

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

**Does Strict Law Enforcement  
Deter School Violence?**

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**An Administrative Research Paper  
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## **ABSTRACT**

The idea that strict law enforcement deters school violence is relevant to contemporary law enforcement because police officers are issuing citations to school students for simple assault and fighting. The officers are taking up a lot of time working on these cases when they could be working on violence prevention and keeping the school campuses safe. Officers are using their time to write the citations, take statements, write reports, and appear in court, when they could be on patrol, staying visible, watching for suspicious people walking on the school campus.

The purpose of this research is to find alternate methods that school administrators could use to stop the violence through teen court, peer mediation, and first offender programs. Police officers should not be called on by school administrators unless the case is serious and police intervention is needed. The method of inquiry used by the researcher included: a review of printed materials (including books on school violence), text on zero tolerance, teacher research, and internet sites dealing with teen court, peer mediation and first offenders. Some textual research documents from the Law Enforcement Management Institute of Texas (LEMIT) were reviewed. Also, a survey distributed to 30 survey participants and two personal interviews with Justice of the Peace Judges was conducted.

The researcher discovered that sixty percent of the students surveyed had been in trouble at school and after they received punishment, thirty three percent said the punishment would not keep them from getting into trouble again. The punishment ranged from in-school suspension, being sent to alternate education schools, suspension, to police citation, and arrest. When the students answered the question "If

you knew someone brought a weapon to school would you report it”, seventy percent answered they would report it, but thirty percent answered they would not report it. It is the author’s opinion that thirty percent is a high number of students who would not report someone with a weapon at school. Thirteen percent did not want to tell on a friend, thirteen percent did not think the weapon would be used, ten percent did not want to be called a snitch, and three percent of the students surveyed were scared of peer retaliation. Reviewing these facts leads this researcher to believe that strict law enforcement will not stop a large group of students from violence. However, other programs such as teen court, peer mediation and first offender programs have proven track records.

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## INTRODUCTION

Everyday breaking news stories about school violence can be heard. Hearing about school violence, whether it is through radio, television, newspaper or internet media, can have an impact that ranges from local to international. School violence is nothing new. However, the increasing regularity at which it happens in today's society is quickly becoming the "norm" and unfortunately the accepted risk for students and staff at all levels of school. With school violence on the rise, school administrators and law enforcement must work together to get it under control. Crimes in school are the same crimes that occur in the neighborhoods around the school campus. School Administrators must be ready to deal with every type of problem as it develops. When a male and female break up, they have jealousies that may cause problems and even lead to violence. A student has a strong dislike for another and does criminal mischief to their car, which causes the other to retaliate. Students steal from one another and fights break out between the two. It is up to School Administrators and Law Enforcement to stop the violence before it escalates and someone gets hurt.

The increasing number of fights and assaults that occur on a daily and weekly basis is one of the biggest issues that school administrators and law enforcement officials deal with. The increase in the number of fights and assaults has been blamed on the influences of media and peer pressures, not only by school administrators, counselors, parents, but agreeably by the general population. When school systems employ their own school resource officer/law enforcement department the increase time consumed by officers working on the case can cause the department to have its use of manpower challenged because of the time it takes away from other duties

needed to be accomplished. Officers spend more time breaking up the fight, writing the report, issuing a citation, collecting evidence, taking statements and appearing in court.

School Administration and Law Enforcement Officers need to work to create a Safe School Environment where teachers can teach and students can learn. It is the only reason schools exist, and it has been proven that students who feel safe, learn more and have a better education than schools where violence occurs regularly.

Granted, most schools are safe. Less than one percent of all violent deaths of children occur on school grounds, however, no school is immune from school violence. As a result of the recent armed assaults targeting learning institutions, many school administrators and government entities are searching for proactive solutions. (Jones, 2001) Students have less chance of being killed at school than anywhere else, including the home or community they live in. But students have a very real chance of being a victim of violence of other crimes; Assaults, Fights, Threats, Thefts, Bullying and Criminal Mischief are everyday crimes that occur in schools. Fights and assaults occur on a regular basis and the actors have no fear of the outcome of the fight or the consequences of their actions. They know they will get caught and dealt with by both the school administration and law enforcement officers, but they act regardless. In a recent survey of students at a local high school one half of the students surveyed stated they did not think they would get caught.

California has amended its constitution to read that school children and school staff have an inalienable right to safe and peaceful schools, and its high court recognized a "heightened responsibility" for school officials in charge of children and the school environment (Curcio & First, 1993). In Texas the legislature has passed a Bill

requiring students to pass a TAK's Test before they can graduate. In schools where students feel safe and the education process is clear more students succeed on the Test and complete high school.

The purpose of this research is to look for alternative ways to deter assaults and fights in schools. The most common method used currently by many school systems is writing of citations in hopes that it will curb the problem. It can appear that this does not meet its goal. This research will attempt to answer the question: Are tickets issued in schools for assaults or fighting deterrence for reoccurrence?

The method of inquiry that will be used for the purpose of this paper will be a review of written and published materials along with personal interviews with at least two juvenile judges. A survey of high school students will also be accomplished. It is anticipated that the result will find that strict enforcement through the issuance of citations does not deter assaults or fights from reoccurring. This research is intended to benefit not only school administrators and officers who work with school district police departments but also the students and staff of any school system. The need is present to explore new avenues for alternative ways to handle assaults and fights that occur on school grounds/campuses.

## **REVIEW OF LITERATURE**

Why do students fight and assault other students? Those who are not convinced that there exist a connection between these low-level types of violence and more lethal forms need to listen to students explain how angry words, and even unwanted stares, lead to fighting and in some cases, weapon violence (Casella, 2001). Working in schools one can witness the kids who feel that fighting is the only answer to their

problems. When a female student gets angry because another female is talking trash about her, they get into a fight to save face. However, when the fight is over and the two combatants are separated, the feelings that led up to the fight still remain and unless the school administrator or the police officer can successfully mediate between the two students, the fighting will continue until someone gets hurt. Not only unwanted stares and angry words cause children to fight. Criminal mischief, thefts, gang violence, and drugs or other reasons children take to fighting to solve their differences. Fighting has occurred in schools ever since there have been schools but in the past decade violence has been on the rise and students are being killed when fighting gets out of hand. Although the young people who engage in violence do not intend the outcome, they nevertheless suffer the consequences—either the harm that comes from being victimized or the punishment that comes from being the aggressor (National Institute of Justice, 1997). With zero tolerance policies at most schools, students are expelled, suspended, or sent to alternative education centers, where they are placed with other students who have misbehaved. In some cases these students learn to behave like their peers and the aggression gets worse. Parents and school administrators expect children to behave in a certain way and when they do not, the punishment of these students is sometime harsh and causes conflicts between the parents and administrators. As an integral part of the crackdown on kids, like other “get tough on crime” measures, zero tolerance strategies are often forces in schools that give impetus to rules, policies, and new abilities to justify the expulsion, exclusion, shaming, labeling, and alternative placements of students who are sometimes deeply troubled (Casella, 2001). Many school districts are turning away from the education based school

discipline, and are turning to law enforcement and the courts to handle cases of misconduct in school. Students are being arrested, handcuffed, and sent to court for minor infractions of the law, known by many as the “schoolhouse-to-jailhouse-track” or the “school-to-prison pipeline”, this growing trend of relying upon law enforcement and courts for typical, minor adolescent misbehavior is alarming (Florida State Conference NAACP, 2006).

In a study conducted by Howard Snyder and Melissa Sickmund, it was discovered that juvenile crime is on the rise. The crime rate for aggravated assault is expected to rise from fifteen percent to one hundred and twenty nine percent in the next fifteen years. Victimization rates for simple assault are highest among people ages twelve to nineteen. The problem is increasing, because while some types of violent crime are declining, the risk of being a victim of this type of crime has risen since the mid-1980's among juveniles ages twelve to seventeen (National Institute of Justice, 1997).

In a survey of student at a local high school, students were asked if they had received a citation from the school district police department. Over fifty percent stated they had received a citation for some criminal offense. When asked if the punishment keep you from getting in trouble again, thirty three percent of the students stated no. The students were also asked if you know someone brought a weapon to school would you report it. Thirty three percent of the students answered no they would not report it. When asked why forty percent stated they did not want to tell on a friend, and forty percent stated they did not think they would use it. While fifteen percent stated they did not want to be call a snitch and only five percent were afraid of retaliation.

Researchers Gary Gottfredson and Denise Gottfredson found that the following school characteristics were associated with discipline problems; rules were unclear or perceived as unfairly or inconsistently enforced; students did not believe in the rules; teachers and administrators did not know what the rules were or disagreed on the proper responses to student misconduct; teacher-administrator cooperation was poor or the administration inactive; teachers tended to have punitive attitudes; misconduct was ignored; and schools were large and lacked adequate resources for teaching ([www.ericdigest.org](http://www.ericdigest.org)).

What can be done to stop the violence? Teachers with low aggression classrooms teach rules, procedures, and consequences as explicitly as they teach content. Rules are guidelines governing appropriate and inappropriate student behavior (Goldstein, Palumbo, Striepling, & Voutsinas, 1995). The rules must be clear and understood by both the students and the staff. Consequences of breaking the rules must be clear to the students, staff, and parents. Students who break the rules must be dealt with consistently and fairly. Students must have a process to appeal the consequences so students can tell their side of the story. Parents, students, and staff must be trained in the difference between school misconduct and offenses in criminal law. Students should be praised, complimented and given rewards for good behavior and recognition should be given before the student body.

One set of skills for people working in schools that will hold the entire school district in good stead is conflict resolution. Keeping an incident from deteriorating into a physical attack is a valuable one and school districts have the responsibility to provide staff development in crisis prevention strategies (Curcio & First, 1993). Another good

tool is the development of violence prevention programs that are aimed to reduce juvenile perpetrators as well as Juvenile victims. Violence prevention programs are present in a variety of settings, including schools, in community centers, and as part of religious organizations (Sexton-Radek, 2005).

Simply issuing a student a citation for school misconduct is one form of punishment but with violence on the rise and students who feel that getting a citation is no big deal, research shows it is not working. During an interview with Judge John Vasut, Justice of the Peace (Precinct Two) of Brazoria County, Vasut stated that “discipline for fighting, assaults, and disorderly conduct is a school issue and should be handled by school administrators” he further stated that “schools are trying to criminalize these cases that should be school discipline issues” (J. Vasut, personal communication, July 19, 2007). Fighting, assaults, thefts and criminal mischief are all on the rise and it is the responsibility of everyone to get it under control. Alternative methods of dealing with student offenders must be sought. Peer mediation, teen court, first offender programs, and consequences programs are just a few.

Peer mediation is both a program and a process where students of the same age-group facilitate resolving disputes between two people or small groups. This process has proven effective in schools around the United States, changing the way students understand and resolve conflict in their lives (www.studygs.net, 2007). Not only do the offender have a way to vent there problems but the mediator learns how to solve their own problems when they arrive.

Teen court provides alternative programs to direct cases away from juvenile courts and other opportunities for juvenile offenders to have cases resolved without the juvenile court system. Teen court programs focused on prevention of offenses rather than simply punishing them. Teen court allows the student to accept responsibility for their actions and the opportunity to explain their involvement in an offense. Because the court is made up of specially trained students both the offender and the students learn how the judicial system works and how the offender's actions affect the family, friends and community. Depending on the nature and severity of the crime, defendants may be required to attend counseling sessions with their parents on decision making, provide a written or verbal apology to the victim, attend educational programs on drug and alcohol use or traffic safety, or attend a victim impact panel ([www.nhtsa.dot.gov](http://www.nhtsa.dot.gov), 2007).

The first offender program allows students to participate with their parent or guardians consent in education programs that teach skill-building that will improve a youth's behavior, decision-making, family relationships, self image and communication skills. If the student completes the program the case filled against them will be closed and if they do not get in trouble again for 90 days the record is wiped clean. The Texas Family Code (Section 52.03 and 52.031) permit police to dispose of cases without referral to juvenile court and to refer first-time offenders and their parents to mandatory education and counseling programs in lieu of further prosecution, if appropriate ([www.tarrantcounty.com](http://www.tarrantcounty.com) 2007).

## **METHODOLOGY**

The research question to be examined considers whether or not strict enforcement through arrest and/or the writing of citations for the Class C offenses of Fighting and Assaults will help stop the violence in schools. The researcher hypothesizes that school administrators, law enforcement officers, students and the general public will benefit from this research. Stopping the violence in schools and making the schools a safe place for students to learn and teachers to teach is the goal of this research.

The method of inquiry will include: reading printed material and completing a survey of students at a local high school. The books will include topics on safe schools, at zero tolerance, a teacher's guide to breaking up fights, and school violence. Some printed material from the internet in reference to teen court, peer mediation, and first offenders. The instrument that will be used to measure the researcher's findings regarding the subject of Does Strict Enforcement Deter School Violence will include a survey taken from high school students in the summer of 2007 and personal interviews with two Justice's of the Peace. The size of the survey will consist of ten questions, distributed to thirty survey participants from Alvin, Texas. The response rate to the survey instrument resulted in thirty students taking the survey and one hundred percent returning the survey.

The information obtained from the survey will be analyzed by totaling up the results of the questions ask and determining the percentage of the students who were concerned about getting arrested or a citation from police before and after they engaged

in a fight whether or not the arrest or citation would cause them to be involved in a fight or assault in the future.

## **FINDINGS**

This researcher found that some students are not worried about receiving citations for a number of reasons. First they feel that nothing will happen to them when they receive a Class C Misdemeanor citation. They feel that the record will not follow them into their move into adulthood. The punishment they receive in school will be short and worth any satisfaction they get out of the fight or assault. During a survey of high school students it was discovered that sixty percent had been in trouble at school. The table below indicates the range of punishments they received and the percentage of students that received each punishment.

Punishment Ranges Table I

In School Suspension	ADAPT	Out of school Suspension	Police Citation	No Punishment for Misbehaving
33%	13%	7%	7%	40%

The survey further asked the students, did the punishment keep you from getting in trouble again and one third stated no. They had gotten into trouble again and that getting in trouble was not an issue for them. Fifty percent of the students in the survey had been in trouble with the School District Police and had been issued a citation or arrested this school year. The table (below) indicates the number and types of contacts students had with the school district police.

Police Contacts Table II

Parking Citations	Traffic Citations	Criminal Citations	Arrested	Victim of a Crime	Witnessed a Crime	Reported a Crime	Visited Police
36%	3%	6%	10%	20%	3%	13	9%

Did the students let the fear of getting in trouble stop them from getting in trouble while in school? The table (below) indicates that most did not even think about it, while a large group did not think they would get caught.

Trouble in School Table III

Yes and did not act	Yes but acted anyway	No did not think about it.	No did not think I would get caught
26%	3%	46%	25%

The students were asked if they knew someone brought a weapon to school would they report it to the authorities. Seventy percent stated they would tell if they knew about a weapon but thirty percent stated they would not tell. This could lead to a large amount of weapons brought to the school campus and students would not report it. The table (below) shows the reasons why the students would not report the weapon.

Reason Not to Tell About Weapon Possession Table IV

Do not want to tell on a friend	Do not want to be called a snitch	Scared of Retaliation	Did not think they would use it
33%	25%	9%	33%

It was further discovered that two justice of the peace were very clear that cases brought to their court for these low-level type crimes would be dealt without making them criminal cases. They would be disposed of with no record on the juveniles record. Therefore the time the officer takes to write the report, take statements, write a citation or make an arrest would be time used for no reason. School districts have a responsibility to deal with students misbehaving with school discipline. When school discipline does not work and students continue to get into trouble, other programs need to be used. Peer mediation as an opportunity to stop the violence before it turns into a fight. Students and staff learn to deal with low level crimes before they escalate into a fight or an assault. They meet with the students involved and settle their differences without violence. If that fails and the students are issued citations they have the opportunity to appear in a teen court where students hear the case again. The offender has the right to state what happened and why. The teen court has the chance to assign community service. The offender's parents must appear in teen court so they are involved in the process and know what happened and why. There is also the first offender program in which students are given another chance to clean their records before they become adults. Youth and family counseling can be assigned to any student that the court feels needs help. The main theme of these types of programs is to get the parents involved and together change the students behavior. Making the schools safe is the duty of everyone in the school district setting. Having a safe and secure learning environment is the goal of the school base police officer.

## **DISCUSSIONS/CONCLUSIONS**

The outcome of this research suggests that strict law enforcement (in cases of fighting and assaults) does not deter school violence. It is evident in the statistics that over one third of the students issued citations for these offenses get in trouble again and become second and third time offenders. It the school's, the community's and law enforcement's responsibility to the students and young adults to try and find out why they engaged in this aggressive behavior. This effort must be a joint effort between the school administrator, teacher, student, parents and police. In today's society youth learn that fighting and assaults are a way of life. They see it in the video games they play, the music they listen to and the friends they keep. It is easy to issue the students citations for their acts and send them back to class but if we do not take the time to find out why they got into trouble to start with they will be in trouble again and someone will have to deal with them. These students need counseling and they need someone to get involved with them. Judge Vasut advised that the students need youth and family counseling provided by the local government. Teen Court is a proven way for the students who do get citations to go to court and have their cases heard and allow them the opportunity to tell someone what happened. When students talk about being treated fairly, what they really mean is hear my side of the story before you make up your mind about what happened. Often time officers are too quick to write the citations for these low-level offenses and not take the time to hear what the students are saying. Peer Mediation is a way to have someone hear the students talk about what is going on before it becomes violent and leads to the police being called. When peer mediation is done in the correct format all the students involved win because the students with the

problem solve their differences and the student mediators learn how to handle problems for themselves. School violence will never be stopped completely but the number of cases can be greatly reduced by using methods other than issuing citations and making arrest. Youth counseling, teen court, first offender programs, and peer mediating have proven records of success and should be use before making these low-level offense a crime. Juvenile offenders could be marked for the rest of their lives with criminal records if someone does not take the time to counsel them regarding the dangers of school violence.

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