# SCHOOL POLICING IN LOUISIANA

SPLC  Southern Povert L  Center

**Following the tragic 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, school districts across the country grappled with the question: "What makes a school safe?" Many school districts responded by creating or expanding their law enforcement programs or placing school resource o cers (SROs) on school grounds and at school-related activities.**

Law enforcement o cials were first placed on school campuses in the early 1950s.

On Feb. 14, 2018, a former student of Marjory Stoneman Douglas High School in Parkland, Florida, was dropped o by an Uber at the school shortly before dismissal. He carried a du el bag and a backpack.[8] Less than seven minutes later, Nikolas Cruz had fatally gunned down 17 sta members and students and wounded 17 others.

Mass killings make up less than 1 percent of gun deaths in the United States, and of these incidents, only an average of one takes place in the school setting per year (here, a mass shooting is defined as one with four or more fatalities).[9] However, it only takes one tragic school shooting to strike fear in the hearts of parents and students alike. After the

promoted policies designed to crack down on teenage drug use and violence in the mid-1990s.[25] Despite teen crime and violence being on the decline throughout that decade, the perception of rising adolescent criminality only heightened the concern within school districts.[26]

As a result, the number of law enforcement officers in schools skyrocketed. In 1991, the first national convention of school resource officers was held in Sarasota, Florida, and the inaugural board of National Association of School Resource Officers was established.[27] By the mid-1990s, over 2,000 SROs had been placed on school campuses throughout the country – a 1,900 percent increase from the 1970s.[28]

The passage of the Safe Schools Act of 1994 and the 1998 amendment to the Omnibus Crime Control and Safe Streets Act of 1968 further incentivized the placement of law enforcement in schools by allowing the allocation of federal money for these programs.[29] Fear of high-profile school shootings – such as the 1999 Columbine High School shooting – further fueled the expansion of these programs.

In recent decades, school resource officer programs have grown, particularly in urban school districts.[30] In the early 2000s, Congress authorized the departments of Justice and Education to provide millions of dollars for the implementation of school policing programs in hundreds of communities – including $68 million from the Department of Justice's Community Oriented Policing Services (COPS).[31]

Federal funding for school policing programs briefly declined after 2005, following the 2005 termination of the COPS' Cops in Schools program, which awarded federal grants for school security personnel, and the expiration of the Safe and Drug Free Schools and Communities Act in 2009.[32]at SETEMC /Span ⟨Lang (en-US)/MCID 322 BD6 BT-0.009 Tc 0.452 TwB Federal funding picked up again after the 2012 school shooting at Sandy Hook ED 310 SlbSchool

and to provide these officers with equipment that included firearms and stun guns.[46] The proposal failed as 56 percent of voters opposed it.[47]

Through such referenda and discussions about SROs at school board meetings, Louisiana communities are engaged in the debate about law enforcement in schools and its impact on student safety – a debate whose importance has only been underscored by the Parkland shooting. Yet, this dialogue is occurring without the benefit of publicly reported – and accurate – data.

Public school districts are legally obligated to collect and publicly report data on school quality, climate and safety – including school policing. Through the Civil Rights Data Collection (CRDC), the U.S. Department of Education's Office for Civil Rights requires public school districts to collect data verifying that districts are adhering to certain federal anti-discrimination laws. The Every Student Succeeds Act imposes the additional obligation on school districts – as well as state departments of education – to collect and publicly report CRDC data.

### Collection of school data under the CRDC

The Office for Civil Rights is responsible for enforcing federal civil rights laws that prohibit discrimination in programs or activities that receive federal money from the U.S. Department of Education. These federal laws prohibit discrimination on the basis of race, color, national origin, sex, disability status, and age.[48]

As part of its federal civil rights enforcement and monitoring strategy, since 1968, the Office for Civil Rights has required school districts to collect data on issues relating to education and civil rights and to submit this data to the office.[49] This mandate is known as the Civil Rights Data Collection.[50] The Office for Civil Rights publishes this data collected by school districts to the general public, biennially (every two years).[51] The CRDC's most recent survey, released in the summer of 2018, contains data collected from every public school district for the 2015-16 school year.[52]

Specifically, school districts are required to collect information on enrollment and school characteristics, early childhood education, college and career readiness, student discipline (including types of discipline used, bullying and harassment, and restraint and seclusion), and staff and resources.[53] They are required to collect the following information about school policing:

As school districts continue to increase the number of school resource officers, collecting and publicly reporting data on their impact on students and school safety is critical. Schools must collect and report school policing data under federal law. As discussed earlier, public school districts are required to collect and report, at a minimum, data on school-based arrests and referrals to law enforcement on an annual basis.[63] But there are other reasons data about school-based policing is needed:

**There is not enough data to know if school policing is effective.**
A recent congressional report on school resource officers noted, "There is a limited body of research available regarding the effect SROs have on the school setting."[64] The lack of research evaluating the effectiveness of school policing programs is attributed to a lack of data and difficulty in accessing what little data there is available.[65] At best, the research that exists offers conflicting evidence on the efficacy of school based policing. At worst, there is no evidence that school resource officers are effective.[66]

**Schools are accountable to taxpayers.**
As of 2013, estimates placed the cost of having armed security at every school in the United States as much as $23 billion.[67] As states and school districts consider funding school policing programs, it is important to keep the public informed to ensure tax dollars are spent effectively and responsibly.

**School policing data is an important measure of school quality and climate.**
School climate is described as "the quality and character of school life."[68] A positive school climate is crucial to better academic outcomes and the beneficial development of youth. School safety is an important aspect of this climate that includes physical and socioemotional security as well as discipline.[69]

## An SPLC Investigation

### The methodology
To gauge compliance with federal data collection and reporting obligations – as well as whether districts are keeping adequate data to measure program effectiveness – the Southern Poverty Law Center sent public records requests (Appendix A) to eight Louisiana school districts in the "Florida Parishes" region.[70] These requests focused on the presence and use of law enforcement officers in schools for the 2015-16, 2016-17 and 2017-18 school years.

Through news stories and the SPLC's work, we learned of an active presence of law enforcement in the region's school districts, making it ideal for study.[71] The surveyed school districts are Bogalusa City Schools, Livingston Parish Public Schools, Northshore Charter School,[72] St. Helena Parish School District, St. Tammany Parish Public School System, Tangi Academy,[73]

possible to fully assess the quality, climate, and safety of Louisiana's public schools.

**A majority of school districts surveyed were unable to provide complete data on school-based arrests and referrals to law enforcement.**

Of the eight school districts surveyed, only two produced fully disaggregated data *See Tab e* on the number of arrests and referrals to law enforcement for the years requested.

Two school districts provided partially disaggregated data for the years requested.[77]

Three school districts said they had no records on school-based arrests and referrals to law enforcement. Washington Parish School System responded: "The option to document arrest data became available March 2018 so we have begun documenting arrests by law enforcement." Livingston Parish Public Schools reported that it had no records of referrals to law enforcement for the years requested. St. Tammany Parish Public School System said that it had no documents responsive to the SPLC's request.

**At least one school district provided inaccurate data on referrals to law enforcement.**

St. Helena Parish Schools reported that there were no referrals to law enforcement during the 2015-16 school year, but reported in the CRDC that 17 students were referred to law enforcement for 2015-16.[78]

**Some school districts reported more arrests than referrals, suggesting confusion.**

The CRDC defines a referral to law enforcement as "an action by which a student is reported to any law enforcement agency or o cial, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether o cial action is taken. Citations, tickets, court referrals,

and school-related arrests are considered referrals to law enforcement." [79]

Accordingly, the number of reported school-based arrests should be less than or equal to the number of reported referrals to law enforcement – not greater. In the most recent CRDC survey (2015-16), however, the school districts below reported to the O ce for Civil Rights higher numbers of arrests than referrals, which suggests confusion around the terms and inconsistent data reported as a result.[80]

St. Tammany Parish Public School System

Bogalusa City Schools

Washington Parish Public School System

**It is difficult to determine the exact number of SROs in schools.**

Nationally, only estimates exist of the number of police in

As school districts and lawmakers consider implementing or expanding school-based policing programs, it is imperative that accurate, quality data is collected and reported to meet state and federal obligations. Schools also have an obligation to parents and community members to ensure that their tax dollars are funding effective programs that keep schools safe and promote a positive school climate.

As the SPLC's findings demonstrate, current data collection practices on school-based arrests and referrals to law enforcement fall short of school districts' federal obligations, making it impossible to determine the effectiveness of school policing programs. Lawmakers, the Louisiana Department of Education, and Louisiana school districts and their boards, must consider the following recommendations to improve data collection:

**Require the annual collection and public reporting of student discipline data.**

This data should include school-based arrests and referrals to law enforcement in the disaggregated form required by federal laws and regulations. The state's existing laws do not explicitly require the collection and reporting of school-based arrests and referrals to law enforcement, unlike states such as Arkansas,[83] Maryland,[84] and Kentucky.[85]

At a minimum, legislation should require disaggregation of this data by race, national origin, sex, and disability status to ensure that school policing programs are not violating the civil rights of these protected groups.[86]

**Require school districts to annually collect the total number of SROs in its schools.**

Despite the Office for Civil Rights requiring school districts to report data on the total number of SROs placed in the district[87] – data published in the biennial CRDC Survey – it is difficult to verify its accuracy, as there are no state laws requiring school districts or law enforcement agencies to publicly report SRO data annually.[88]

**Work with school districts on an ongoing basis to ensure data accuracy.**

The department should devote adequate staff resources to ensure the accuracy of school- and district-level data, and implement accountability measures to ensure data integrity, including an emphasis on disaggregating data as required by the Office for Civil Rights.[89]

The department should provide best practices for data collection by school districts, as other states, such as Maryland, have done.[90]

**Publicly report state and district level school data, including data on school-based arrests, referrals to law enforcement and SRO data.**

Data on school-based arrests and referrals to law enforcement should be reported publicly, disaggregated as required by the Office for Civil Rights for the Civil Rights Data Collection and under the Every Student Succeeds Act,[91] and in a manner that parents and others can easily understand, as required by the ESSA.[92]

The department should include state- and district-level data on the total SROs in its school safety report posted on its website. Currently, the department does not publicly report school-based arrest and law enforcement referral data on its website, despite the requirement under the ESSA.[93]

**The district's annual budget should prioritize the hiring and training of a district-wide data manager as well as ensure adequate data collection software is available.**

2. All memoranda of agreement or understanding (MOAs or MOUs), contracts, or other legal agreements in effect for the 2017-2018 school year between the district and any law enforcement agency regarding the employment or placement of law enforcement officers or other safety or security personnel, sworn or unsworn, in namenamenamename.

3. All information on trainings provided by namenamenamename for law enforcement and other safety or security officers, sworn or unsworn, placed on school campuses, including:
    a. Whether these officers receive training(s);
    b. What training(s) they receive;
    c. How many hours of training(s) they receive;
    d. How often they receive the training(s);
    e. Who provides the training(s); and
    f. The content of any training(s) they receive.

4. All district policies and procedures regarding law enforcement and other safety or security officers, sworn or unsworn, in namenamenamename (e.g., Standard Operating Procedures, relevant educator or policing handbooks, etc.).

5. Total number of student school-related arrests[2] for the 2015-2016, 2016-2017, and 2017-2018 school years disaggregated by:
    a. Date;
    b. School;
    c. Race;
    d. Ethnicity;
    e. Sex/Gender;
    f. Grade Level;
    g. Disability Status;
    h. English Language Learner (ELL) Status;
    i. Eligibility for Free and Reduced Lunch; and
    j. School outcome (in-school suspension, out-of-school suspension, expulsion, etc.), if any.

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        c. Race;
        d. Ethnicity;
        e. Sex/Gender;
        f. Grade Level;
        g. Disability Status;
        h. English Language Learner (ELL) Status;
        i. Eligibility for Free and Reduced Lunch; and
        j. School outcome (in-school suspension, out-of-school suspension, expulsion, etc.),
           if any.

7. Other information, including policies, procedures, and training, related to any other security measures the school district uses (e.g., metal detectors, other forms of hardware security, etc.).

            d. Sex of student;
            e. Age of student;
            f. Reason for referral, if available; and
            g. Responding Officer(s).

7. Total number of incidents at schools between August 1, 2015 and the present day where a xxxxxxxxxxxxxxxxxxxx official used the following against a student:
            a. Taser;
            b. Mace; and
            c. Restraint/Seclusion.

Please respond to this request within five (5) days as required by law, La. Rev. Stat. Ann. § 44:35(A), and provide a timeline for production and an estimate of production costs. If the records will collectively total more than 1,000 pages, or if the cost is more than $500, please contact me via email or phone prior to collecting them. Please contact me by phone at ▮▮▮▮▮▮▮ ▮▮▮, by facsimile at xxxxxxxxxxx, or by email at xxxxxxxxxxxxxxxxxxxxxxxxxxx.com with any questions. Thank you in advance for your prompt consideration of this request.

Sincerely,

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**DEPARTMENT of EDUCATION**

The purpose of this report is to inform parents/guardians of a behavior incident on the school campus, In accordance with R. S. 17:416(A) t...

the safety, well-being or education of other... disciplinary action taken by school officials. Because this or other incidents may jeopardize...

| | Phone: | Grade/Section: | | Name of Student: |
|---|---|---|---|---|

Name of Principal: | School

| Date of Incident | Time: | Location: | Check One: |
|---|---|---|---|
| □ 504  □ Special Education | | | □ Regular Educa... |

DEPARTMENT OF EDUCATION SCHOOL BEHAVIOR REPORT —— Louisiana Believes —— LOUISIANA DEPARTME

## OR OTHER SCHOOL EMPLOYEE

## ACTION(S) TAKEN BY TEACHER (

ne student identified above is hereby reported for incidence of behavior as indicated in this record. This is the student's 1st 2nd 3rd 4th 5th...
(ircle one) or other_____ cumulative behavioral referral(s). I have taken the following action(s)...

| | | | | | |
|---|---|---|---|---|---|
| rative Practices Implemented | 011 ☐ Referred to Office | 022 ☐ Therapeutic Removal | 030 ☐ Resto |
| rence with Parents or Guardians | 012 ☐ Referred to Counselor | 025 ☐ Intervention Room | 173 ☐ Confe |
| | 017 ☐ Referred to Social Worker | ☐ Assigned Remedial Work | 175 ☐ Co |
| 14 ☐ Referred to SBLC | 120 ☐ Student Conference | 900 ☐ Other Action | |
| ☐ Secondary Referral (PBIS) | 140 ☐ Student Reprimand | | 018 |
| (PBIS)    160 ☐ Loss of Privileges | | 019 ☐ Tertiary Referral | |

## R SCHOOL EMPLOYEE:

RECOMMENDATION(S) BY TEACHER OR OTHE

Date: 

Signature of School Employee:

1   Jennifer Counts et al., School Resource Officers in Public Schools: A National Review, 41 Educ. & Treatment Child. 405 (2018); Matthew T. Theriot & Matthew J. Cuellar, School Resource Officers and Students' Rights, 19 Contemp. Just. Rev. 363 (2016); Spencer C. Weiler & Martha Cray, Police at School: A Brief History and Current Status of School Resource Officers, 84 Clearing House: J. Educ. Strategies, Issues & Ideas 160 (2011).

2   Melissa Diliberti et al., Crime, Violence, Discipline, and Safety in U.S. Public Schools: Findings From the School Survey on Crime and Safety: 2015–16  U.S. Dep't Educ. & Nat'l Ctr. Educ. Stats. (2017), https://nces.ed.gov/pubs2017/2017122.pdf.

3   Ben Brown, Evaluations of School Policing Programs in the USA, in The Palgrave International Handbook of School Discipline, Surveillance, and Social Control 327-349 (Jo Deakin, Emmeline Taylor, Aaron Kupchik eds., 2018); Anthony Petrosino et al., "Policing Schools" Strategies: A Review of the Evaluation Evidence, 8 J. Multi Disciplinary Eval. 80 (2012); Brad Myrstol, Public Perceptions of School Resource Officer (SRO) Programs, 12 W. Criminology Rev. 20 (2011).

4   Theriot & Cuellar, supra note 1; Lynn M. Barnes, Keeping the Peace And Controlling Crime: What School Resource Officers Want School Personnel to Know, 89 Clearing House: J. Educ. Strategies, Issues & Ideas 197 (2016).

5   Lauren A. Maddox, "His Wrists Were Too Small": School Resource Officers and the Over-Criminalization of America's Students, 6 U. Miami Race & Soc. Just. L. Rev. 193 (2016); Theriot & Cuellar, supra note 1; Matthew T. Theriot & John G. Orme, School Resource Officers and Students' Feelings of Safety at School, 14 Youth Violence & Juv. Just. 130 (2016); Bethany J. Peak, Militarization of School Police: One Route on the School-to-Prison-Pipeline, 68 U. Ark. L. Rev. 195 (2015); Amanda Petteruti, Education Under Arrest: The Case Against Police in Schools, Just. Pol. Inst. (Nov. 15, 2011), http://www.justicepolicy.org/research/3177?utm_source=%2fEducationUnderArrest&utm_medium=web&utm_campaign=redirect; Barnes, supra note 4.

6   Office For Civil Rights, U.S. Dep't of Educ., Know Your Rights (Sept. 25, 2018), https://www2.ed.gov/about/offices/list/ocr/know.html?src=ft.

7   Every Student Succeeds Act of 2015, 20 U.S.C. § 6301 et. seq. (2018).

8   Richard Fausset et al., On a Day Like Any Other at a Florida School, 6 Minutes of Death and Chaos, N.Y. Times (Feb. 16, 2018), https://www.nytimes.com/2018/02/16/us/stoneman-douglas-shooting.html; Kevin Sullivan et al., At a School Well Versed in Drills, Gunman Deals Out Death, Wash. Post, Feb. 16, 2018, at A1.

9   Alia Wong, The Gun Violence That's a Bigger Threat to Kids Than School Shootings, The Atlantic (Feb. 19, 2019), https://www.theatlantic.com/family/archive/2019/02/gun-violence-children-actually-experience/582964/.

10  Nikki Graf, A Majority of U.S. Teens Fear a Shooting Could Happen at Their School, and Most Parents Share Their Concern, Pew Res. Ctr. (Apr. 18, 2018), http://www.pewresearch.org/fact-tank/2018/04/18/a-majority-of-u-s-teens-fear-a-shooting-could-happen-at-their-school-and-most-parents-share-their-concern/.

11  John Woodrow Cox & Steven Rich, Armored School Doors, Bulletproof Whiteboards and Secret Snipers: Billions Are Being Spent to Protect Children From School Shootings. Does Any of it Work? Wash. Post (Nov. 13, 2018), https://www.washingtonpost.com/graphics/2018/local/school-shootings-and-campus-safety-industry/?utm_term=.c1b5bc7f418a.

12  Counts et al., supra note 1; Theriot & Cuellar, supra note 1; Peak, supra note 5; Weiler & Cray, supra note 1.

13  Weiler & Cray, supra note 1.

14  Counts et al., supra note 1; Theriot & Cuellar, supra note 1; Joseph M. McKenna & Jocelyn M. Pollock, Law Enforcement Officers in Schools: An Analysis of Ethical Issues, 33 Crim. Just. Ethics 163 (2014); Weiler & Cray, supra note 1; Kerrin C. Wolf, Assessing Students' Civil Rights Claims Against School Resource Officers, 38 Pace L. Rev. 215 (2018).

15  McKenna & Pollock, supra note 14; Julie Kiernan Coon & Lawrence F. Travis, The Role of Police in Public Schools: A Comparison of Principal and Reports of Activities in Schools, 13 Police Prac. & Res. 15 (2012); Teresa Renee Robinson, Understanding the Role of the School Resource Officer (SRO): Perceptions from Middle School Administrators and SROs (Dec. 2006) (unpublished Ph.D. dissertation, University of Tennessee) (https://trace.tennessee.edu/utk_graddiss/2027/); Editorial. Criminalizing Children at School N.Y. Times (Apr. 18, 2013), https://www.nytimes.com/2013/04/19/opinion/criminalizing-children-at-school.html.

16  Peak, supra note 5; Theriot & Cuellar, supra note 1; McKenna & Pollock, supra note 14.

17  Coon & Travis, supra note 15; Robinson, supra note 15.

18  Robinson, supra note 15.

19  Coon & Travis, supra note 15; Robinson, supra note 15; N.Y. Times, supra note 15.

20  Coon & Travis, supra note 15; Robinson, supra note 15.

21  Robinson, supra note 15.

22  Robinson, supra note 15.

23  Body Count, a 1996 book co-authored by John DiIulio Jr., predicted a rise in juvenile crime and the emergence of new offender called "super-predators," characterized as youth who will "do what comes naturally: murder, rape, rob, assault, burglarize, deal deadly drugs, and get high—" comments which he later retracted. See William J. Bennett, John J. DiIulio, Jr. & John P. Walters, Body Count: Moral Poverty and How to Win America's War Against Crime and Drugs 23 (1996).

24  "Broken windows policing" is a policing strategy based upon the assumption that there is a relationship between disorder in the community and criminal behavior. Thus, minor criminal misbehavior leads to further, more serious, crime. In other words, "If a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken." See George L. Kelling & James Q. Wilson, Broken Windows: The Police and Neighborhood Safety, The Atlantic (Mar. 1982), https://

School Buses, The Advocate (Jun. 21, 2017), https://www.theadvocate.com/baton_

# CREDITS