



**Connecticut Collaborative Model
for School Arrest Diversion**

*New York State Leadership Summit
on School-Justice Partnerships:
Keeping Kids in School and Out of Court*
March 7, 2014
Hofstra Law School, Hempstead NY



Working to stop the
criminalization of
Connecticut's
children and youth.

- Small Staff, Big Coalition.
- Public policy advocacy to reform juvenile justice and other systems that affect Connecticut's at-risk children and youth.
- Goals: fewer children will enter the justice system, and each child will be treated safely, fairly and effectively.



Priorities

- Address major feeders: unaddressed behavioral and mental health needs, school-based arrests
- Ensure child's race or ethnicity does not negatively affect how s/he is treated
- Support and move agencies' jj vision, strategy, policies, implementation (special attention to older youth new to system post-Raise the Age)



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

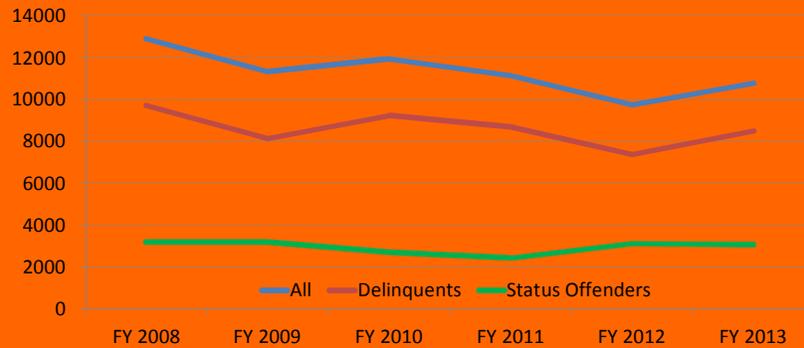


Shrinking *and* Expanding

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

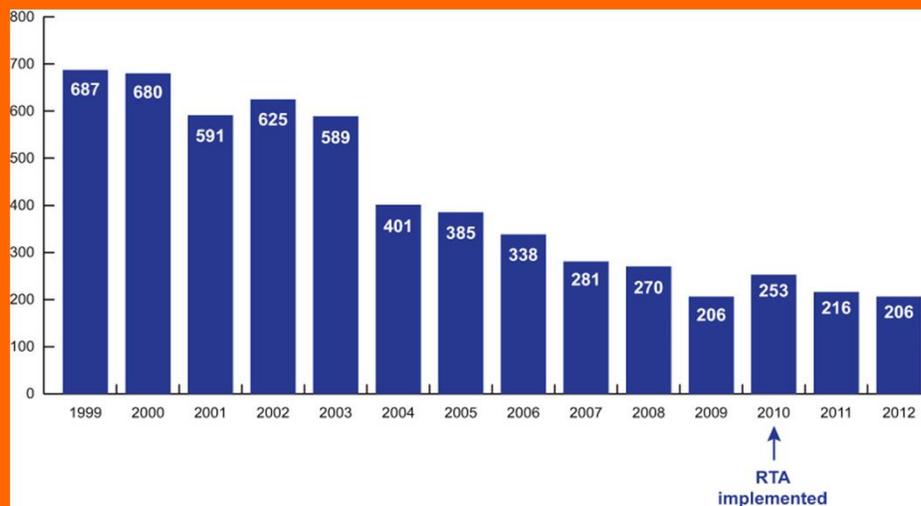
More children are getting cheaper and more effective services in the community.

**Juvenile Court Intake
FY 2008-2013**



Source: Judicial Branch, Court Support Services Division (CSSD)

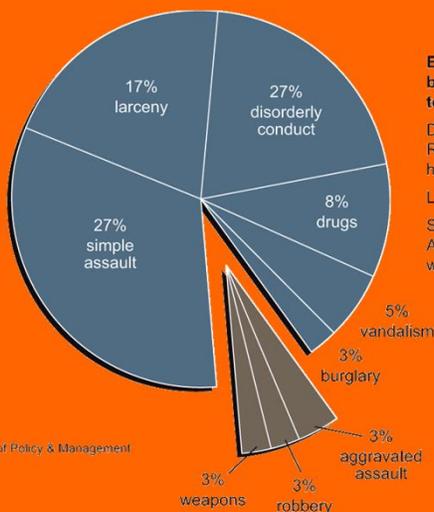
**Juveniles Committed Delinquent to DCF
1999-2012**



Source: Judicial Branch, Court Support Services Division

Most kids in the juvenile justice system are **NOT** violent.

Less than 10 percent of juvenile arrests involve the threat of serious harm to another person.



Examples of the behavior that leads to the charge

Disorderly conduct — Refusing to remove a hat in school

Larceny — Shoplifting

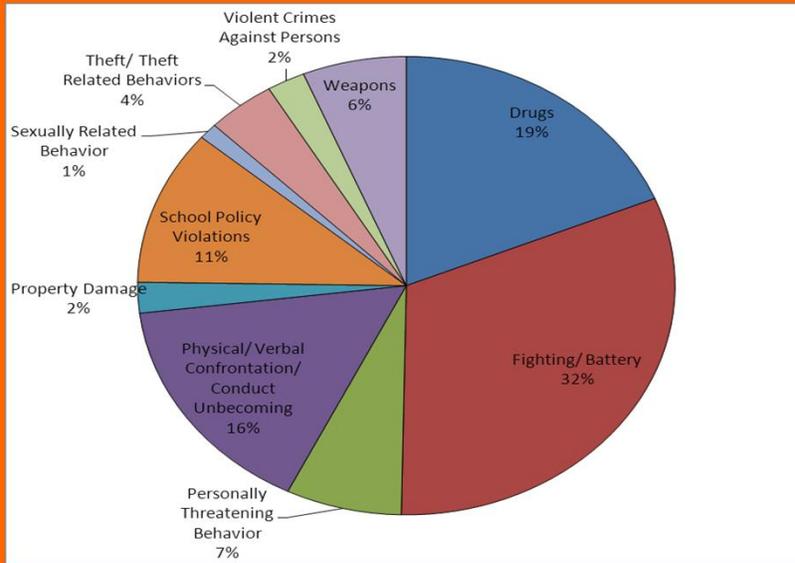
Simple assault — A shoving match in which no one is hurt

Source: Connecticut Office of Policy & Management

Looking for JJ System Feeders: Found School-Based Arrests

- Too many children referred to jj system from schools (latest SY 13% of total, down from 20% prior SY)
- Most for minor, misdemeanor offenses
 - School Policy Violations** escalate into delinquency charge or probation violation (swearing, “insubordination,” dress code)
 - Delinquency Charges:**
 - Disorderly conduct, breach of peace (fighting, talking back, running in halls, loud music)
 - Trespass (skateboarding, bicycles)
 - Smoking
- Children of color referred at disproportionately higher rates

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

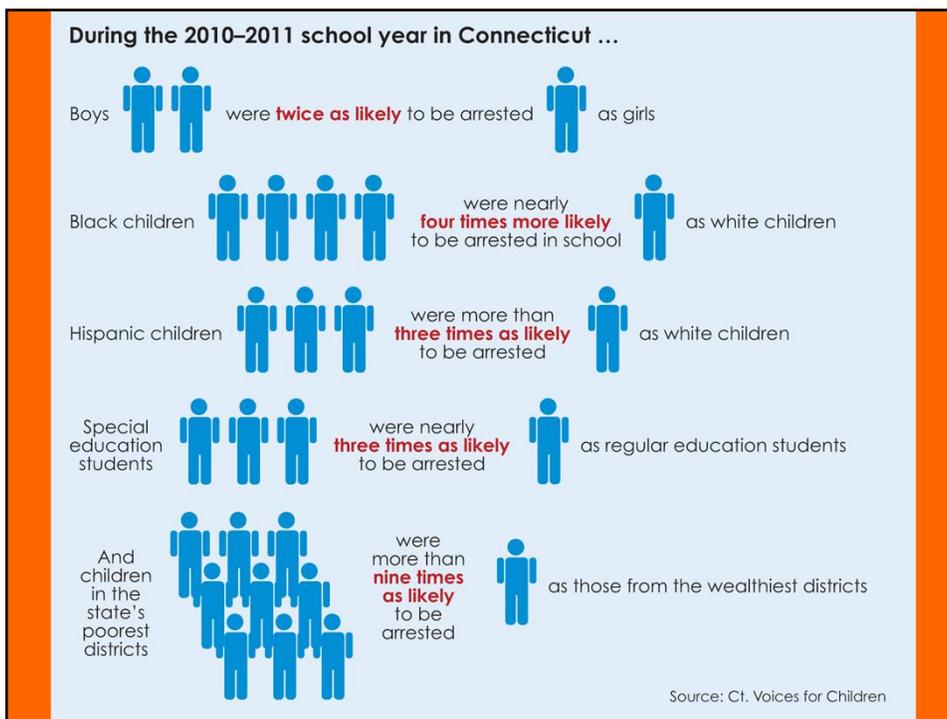


Source: SDE data analyzed by Connecticut Voices for Children

Reasons for School-Based Arrest, SY2010-11

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

Source: SDE data analyzed by Connecticut Voices for Children





CTJA's Response:

Inspiring, Educating, Building Capacity





- Educational forums:
 - moderated panels on jj/ed connections
 - CPTV *Education vs. Incarceration*
 - CPTV *The Color of Justice*
- Goal of *statewide* reform though a very local issue and infrastructure – demonstrate local success
- Close partnership with SAG (JJAC)

Good News: Replication *is* Possible

The process:

- SAG (JJAC): model MOA
- Fall 2010, JJAC and Alliance invited Judges Teske and Huff
- Community break-out groups: police, court, education, DCF...
 - Could their town / city achieve these kinds of results? Were they willing to work to get there?
- Summer 2011, 3 cities ready to launch collaboratives
- Fall 2011, implementation of MOA & graduated response model
- Ongoing: regular collaborative meetings to fine-tune, add and subtract initiatives, review data, discuss trends, gaps, successes, (re) train / orient school and police personnel

Results: Manchester

Manchester

District Overall					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	614	694	1154	+540	+88%
Out of School Suspension	389	416	139	-250	-64%
Expulsion	30	11	7	-23	-77%
Arrest (PD)	137	53	56	-81	-59%
Illing Middle School					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	207	244	371	+164	+79%
Out of School Suspension	132	101	139	+7	+5%
Expulsion	4	3	1	-3	-75%
Arrest (PD)	missing data	23	12	missing data	missing data
Manchester High School					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	407	450	491	+84	+21%
Out of School Suspension	257	315	139	-118	-46%
Expulsion	26	8	4	-22	-85%
Arrest (PD)	137	30	44	-93	-68%

Results: Windham

Windham					
District Overall					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	1563	1477	905	-658	-42%
Out of School Suspension	515	532	1096	+581	+113%
Expulsion	16	18	36	+20	+125%
Arrest (Schools)	56	37	7	-49	-87%
Windham Middle School					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	825	716	382	-443	-54%
Out of School Suspension	171	263	354	+183	+107%
Expulsion	3	0	24	+21	+700%
Arrest (Schools)	8	6	0	-8	-100%
Windham High School					
	2011	2012	2013	# change 2011-2013	% change 2011-2013
In School Suspension	738	761	482	-256	-35%
Out of School Suspension	344	269	606	+262	+76%
Expulsion	13	18	10	-3	-23%
Arrest (Schools)	48	31	7	-41	-85%

School-Based Arrest Statewide Data

SY2011-12	SY2012-13	% change 2012-2013
1667	1450	-13%

Source: Judicial Branch, Court Support Services Division

Work Centered on JJAC Model MOA *Principles:*

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

Juvenile Justice Advisory Committee Model MOA Graduated Response Model Format

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

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

Tailored Locally: Manchester Graduated Response Model

Graduated Response Model Chart

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

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

Traditional Discipline Interventions

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

Examples of Manchester Discipline Interventions

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

For (Many) More Details:

Adult Decisions

Connecticut rethinks student arrests

A publication of the Connecticut Juvenile Justice Alliance
January 2013

What Else is CT Doing?

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

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

- “Offense” = normal adolescent behavior
- Involves skateboarding, bicycle, loitering, simple trespass (school property)
- Possession of tobacco > 15 yo
- Siblings fighting at home, no weapons or injuries
- School fight, similar age, no injury, both arrested
- Other school incidents: wearing hat, running in halls, swearing, talking back, disruptive but no violence / property destruction / injury

And...

3. CSSD

- School-based arrest data collection statewide

4. Legislature

- Proposed legislation to require MOAs and data (SB54/HB5355)

5. JJAC DMC Subcommittee

- Model MOA and incentive grants
- Training and network: patrol officers & school personnel (RightResponseCT.org)
- Right Response Network now has 16 community collaboratives implementing MOAs



6. SBDI

- School-deep, mental health focus, EMPS usage

7. SDE

- Positive school climate movement

CT's Comprehensive Approach: Why it is Working

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

Adult Decisions: Rethinking Student Arrests Action Steps

1. Educate yourself about problem
2. Find out what's happening in your community
3. If the data not available, ask why
4. Make it clear you care
5. Broad coalition of stakeholders
6. Students, families, teachers have a voice
7. Partners create MOA clarifying police role in school discipline
8. Make good use of existing resources
9. Keep collecting data
10. Share your story
11. Signing MOA is just the first step
12. Respond to students with mental health needs



www.ctjja.org

Abby Anderson, Executive Director (abby@ctjja.org)
Lara Herscovitch, Deputy Director (lara@ctjja.org)
Mallory LaPierre, Policy Associate (mallory@ctjja.org)