

THE LAW ENFORCEMENT MANAGEMENT INSTITUTE

EDUCATIONAL LAW ENFORCEMENT:

Community-oriented Policing in the Public Schools

A RESEARCH PAPER

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BY

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ABSTRACT

Traditional law enforcement has generally proven to be ineffective in reducing crime, maintaining a safe society and promoting public confidence.

A popular alternative, community-oriented policing, places the police officer in a position to work directly with citizens in developing solutions to locally-based crime problems and safety issues.

Educational Law Enforcement builds upon the value of community-oriented policing. It asserts that an emphasis on early intervention and the instilling of citizenship values within our youth will provide the greatest, long-term return of investment for funding of community police services.

If early intervention and citizenship are our priorities, where better to begin than the schoolroom - the one institution all have contact with in society, and who better to do it than caring, thinking, feeling police officers committed to the needs of kids and the challenge of rebuilding America's character and reputation!

This paper addresses the public expectation and legal requirement to protect our school children and proposes that community-oriented policing, especially Educational Law Enforcement, provides the greatest return-on-investment for protection of our students and their teachers.

SECTION I

PUBLIC EXPECTATION FOR EDUCATING OUR YOUTH

Conditions on the School Campus.

In any given school day in America, approximately 16,000¹ crimes occur on or near school campuses - - or one every six seconds.

The 1990 National Youth Risk Behavior Survey of the Centers for Disease Control reports that almost 20% of all 9-12th grade students carried a weapon (5% carried a firearm) at least once during the 30 days before the survey.² Fear is seen as a major concern in schools which have gang problems.³

Contrast these conditions with the 1991 National Education Goals Report which says that

no school can function effectively in an atmosphere where illicit drugs are commonly sold or used, or where crimes against teachers and students are pervasive, or where classes are regularly disrupted. Creating safe, disciplined and drug-free schools will not guarantee that more students complete high school or that academic achievement will increase. But we have little hope of reaching other Goals if we do not achieve [a safe, disciplined environment].⁴

Clearly, unless we reverse crime conditions and the fear of crime in our public schools, America's youth will not be prepared to achieve the success in life they deserve. In fact, there will

the child, the school will take proper steps to resolve the matter.

2. Students' Rights. California's "Right to Safe Schools" act, the first of its kind in America, focuses on an increasing demand to ensure proper protection of students. The act states that students have the right to be protected

against foreseeable criminal activity; student crime or violence which can be prevented by adequate supervision; identifiable dangerous students; individuals negligently admitted to schools; individuals negligently placed in schools; and school administrators, teachers and staff negligently selected, retained or trained.

3. Court Actions related to School Responsibility.

Section 1983 42 U.S.C. S 1983 authorizes a court to grant relief when an individual's rights under federal constitution or law have been violated. Under Monell v. Department of Social Services, government entities can be held liable for policy, ordinance, regulation, official decision or custom which violates individual rights expressed in Section 1983; and Owen v. City of Independence gives no relief to governments who violated Section 1983 but acted in good faith.

The implications of court actions not only include such issues as arrest, use of force, search and seizure and First Amendment rights, but the issue of personal safety. In Wood v. Ostrander, the court ruled that liability exists where risk of injury is created or heightened; and in Lopez v. Houston Independent School District, a school bus driver's failure to intervene in a fight

SECTION TWO

IDENTIFYING OPTIONS IN PROTECTING THE SCHOOL COMMUNITY

We have seen that school districts are expected to provide a safe learning environment for educating our youth. The National Education Goals Report, various legislative and judicial mandates and the expectations of the community, as well as families and students, all promote this idea.

But how should a school district meet this obligation?

Four Approaches.

There is no one correct response that fits all school environments. Blauvelt indicates that school officials can take any one of a number of approaches: 1) do nothing; 2) contract for security services; 3) hire local police officers; 4) develop an in-house professional security team.

Each of these approaches needs examination.

1) Do nothing. This is the path of a "wait-and see, hope nothing serious happens" attitude which can lead to negligence proceedings.

2) Contract for security services. This approach allows control of costs and functions of a security force to reflect the needs of the school system. However, it typically fails to provide control of the personnel selection process and the training of officers. Also, the officers frequently lack empathy for student concerns and commitment to school district goals. Students may lack confidence in or respect for the officers. And the school district may incur liability for any misconduct of the officers.

4) Develop an in-house professional security team. This approach gives the school district the most control in terms of personnel selection, training, service goals, duties, assignments and general overall operation. However, there must be agreement on the mission of the department and a commitment to secure and maintain adequate funding to support such a program.

A fifth approach, development of a school district police department, is suggested by merging the police (3) and in-house security (4) approaches. Such an approach has the potential for reducing some of the disadvantages of using city police officers while gaining some of the benefits normally associated with retaining such officers. The costs will usually be higher than those for in-house security officers. Proponents, however, will argue the benefits of an ambitious mission, quality service and dynamic community relations, all possible through this approach, when describing the return on investment.

This concept of an in-house school district police department is particularly alluring to school officials who see the responsibility for providing a safe learning environment as part of a bigger, community-wide responsibility to promote the health and safety of the local neighborhood. They view the school as but one of many community units needing to extend resources and expertise; collaborate; and eliminate the duplication of services.

For example, school district police officers can assist juvenile authorities by monitoring the progress of first-time juvenile offenders and reporting results to the juvenile

- ... narrowed and stagnant, rather than innovative, in its planning process and implementation of policies and procedures;
- ... constrained through a rigid hierarchal chain of command, rather than allowing for the free flow of expression at all levels of the agency; and
- ... focused on adventure, rather than on service; and on reporting problems rather than solving them. ¹⁴

This "traditional" police approach was professional, aloof, projecting self-confidence and installing a false sense of security in its ability to protect the community. ¹⁵ Goldstein sees it as "means/process" oriented, rather than "results" oriented, doing what is required/directed, rather than reaching for solutions. ¹⁶ It is no wonder that the traditionally-oriented officers evaluated their performance in terms such as "availability" and "response time."

Sheehan and Cordner describe the "availability" mentality like this: "In order to be READY to immediately respond to a citizen's call for service, a patrol officer must essentially be DOING NOTHING at the time the call is dispatched." ¹⁷ What a waste of service time!

As far as "response time" goes, studies have not supported the advantages of immediate response in terms of improving the chances of arresting the violator, identifying witnesses, securing evidence, improving police image or increasing citizen satisfaction with police performance. ¹⁸

SECTION THREE**EDUCATIONAL LAW ENFORCEMENT - -****THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT APPROACH****What is it?**

Educational Law Enforcement builds upon the basic concepts of community-oriented policing and applies them in the public school setting. It asserts that an emphasis on educational, preventive and interventive strategies reduces the likelihood of a youth's involvement in criminal conduct and, therefore, reduces the enforcement emphasis in police work.

Educational strategies provide opportunities for the officer to interact with students in a classroom setting on a weekly basis. The officer shares experiences and instruction about practical life situations, through such programs as the D.A.R.E. (Drug Awareness Resistance Education) program.

Discussions focus on decision-making skills, peer pressure, self identity, etc. The student has an opportunity to see the officer in a role other than that of enforcer. The officer gains a sensitivity to the needs, concerns and personalities of the students as well as an appreciation for the problems of lesson preparation, classroom management and physical endurance which other members of the community, the teachers, must face.

Preventive techniques typically take the officer out of the classroom and into some extracurricula activity. Officers may sponsor a sporting event, school club or special community

The impartiality, care and consistency of the officer results in such statements as this by a child: "Officer Gonzalez, if I told you I did something wrong over the weekend, would you arrest me?" Or, "I shot _____. Will you go with me to the city police so I can turn myself in?"

Its Mission.

The four basic strategies of education, prevention, intervention and enforcement support the SAISD Police mission:

The mission of the San Antonio Independent School District Police Department, a dynamic change agent in shaping our society, is to develop productive citizens who respect themselves and others, assume responsibility for their choices and benefit society, while providing a safe, secure environment.

22

Note the phrase, "develop productive citizens." This is the focus of the mission and the reason for the department's special benefit to the school district. The school police are involved in preparing young people to take responsibility for their community's future. This is far from the "traditional" policing philosophy, reactive in nature and stereotyped as "macho cop" in operation. Look at each word in the phrase.

Develop implies an on-going process of growth. As such, it recognizes that the process of citizenship takes time and patience; needs consistent, mature adult support during a youth's inconsistent, wayward moments; and sees the value of life's conflicts as the preparation for future achievement.

control. ²⁵ Why is this so? Such values lead to consistency of thought, reduce uncertainty of direction, give relevance to supporting procedures and action, and receive credible approval ²⁶ from the community.

The written values of the SAISD Police Department support the department's mission:

1. every person has infinite, personal worth;
2. individual human dignity is sacred;
3. every individual's uniqueness is his/her greatest blessing;
4. learning is a life-long process;
5. role models profoundly affect behavior and learning;
6. anything the mind conceives and believes is achievable;
7. the higher the expectation, the higher the achievement;
8. self-esteem comes from accomplishment, not praise by others;
9. all people need to be needed, and to love and be loved;
10. productive relationships depend upon honest ²⁷ communication, mutual respect and trust.

The focus on values is critical because our values are the basis for our decisions, and our decisions are the basis for our conduct. For example, take the value "role models profoundly affect behavior and learning." If my child hears me call in sick for work, and then sees me go golfing, my child learns that stealing time from my employer is appropriate conduct. If my child knows I have lied on the witness stand because I fear being

If, for instance, the department administration values the benefits of community-oriented policing, but the officers subscribe to characteristics of the "traditional" policing mindset, the official mission and values of the department will be resisted or even sabotaged.

30

Sparrow suggests that overcoming the resistance to change requires a number of things:

1. recognition that the stress and rotational shifts associated with police work breed close bonding among officers and opportunity for an effective subculture communication system which can stir opposition to change and malign the advocates of change;
2. understanding that it will take time to make fundamental changes in police culture which is entrenched in tradition;
3. awareness that the questioning, innovative spirit of community-oriented policing will be awkward for people who are used to chain-of-command direction and large regulation manuals that tell officers what to do rather than teach you how to think through situations to successful solutions;
4. communicating by the chief to the various levels of command in such a way that a mere mental concept begins to evolve into a distinct operation and opportunity for improved agency effectiveness;

3. An effective school district police department should:
- a) delegate authority for managing significant parts of the process and results to the officers themselves, with follow-up accountability upwards to their supervisors; and
 - b) give any necessary direction to officers through flexible operating guidelines (not rigid regulations) which define expectations and give officers broad latitude in reaching acceptable results.

The SAISD Police Department sets expectations for its officers for working through problems to fulfill the mission of the department:

1. serve as appropriate role models;
2. counsel students on choices and the reality of consequences;
3. teach decision-making skills;
4. build a sense of respect, trust and cooperation;
5. open lines of communication;
6. create a bridge between home, school and community;
7. provide opportunities for appropriate alternative activities and community service; and
8. enforce the law.

34

Personnel. The Quality Employee

The FBI recently reported that "recruitment is likely to be THE law enforcement issue in the year 2000." The growing concern about finding qualified applicants stems from an increase

35

encouragement and direction, without compromising responsible expectations and conduct. And they must be "flexible" in accepting the challenges associated with the fact that no two campus administrations operate the same way, that personalities and philosophies of all administrators differ.

No manual of policy or rules and regulations is sufficient for guidance; the internal personal qualities of the officer are called to task to meet the challenge of re-directing wayward youths.

The Selection Process.

Applicants submit an application form which contains a request for information typically found on police applications. Only persons with a valid state peace officer license may apply.

The applicant is given a preliminary screening interview by officers and/or a supervisor. During this initial conference, the applicant is informed of the philosophy of the department and the role of the officer in the school. The applicant describes his/her work history and clarifies any questions the interviewers have about the completed application.

A second interview with the chief and a supervisor may be granted if there is sufficient indication that the applicant might be an asset to the department. The applicant is asked a series of questions which are designed to determine the candidate's adaptiveness to school policing. Additional interest may be directed to the quality of past employment experiences and how they have helped prepare the applicant for a meaningful police career.

A pre-employment investigation is completed on applicants

school campus. This is especially important if the new officer is a seasoned patrol officer from another department. The campus exposure helps break any old habits and rapidly assimilates the officer into the "educational law enforcement" environment.

Opportunity exists for rotation through the patrol, investigative and gang intervention units to broaden the officer's skills.

Another unique aspect of educational law enforcement is its flexible scheduling. Campus officers work one day of each week away from their campus. This has several advantages:

1. it gives the officer a broader picture of what is happening throughout the district;
2. it reduces unnecessary dependence on the officer's presence at the campuses. An over-dependence on an officer reduces the likelihood that school personnel will exercise their responsibility to maintain order on the campus. If the officer were to remain at the campus every day, no work with parents, or in the community, would be possible;³⁷
3. it helps the officer retain general police skills which might not be used frequently on the campus;
4. it provides additional manpower for short-term, intense operations and programs as well as specialized training;
5. it expands officers' interests and gives opportunity for officers to use skills on special projects. For example, an officer may spend one day per week

summarized in the words of one middle school official:

I take an active part in enforcing school policy and rules of conduct of students on, and off campus. When I am told of students fighting or involved in possible criminal behavior, I want to be there and I want my officer with me. I feel the school is part of the community and as such has responsibilities to the community. My officer is part of the school and therefore part of the community. When the community asks me why my officer cannot be more involved in protecting the students, I feel the school is not serving the community fully. When the community calls for help, we need to respond. We need to be accessible to the community.

38

3. the community has observed its effectiveness.
 - a. a student at a predominantly black middle school approaches the Hispanic campus officer and says, "If I told you about a crime I committed last weekend, would you arrest me?"
 - b. a suspicious student comes onto a campus from another school. He is stopped by a school police officer. The officer sends a radio broadcast requesting any other officer who may know the student to respond. The youth stands by, amazed, when another officer across town replies, giving the youth's nickname, gang affiliation, criminal

SECTION FOUR

SUMMARY

Concept.

Police officers should work as part of a community-based team which draws from the social, educational and judicial resources of the locale in dealing with criminal justice issues.

The public education system is part of that community-based team. It provides an ideal base of operation for the police to furnish education, prevention, intervention and enforcement services to the community because the public school is the one social system through which the majority of the community moves, and at a very impressionable period of life.

Police officers who are committed to working with the public education system may approach this opportunity using traditional police enforcement concepts. However, the San Antonio Independent School District has developed an alternative approach and termed it "Educational Law Enforcement." Educational Law Enforcement sees the officer as a community missionary who seeks to impart responsible citizenship values to America's Future. The officer works one-to-one with students as a mentor, teaches in the classroom, informally provides insights for youths to consider, and serves as a positive community role model. The officer is primarily interested in gaining the trust of the youth community. The educational law officer also seeks to help students develop healthy self-esteem through achievable goals and projects. Children are also given formal instruction in concepts designed to

- 2) police presence increases the crime prevention role and decreases the enforcement role, thus saving police resources;
 - 3) improved police relations with the community;
 - 4) positive rapport, greater respect from students.
- b. benefit to schools
- 1) police viewed as part of the school discipline program;
 - 2) opportunity to work with problems which occurred off-campus, and to anticipate problems which may arise;
 - 3) teachers and students can spend more time on lessons, rather than focus on the fear of violence.
- c. benefit to community
- 1) increased sensitivity to police problems;
 - 2) united efforts to deal with gang/juvenile issues;
 - 3) promotion of education as key to crime reduction and other social issues;
 - 4) assistance in identifying high-risk students and their family needs.

If these ideas express the general benefit of having officers work in a school environment, consider the special benefit when officers and educators share common values, mission and goals. This is the essence of Educational Law Enforcement, community-oriented policing in the public schools.

attempts at networking will prove effective. In our desire to share resources and avoid duplication of efforts, we have overlooked or denied the reality of time. Our efforts are bounded by constraints of annual budget justifications, staffing levels and rapidly changing conditions in the social environment. Time is too valuable to be wasted on any agreements and meetings which are unproductive and unwarranted. Our intent is to re-think our networking purposes and and re-align our efforts to co-incide with those organizations whose missions, values and actions will produce mutual benefit.

3. establishment of an Educational Law Enforcement component within police associations.

There are a number of good police associations. The presence of a Educational Law Enforcement component within these groups will create a point of reference and influence for agencies seeking productive alternatives to unsuccessful policing strategies.

4. a national academy.

As interest in Educational Law Enforcement develops, there will be a need to provide training and counsel to chiefs concerning implementing the E.L.E. concept. Also, officers will benefit from standardized training not available in other police academies. We anticipate the development of a national E.L.E. academy to meet these challenges.

Conclusion

Law enforcement is faced with the challenge of finding a solution to the escalating crisis in juvenile delinquency and violent behavior. Contemporary police theory supports community-based policing as a necessary part of the solution. Based on the accomplishments of the San Antonio Independent School District in applying community policing concepts within the classroom, there is an encouraging sign that Educational Law Enforcement will have a major impact in reversing the problems of delinquency and youth violence in America in the 21st century.

OBJECTIVES:

1. To eliminate student failure at all levels by May 1997.
2. To reduce the dropout rate to 1% or less by May 96.
3. To exceed the state average of students achieving the mastery level of TAAS by 1996 for all grade levels mandated by the Texas Education Agency.
4. To graduate 100% of the students in the class of 1997.

STRATEGIES:

1. We will establish a comprehensive results-based student performance program.
2. We will encourage innovative practices that promote student achievement.
3. We will restructure and update our instructional programs from early childhood through grade twelve to keep up with technological demands.
4. We will expand special emphasis and enrichment programs throughout the district.
5. We will provide alternative educational programs to help high-risk students reach their educational goals.
6. We will establish a comprehensive fine arts program from early childhood through grade twelve.
7. We will redefine and expand student support programs.
8. We will establish a comprehensive staff development program focused on student achievement, cultural awareness and the needs of campuses and the district.
9. We will develop a system of communication to ensure coordination between all special and regular education programs.
10. We will develop a plan to actively involve parents, community, students, and employees in achieving shared site-based decision making.
11. We will redefine, expand and support a parent involvement program and maintain active communication between parents and schools.
12. We will develop a program to actively involve all sectors of the community in support of student performance.
13. We will redefine job responsibility and accountability to support the mission of the district.
14. We will develop and implement a comprehensive wellness program for students and employees.
15. We will develop a plan to upgrade and maintain facilities in support of student needs and performance.

Adopted: October 26, 1992

16. Herman Goldstein, Problem-oriented Policing, (NY: McGraw-Hill, 1990), 14-22.
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19. Perspectives on Policing, Vol 12, 2.
20. U.S. Department of Justice, National Institute of Justice, "Implementing Community Policing," Perspectives on Policing, Vol 9, (Washington, D.C.: Government Printing Office, Nov 1988), 8-9.
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28. See Appendix.
29. George L. Kelling, Robert Wasserman and Hubert Williams, "Police Accountability and Community Policing," Police Journal, June 1990, 14.
30. Ibid.
31. Prospectives on Policing, Vol 9, 2-6.
32. Kelling.
33. Ibid., 18.
34. Police Department Orientation Manual-1992, 3.
35. Ralph S. Osborn, "Police Recruitment -Today's Standard-Tomorrow's Challenge," FBI Law Enforcement Bulletin, June 1992, 21.
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