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ISD-Based Policing

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ABSTRACT

Texas public schools should establish their own ISD based police departments. The strengths of these officers and departments include the creation of positive relationships between the officers, school district students, staff, and parents. These relationships help to mentor students and staff which, in turn, creates trusting relationships that could last for a life time. The presence of campus officers reduces crime and enables a school to focus on the true goals of the institution: education. Officers are an important part of the school system. By placing highly trained officers on campus, criminal acts are reduced and sometimes never committed due to the presence of an officer. This contributes to the reduction in lifelong consequence made by youth. In addition, student discipline referrals to campus administrators are reduced. A campus officer has the keen ability to caution delinquent and disruptive behavior. Campus officers are able to talk wavering students away from bad choices and towards promising adulthood. Finally, despite budget shortfalls and the perception of the school-to-jail pipeline, many schools are finding additional funding sources and reduced criminal incidences on campus when utilizing ISD based policing as their primary model for school safety. The author's research will overwhelmingly demonstrate the great need for campus based police officers and the resources ISD police department can offer to public schools in Texas.

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INTRODUCTION

School or Independent School District (ISD) policing, also known as ISD police departments, are a recognized form of Texas law enforcement that has been created and state licensed (Gould, 2014) to employ highly trained police officers assigned exclusively to the Texas public school system. These officers are equipped with a specific range of knowledge in the areas of the Texas Education Code, Texas Family Code, Penal Code, Texas juvenile laws, gang deterrence, child abuse, and school based violence and prevention. Many of these officers are also experienced in conducting building safety audits as well as emergency and incident command procedures (Canady, James, & Nease, 2012, para. 8-9).

During the course of this research paper, the researcher will highlight the true benefits of an ISD based police department and how their partnerships with Texas public schools can enhance public education. These benefits will show how positive relationships between police officers and the campus population results in long term benefits to both students and campus safety. Strengths will also be apparent in the relationship that police officers have in reducing disciplinary issues and aiding the educational administrators with campus and cultural tranquility. Further benefits will demonstrate how district employed police officers reduce crime in a way that other police officers cannot achieve.

Research will also reveal multiple theories against ISD based policing. Researched based rebuttals will counter these arguments and further solidify the tremendous need and benefits of a district employed law enforcement officer. School

districts will be left with a set of facts that will assist them in making a well informed decision.

Schools that have their own police officers are ahead of the curve at deterring crime and building relationship with the men and women in blue in a way that creates everlasting bonds and benefits for all those involved. School officials will agree that ISD policing is an irreplaceable addition to the educational environment which was early-on misunderstood but now a way of life inside many of their campuses.

At the conclusion of this paper, the reader will be able to identify multiple reasons and benefits of an ISD police department, including the significance and paramount importance of officers initiated relationship building. The reader will be able to list why schools administrators and elected school board trustees should implement ISD based policing agencies within Texas public schools. The reader will be able to understand the legislative statute that gives Texas public school the authority to create ISD police departments. And finally, the reader will be able to understand why Texas public schools should establish their own ISD based police departments.

POSITION

Texas public education institutions have the legislative authority, with the school board's approval, to create an ISD police department. This jurisdiction and authority is granted pursuant to the Texas Education Code 37.081 (Gould, 2014). This law states, in essence, that only a governing body, which includes school board trustees governing the district, may hire commissioned police officers to carry out laws of this state. If the board hires individuals who are armed, they must be commissioned police officers by the Texas Commission on Law Enforcement. The board will have the right to set and

determine the police department's jurisdiction within the schools boundaries. This jurisdiction may include any property that is used for school functions, school business, and school owned and leased property.

After the licensing of this department, a police officer who is hired by the district has all the same authority as any other police officer in the state of Texas. These authorities include making arrests, enforcing local and state laws, application of juvenile laws, and violations of the Texas Family Code, chapter 52. A district employed officer may also assist another policing agency in the execution of their law enforcement duties. Officers assigned to a school district could be assigned to complete routine administrative tasks as well as law enforcement duties as long as the school board has determined these functions to be a normal part of the officer's duties.

A Chief of Police who is experienced in school based leadership will be a great asset and extremely useful in setting police officer job descriptions that include protecting the safety and welfare of people who visit school facilities. The Chief of Police is accountable directly to the Superintendent of Schools. This is an important aspect that allows the Chief to be an active member of the district leadership team. All police officers hired by the district will report directly to the Chief of Police or his designee, which could include a sergeant or other differently ranked commissioned police officers. A district police department will create and enter into an agreement with all law enforcement agencies that have overlapping jurisdiction with them, also called a memorandum of understanding (MOU). This MOU agreements outline how they will operate together to fulfill their respective goals and objectives. It will also outline modes of communication between their agencies. All police officers who are hired and

employed by the school district police department must maintain current standards that were established by the Texas Commission on Law Enforcement.

Texas public schools have distinctive visions for their respective districts. Many districts post these vision statements on their district websites (Texas Association of School Administrators, 2008). Additionally, school districts adopt goals for their campuses so they have a guide to help staff direct their daily actions. Similarly, police departments also have visions and goals for their departments ("Mission Statement," n.d.). Partnering a police department with a school district allows the two groups to align their visions and goals together so that there is continuity between the two, which results in better relationships with school officials, police officers, and more importantly, safer schools. When partnered together, the visions and goals become one with the educational expectations of communities.

It is not mere suspicion that police officers on campus create long lasting positive relationships with students, staff, and parents. Some of these relationships create unbreakable bonds. In days of absentee parenting and the lack of two parents in the home, police officers on campus play a vital role in helping children make the right life changing decisions (Scheffer, 1987). The role of campus officers can be characterized to that of a confidant, disciplinarian, or law enforcement expert. This relationship is forged by consistent involvements in these students' lives. The relationship may begin by an inquisitive youth inquiring about the officer's uniform, profession, or merely another positive role model for the student to bounce an idea off of. As cited by Scheffer (1987) students who contact officers usually come back to that officer for additional conversations at a later time. These relationships, once forged, are as strong

as any other educational relationship. Many of these relationships result in the officer learning about negative behaviors occurring on campus and may result in the prevention of juvenile crimes.

Statistics have shown that there is a significant increase in recent campus based crime in the United States (Noonan & Vavra, 2007). Many recently reported events have changed how many parents view their children's safety while attending public school. In an effort to overcome many parents and children's concerns over school safety, school board members are examining the benefits of ISD policing and the strategies for reducing crime. Campus crime is on the rise around the world and even here in Texas. It is a real problem for the public education system and everyone should play a serious role in reducing children's likelihood in becoming victims. Bonilla (2000) stated that back in the 17th century, children were armed with weapons, assaulted one another, and even seriously harmed teachers and/or staff. Bonilla (2000) concluded that campus based or school crime was not a new trend. In 1981, campus crime statistics further highlighted the ongoing concern over rises in campus based crime is a real threat to children and staff (Flanagan & McLeod, 1983, p. 320-321). The statistics reported campus based crime related to larcenies at 2,000,000, assaults at 200,000, robberies at 22,000, and sexual assaults at 2,700 (Flanagan & McLeod, 1983, p. 320-321). Although these numbers may have been disturbing to the general public 30 years ago, they are becoming the norm for today's society. According the annual statistics released by the Bureau of Justice for the school years 2005 through 2006, there were 17 school related deaths.

Another point that illustrates the need for police officers being assigned exclusively to the schools is the growing trend of campus based homicides, including those committed by active shooters. Numerous incidences involving school based homicides have occurred across the nation. These incidences have caused many parents and school administrators to become alarmed and fearful of the students and staff safety. Law enforcement officials have begun to take a second look at their strategies and ability to combat these types of incidences ("MSA," 2012). Campus based officers respond quickly to these incidences and, in some instances, are only seconds away. City and county based patrol officers are sometimes miles away from the incident which could result in a slow response time. Untimely responses have the potential to place children and staff safety in jeopardy.

Over the last decade, assailants armed with guns have entered schools and caused the loss of many students, faculty, and loved ones. In almost every massacre, the shooter entered the school completely undeterred and walked freely into the building to perform his felonious acts. As a desperate attempt to show the need for control or retribution, these assailants, after taking numerous lives, more times than not, commit suicide. These acts not only take the lives of loved ones prematurely but injure and scar the psychological well being of those who survive the terror. Equally as often, these intruders are stopped by the police officers responding to the incident. All parties involved are deeply traumatized ("MSA," 2012). Many proactive institutions have now begun to offer school specific safety seminars for officers in order to combat these types of tragedies (Canady, James, & Nease, 2012).

With student discipline being one of the most significant distractors on many Texas schools, administrators are looking for alternative ways to help redirect students back into the classroom and away from disruptive behaviors. An officer's presence on campus and his or her ability to develop mentoring relationships has a direct impact on the number of disciplinary referrals to school administrators. Texas Association of School Resource Officers (n.d.) developed the Triad Approach which has been used successfully with many ISD police departments. This method uses counseling as a method to reach a student who may be contemplating a bad choice or a criminal act. Instead of a school administrator conducting the guidance for the juvenile, the campus officer steps in and speaks with the student. The officer can help shed some light on the actual consequences of this type of behavior and explain the criminal justice system in a more direct fashion. These types of strategies have been used successfully at deterring bad choices and juvenile delinquency all while building good citizenship on campus.

COUNTER POSITION

Many have argued that police in schools have merely created a "Gateway to our Criminal Justice System" as stated in an article by the ACLU ("School-to-prison pipeline," n.d.). The ACLU ("School-to-prison pipeline," n.d.) stated in the article "zero-tolerance policies criminalize minor infractions of school rules, while cops in school lead to students being criminalized for behavior that should be handled inside the school. Students of color are especially vulnerable to push-out trends and the discriminatory application of discipline" ("School-to-prison pipeline," n.d., para 1).

What the ACLU fails to include with their opinion is the quality and actions of school based law enforcement differs from that of under-trained city and county assigned police officers (“School-to-prison pipeline,” n.d.). When an officer is assigned to work exclusively for the school district by the ISD police department, the officer, in addition to specific school based training, is knowledgeable with the resources available and can better handle school crime and discipline with clearer objectivity. As a result of these officers, many criminal offenses that would have been handled by a patrol officer in a quick arrest are now handled by a school officer who utilizes a “second chance” mode of policing that uses the school discipline process such as in-school suspension, which would have been otherwise handled inside the juvenile criminal justice system. An article by Serrano (2013) stated that the Legislature took actions to decriminalizing misbehavior at schools with Senate Bill 393 (“Criminal Procedures Related,” 2012). SB 393 gives schools the authority to punish students who are involved with minor criminal offenses such as fighting. Instead of an officer issuing a court summons to the student, the school has the opportunity to utilize behavioral redirect strategies. These schools develop alternatives to the criminal justice system by creating progressive consequences for minor criminal offenses. Many schools have even found benefits while using conduct contracts, campus pride community service, counseling, and other services aimed at building character and problem solving skills. Without one of these alternative modes of behavioral modifications, officers issuing criminal citations are dismissed in court as required by Senate Bill 393 (“Criminal Procedures Related,” 2012).

These progressive strategies for preventing the gateway to the criminal justice system are currently being addressed within ISD police departments using the Triad Approach. Officers using these strategies are maintaining safe and secure schools, creating trusting channels of communication, serving as a positive and uplifting role model, encouraging good citizenry, and becoming confidential sources of informal counselors for students, staff, and parents (Denham, 2013).

Another argument circling the debate on establishing ISD police departments is funding. With many local and state cutbacks related to public education funding, there seems to be much discussion on how to properly fund a school district police department. Smith (2012) cited that there was an estimated \$5.4 billion dollar cut in 2011 to public educational systems.

Contrary to this financial shortfall, schools have continued to find local funds and grants to satisfy their needs associated with student safety by establishing school police departments. Kerens Independent School District, a 2A Texas public school located in Navarro County, received a grant from the Juvenile Justice and Delinquency Program, an initiative managed by the Texas Governor's Office. This grant enabled the school to establish their own ISD police department by utilizing this grant, as indicated in the article published by The Kerens Tribune titled "KISD Adds Campus Police" (Russell, 2012). The article goes on to indicate that the grant process was adequate to fund this new department for up to three years. Another article titled "Marshall ISD OK's Police Department Formation" in the Marshall News Messenger (King, 2014) indicated that Marshall ISD, a 5A Texas school district in Harrison County, would save money by creating and operating its own police department. Due to the high cost of paying the city

police department over \$161,000 in eight months to provide officers for their schools, the district has moved to create its own policing agency. The Board President stated she was looking forward to the cost savings and the extra police presence at campus owned property. Providing safer schools in the community was only one of the added benefits. The article goes on to explain how district operated police departments are able to provide additional services to the district that city and county police departments were not always interested in providing. Chase Palmer, Board Trustee and local attorney, stated that he believed a school based police department was a good idea from a safety standpoint and will save the district much needed funds, as cited in an article by King (2014).

Furthermore, an article cited in the Huff Posts Politics ("Texas budget," 2013), stated "Texas lawmakers on Sunday gave final approval to a two-year budget that restores money cut from schools in 2011" (para. 1). This indicates an increase in school funding is coming. The article goes on to state "The budget debate was less contentious than in 2011, when lawmakers cut \$4 billion from schools because of a budget shortfall. The new budget - a compromise between the House and Senate - includes an additional \$3.4 billion for schools" ("Texas budget," 2013, para. 5)

RECOMMENDATION

In closing, all Texas public schools would benefit from creating their own ISD police department. The benefits are numerous and establishing these department leads to safer schools, less discipline concerns, costs savings, and, most importantly, the opportunity for officer lead relationships that can encourage, mentor, and enhance a student, staff, and parents life. The district employed police officers have the ability to

bridge many gaps that are existing which city and county officers assigned to the school have not been able to accomplish. These district employed officers have the ability and opportunity to heal the current relationships between law enforcement and minority and disadvantaged communities. The presence of campus officers reduces crime and enables a school to focus on the true goals of the institution, education. Officers are an effective tool and resource for schools and in the lives of students. By placing highly trained officers on campus, criminal acts are reduced and sometimes never committed due to the presence of an officer. These district police departments contribute to the reduction in a juvenile's negative choices, which could have caused lifelong consequence. Student discipline is reduced and alternative methods to keep the student out of the justice system are successful with district employed officers. Referrals of problem students to campus administrators are reduced with the campus officers' informal counseling. Campus officers are able to talk many students away from negative decisions and towards productive adulthood. Finally, despite budget concerns, many schools are finding additional funding sources with local, state, and federal grants to help reduce campus based crime and create the 'Student to Successful Adulthood' programs. ISD based policing is the model for 21st century school safety and Texas public schools should create and implement school based police departments.

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