophy of community oriented policing, School Resource Officer programs are widely regarded as essential in ensuring school safety and improving relationships between students and officers. These officers can help overcome negative perceptions of police and other authorities – and potentially increase students' willingness to report crimes. Sworn officers can also provide school authorities with specialized expertise on security issues. Furthermore, their

connections to the local police can help authorities better understand when school issues are related to broader community problems, such as drug-trafficking and gang violence. Supporters further argue that officers can help share information between schools and local agencies when disruptive students are placed back into schools. Because schools that employ School Resource Officers can be held liable if they fail to provide a safe environment for student learning, the presence of these officers may ensure that schools are vigilant about safety.

Negative Effects and Ambiguities

Notwithstanding the “triad” model, School Resource Officers are still primarily law enforcement personnel with arrest powers. Yet there remains ambiguity about when they should act as law enforcers or as educators.

This ambiguity becomes especially important when issues arise about searches of students on school grounds. In the case of *New Jersey v. T.L.O.* the Supreme Court ruled that although students at school do retain 4th Amendment rights of protection against unreasonable searches and seizures, school officials are only required to have a “reasonable suspicion” that a law or school rule is being violated in order to conduct a legal search. The presence of a sworn police officer complicates this issue. When conducting a search, is the School Resource Officer a law enforcement officer or an educator? According to current precedent, it depends on the circumstances. When School Resource Officers are responding to a situation as they would when “on the beat” in the community, they are acting in a routine-response capacity and any searches would need to meet the standard of probable cause. However, when school officers conduct searches either at the direction of or in collaboration with school personnel, they are said to be acting as educators, and are therefore subject only to the reasonable suspicion standard. In practice, these distinctions are dubious and can easily open the door to circumventions of student rights.

Another concern is that school authorities may rely too much on resident officers to handle routine disciplinary issues. School officials with good training are in a better position to respond to typical adolescent misbehavior, even if it fits the technical definition of a certain crime. Research has shown that adolescents push boundaries as a part of their normal developmental processes and their behaviors should be addressed accordingly. Furthermore, there is evidence that unfair disparities exist in punitive discipline for more subjective behaviors, such as “willful defiance” or “insubordination.” Especially when minorities are involved, student misbehaviors that used to be handled in the principal’s office are now handled by police officers – a situation that can be especially worrisome for vague infractions like “disturbing schools.”

Best Practices

Although assigning police officers to schools is an increasingly contentious issue, there are ways to ensure best practices that protect student rights:

- If school districts decide to partner with law enforcement, there should be a Memorandum of Understanding that clarifies the role of the officer and lines of authority and ensures that officers will not be responsible for handling routine school discipline issues.
- School officers need to receive specialized training, beyond regular police training. In particular, officers need to have a strong grasp of the normal vagaries of adolescent development, and also learn how to deal with students who have special needs.