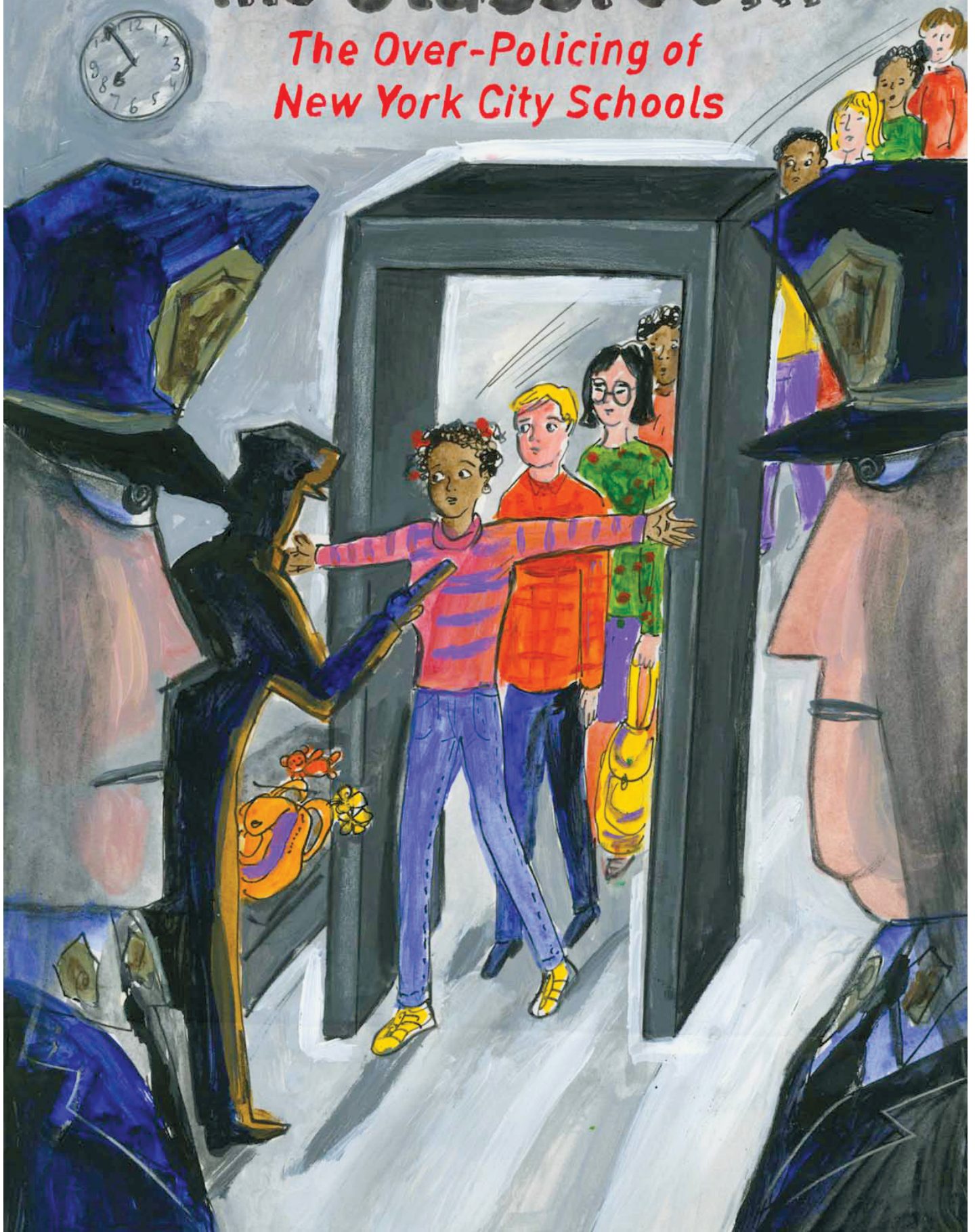


Criminalizing the Classroom

*The Over-Policing of
New York City Schools*



CRIMINALIZING THE CLASSROOM THE OVER-POLICING OF NEW YORK CITY SCHOOLS

Published March 2007

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ULYSSES KALLADARYAN

COVER ART: I first got the idea for this painting from when I attended night school. There we had metal detectors and everybody had to go through them. There was always a line to get into school. Getting scanned in was a very arduous process because there were only two detectors. Some teachers understood if you were late because you were in line. I didn't see a use for these in Townsend Harris High School. The teachers wouldn't care why you were late and were very strict in punishment, students still come in late even without the metal detectors. Some schools shouldn't have these detectors because they are useless. They slow down the entrance process and from what I see no student has ever carried any kind of weapon into the school.



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EXECUTIVE SUMMARY

This report documents the excesses of the New York City school policing program and offers realistic recommendations for reform.

To produce this report, the New York Civil Liberties Union (NYCLU) and the Racial Justice Program of the American Civil Liberties Union (ACLU) conducted 1,000 student surveys and analyzed publicly available data. The organizations also interviewed students, parents, teachers, school administrators, school safety agents, and officials from the Department of Education, the United Federation of Teachers, and the New York City Police Department (NYPD).

The conclusions of this research are clear. Students and teachers are entitled to a safe learning environment that is conducive to education. The environment created by the massive deployment of inadequately trained police personnel in schools, in contrast, is often hostile and dysfunctional.

Since the NYPD took control of school safety in 1998, the number of police personnel in schools and the extent of their activity have skyrocketed. At the start of the 2005-2006 school year, the city employed a total of 4,625 School Safety Agents (SSAs) and at least 200 armed police officers assigned exclusively to schools. These numbers would make the NYPD's School Safety Division alone the tenth largest police force in the country – larger than the police forces of Washington, D.C., Detroit, Boston, or Las Vegas.

Because these school-assigned police personnel are not directly subject to the supervisory authority of school administrators, and because they often have not been adequately trained to work in educational settings, SSAs and police officers often arrogate to themselves authority that extends well beyond the narrow mission of securing the safety of the students and teachers. They enforce school rules relating to dress and appearance. They make up their own rules regarding food or other objects that have nothing whatsoever to do with school safety. On occasion they subject educators who question the NYPD's treatment of students to retaliatory arrests. More routinely, according to our interviews and survey, they subject students to inappropriate treatment including:

- derogatory, abusive and discriminatory comments and conduct;
- intrusive searches;
- unauthorized confiscation of students' personal items, including food, cameras and essential school supplies;
- inappropriate sexual attention;
- physical abuse; and
- arrest for minor non-criminal violations of school rules.

These types of police interventions create flashpoints for confrontations and divert students and teachers from invaluable classroom time. They make students feel diminished, and are wholly incompatible with a positive educational environment.

Statistical analysis shows that all students are not equally likely to bear the brunt of over-policing in New York City schools. The burden falls primarily on the schools with permanent metal detectors, which are attended by the city's most vulnerable children. The students attending these high schools are disproportionately poor, Black, and Latino compared to citywide averages, and they are more often confronted by police personnel in school for "non-criminal" incidents than their peers citywide. These children receive grossly less per-pupil funding on direct educational services than city averages. Their schools are likely to be large and overcrowded, and to have unusually high suspension and drop-out rates.

The report offers the following recommendations for reforming New York City's school policing program – all of which can be accomplished without any sacrifice to school safety:

- Authority over school safety must be restored to school administrators.
- School safety personnel must be trained to function in accordance with sound educational practices and to respect the differences between street and school environments.
- The role of police personnel in schools must be limited to legitimate security concerns for children and educators.
- Students, families and educators must be given meaningful mechanisms, including access to the Civilian Complaint Review Board, to report wrongdoing by school-based police personnel.



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I. INTRODUCTION

On the morning of November 17, 2006, the New York City Police Department (NYPD) swarmed Wadleigh Secondary School.¹ The officers' descent on Wadleigh, a Manhattan public high school attended by over 880 students, was not a spontaneous response to an emergency situation. Instead, it was a routine, if unannounced, visit – part of New York City's campaign to reduce the number of weapons in schools by deploying NYPD personnel to a random junior high or high school each day to install metal detectors that students must pass through in order to get to class.

At Wadleigh, the NYPD installed metal detectors inside the school building before the school day began and sent in dozens of officers to patrol the school. Every student, in order to enter the building, was required to walk through the metal detectors and to have his or her backpack, jacket, and other belongings searched by officers' probing hands. Officers selected some students for additional scanning with handheld metal detectors, requiring them to lean against a table or wall, spread their legs, hold their arms out, and lift each foot to be wanded.

The officers did not limit their search to weapons and other illegal items. They confiscated cell phones, iPods, food, school supplies, and other personal items. Even students with very good reasons to carry a cell phone were given no exemption. A young girl with a pacemaker told an officer that she needed her cell phone in case of a medical emergency, but the phone was seized nonetheless.

The metal detectors and searches caused chaos with some students missing as many as three class periods while waiting in line to be scanned. In all, over one-third of students were marked late for class. Attendance at Wadleigh dropped about ten percent that day.

Throughout the morning, police personnel hurled invective and threats at the students they were charged with protecting. Officers threatened students with arrest for refusing to turn over cell phones, for stepping out of line, and for refusing to be scanned. Officers cursed at students and scoffed at educators. When a student wandered out of line, officers screamed, "Get the fuck back in line!" When a school counselor asked the officers to refrain from cursing, one officer retorted, "I can do and say whatever I want," and continued, with her colleagues, to curse.

The threats of arrest turned out to be more than bluster. Several Wadleigh students were hauled to the 28th Police Precinct that morning for minor non-criminal violations of school rules. Among them was Carlos, an eleventh grader and Vice-President of the School Government Association. Carlos, who worked thirty to forty hours each week after school and needed to communicate frequently with his mother about his whereabouts, did not want the police to confiscate his cell phone. When he became aware of the police activity in the

school, he chose to remain outside in order to call his mother and ask her to pick up the phone, which she agreed to do.

As Carlos stood outside the school, a police officer approached and asked for identification. Carlos explained: "My mother's on the way. She should be just up the block. You can talk to her." In response, the officer said to a second officer, "What are we going to do with this smart aleck?" The second officer replied, "Take him to the precinct."

The officers handcuffed Carlos, seized his cell phone, forced him into a police vehicle, and took him to the precinct without informing school officials or his mother. At the precinct, Carlos was ordered to remove his belt and shoelaces and was forced into a cell.

Meanwhile, Carlos's mother – who did not find Carlos waiting for her when she arrived at the school to pick up his cell phone – began a frantic search for her child. Many phone calls later, she learned that Carlos had been arrested.

When she arrived at the precinct, officers returned Carlos's phone to her, but refused to release her son into her care. Carlos was released only after his mother had finally left the precinct. Upon his release, the officers issued him a summons threatening that if he did not appear in court, a warrant would be issued for his arrest. The charges were ultimately dropped.

What happened to Carlos and the other students at Wadleigh Secondary School on November 17 was not an aberration. In fact, this scenario takes place in New York City schools every day. Thousands of School Safety Agents (SSAs — unarmed employees of the NYPD School Safety Division) patrol city schools, alongside countless armed NYPD officers. And when the city's roving metal detector program descends on a junior high or high school, the number of officers present at that school multiplies.

Everyone wants New York City's students to be safe. The city has deployed large numbers of police personnel and adopted aggressive policing tactics in schools as a way of trying to create a safe educational environment for students and teachers. Unfortunately, however, these practices are frequently excessive and dysfunctional.

Police personnel assigned to schools are often inadequately trained to work in school environments. Officers bring into the schools attitudes of bellicosity and suspicion that are of questionable value on the streets and that are entirely inappropriate in schools. Officers often assume authority that extends well beyond the narrow mission of securing the safety of the students and teachers. Instead, they enforce school rules relating to dress or appearance, and make up their own rules regarding food or other objects that have nothing whatsoever to do with school safety.

In addition, the current arrangement renders educators powerless to curtail inappropriate behavior by police personnel by assigning officers to schools without placing them under the authority of principals and school administrators. SSAs and school-assigned police officers are not employees of the Department of Education (DOE), but rather of the NYPD; they report not to educators, but to police officials outside of the school system. This institutional structure makes New York City's school policing program out of step with virtually every other large school district in the country, where school safety officers are generally under the supervision of educators, not police departments.

New York City's school policing program makes many New York



A heavy police presence patrols Curtis High School in Staten Island.

City schools feel more like juvenile detention facilities than learning environments. Every day, over 93,000 city children² cannot get to classes without passing through a gauntlet of metal detectors, bag-searches, and pat-downs administered by police personnel who are inadequately trained, insufficiently supervised, and often belligerent, aggressive and disrespectful. Moreover, any middle school or high school without permanent metal detectors might — on any day — be unexpectedly forced to subject its students to mandatory scans and searches that would consume as much as three hours of class time. These types of police interventions create flashpoints for confrontations and divert students and teachers from invaluable classroom time. They make many students feel diminished and are wholly incompatible with the positive educational environment that children deserve.

None of this is necessary. Many educators believe that school safety should be the province of education officials — not the police — and that non-police strategies are needed to keep schools safe. Police personnel who are called upon to assist in schools must be properly trained and institutionally responsive to school administrators. If this were to occur, many of the excesses of the city's school policing program would be curtailed. If officers were instructed to intervene only when safety is at issue, rather than enforcing arbitrary rules regarding dress, food or educational materials that pose no safety risk, further abuses could be avoided. And if a meaningful independent mechanism were established to allow students, families, and educators to file complaints against police personnel without the fear of retaliation, the policing program could be rendered substantially more

accountable. These recommendations can be accomplished without any sacrifice to school safety.

This report seeks to document the history of New York City's current school policing policy; how the policy affects students and teachers; and how it might be improved. Part II explores the origins and evolution of the current policy. Part III discusses policing in city schools today. Part IV shows how over-policing in schools can poison the learning environment and, on balance, can undermine the educational needs of students. Part V examines the city's claim of crime prevention and why education experts are skeptical that policing is achieving its stated aims. Part VI shows that the brunt of over-policing falls on the city's most vulnerable children. And, most importantly, Part VII offers realistic recommendations for reform, such as:

- Authority over police in schools must be restored to school administrators.
- Police personnel must be trained to function in accordance with sound educational practices and to respect the differences between street and school environments.
- The role of police personnel in schools must be limited to legitimate security concerns for children and educators.
- Students, families, and educators must be given a meaningful mechanism to complain about wrongdoing by school-based police personnel.

Can we please not treat already-struggling, inner-city teenagers who have gotten themselves to school like they've already committed a crime? LEAH FINK, ENGLISH TEACHER, COMMUNITY SCHOOL FOR SOCIAL JUSTICE, MANHATTAN

II. THE ORIGINS OF NEW YORK CITY'S CURRENT POLICING POLICY

As Mayor of the City of New York, Rudolph Giuliani made “law and order” his rallying cry. Giuliani strengthened the city’s police force and authorized its officers to use heavy-handed tactics to enforce order in the streets. While these tactics made Giuliani popular in some law enforcement communities, they alienated many New Yorkers and generated widespread mistrust of police, especially in communities of color. Consequently, when Giuliani turned his focus to school safety, many New Yorkers – especially those in minority communities – had serious concerns.

In June 1995, Giuliani appointed an investigatory commission to study school safety. In 1996, the commission concluded that the New York City Board of Education’s Division of School Safety was poorly managed and failed to maintain security in the schools effectively.³ The remedy, the commission suggested, was for the NYPD to step in and play a greater role in ensuring school safety.⁴ The mayor took the commission’s recommendations as a mandate. In response, he proposed transferring control of school safety from the New York City Board of Education (BOE) completely to the NYPD.

From the beginning, the proposal was controversial. It faced objections from community leaders and education policymakers, including Schools Chancellor Ramon C. Cortines, and his successor, Rudy Crew. Members of the BOE questioned whether the NYPD’s presence in schools could be compatible with a nurturing learning environment and expressed concern that a police presence would be likely to disrupt educational outcomes.⁵

Concerned families, educators and community leaders participated in vociferous debates over Mayor Giuliani’s proposal. At a hearing before the BOE on September 16, 1998, more than two dozen speakers urged board members not to transfer control over school safety to the NYPD. Police presence, they said, would transform schools into prison-like settings, exacerbate tensions between youth and police, and interfere with the education of 1.1 million schoolchildren. Black leaders, in particular, objected that the plan would further strain the relations between children of color and the police.⁶

Despite these objections the BOE voted unanimously on September 16, 1998, to transfer control of school safety to the NYPD. The change was put into effect through a Memorandum of Understanding that was set to expire four years after the agreement was reached. Responsibility for training, recruiting, and managing 3,200 school safety personnel – who had until now been employed by the BOE – was transferred to the NYPD.⁷ Details about implementing the plan were left vague, as were details about cost, which one BOE member estimates to have been on the order of \$100 million.⁸

It soon became clear that the public did not have access to complete information prior to the adoption of the plan. On September 17, the day after the BOE transferred control of the School Safety Division to the NYPD, the BOE released “surprising figures” that showed a decrease in serious school crimes. The timing of the release of the statistics raised suspicions that key information was withheld from the public until the NYPD transfer was completed. Such suspicions were reinforced by the fact that, in previous years, the statistics on school safety incidents had been released during the month of August, not September.⁹

Under new management by the NYPD, the responsibilities of the School Safety Agents (SSAs) expanded. SSAs became responsible for monitoring school entrances, exits and hallways; operating ID scanners, cameras, and metal detectors; checking student and staff identification; and coordinating with precinct officers when appropriate. They retained the power of arrest.

Under the original four-year Memorandum of Understanding, a Joint Committee on School Safety – representing the Mayor’s and the Chancellor’s Offices – was required to complete annual evaluations of NYPD-managed school security “with the goal of improving and enhancing the program.”¹⁰ After three years of these evaluations, the city or the BOE would have the authority to “terminate the joint school security program . . . effective on the fourth anniversary date of the transfer date.”¹¹

In November 2001, three years after the original Memorandum of Understanding went into effect, the Joint Committee on School Safety asked principals whether they thought safety had improved in their schools since the NYPD takeover of the School Safety Division. The vast majority of principals polled – 67 percent – reported there that “there has been no change in their school’s climate of safety” since the NYPD gained control of school safety.¹² Despite the sense of a lack of improvement in school safety, the fourth anniversary date of the transfer – September 16, 2002 – came and went. The Memorandum of Understanding was not renewed, leaving no written policy governing the relationship between educators and the NYPD.

Under Mayor Michael R. Bloomberg, who succeeded Mayor Giuliani in 2001, the lack of an official policy meant that the NYPD remained in charge, excluding educators from decisions about

September 16, 1998 Under pressure from Mayor Giuliani, the BOE transfers control of the School Security Office to the NYPD via a Memorandum of Understanding.

September 16, 2002 Memorandum of Understanding governing the relationship between NYPD and BOE expires; it is never renewed.

January 5, 2004 Mayor Bloomberg announces the Impact Schools program, which doubles NYPD presence at targeted schools.

April 13, 2006 Mayor Bloomberg announces the roving metal detector program, which subjects all middle school and high school students to random police searches.

school safety and the school environment. By the end of his first year in office, Mayor Bloomberg had won state legislative approval for mayoral control of the schools and had eliminated the BOE and the 32 community school boards, creating in their place a centralized New York City Department of Education (DOE).

Impact Schools

In January 2004, city officials introduced – without meaningfully consulting families, students, community leaders, or educators¹³ – the Impact Schools initiative. A joint effort of the NYPD, the new DOE, and the Mayor’s Office, the Impact Schools initiative originally targeted twelve schools with high levels of reported crime for heightened policing with a goal of creating safe school environments. These schools were identified using a computer system modeled on COMPSTAT, the NYPD program for identifying neighborhoods to target for street crime intervention.¹⁴ Since 2004, 26 schools have been targeted by the program at various times;¹⁵ the DOE intends that “[a]ll problem schools will eventually be addressed through the Impact Schools initiative.”¹⁶

The Impact Schools transferred even more control over the school environments into the hands of the NYPD than the 1998 Memorandum of Understanding. The initiative doubles the number of police officers permanently assigned to targeted schools; institutes a zero-tolerance policy for infractions listed in the New York City Discipline Code; and expedites the removal of students via suspension procedures, such that a student with two suspensions on his record who then receives one additional suspension is sent to an alternative school.¹⁷ A task force of at least 200 uniformed police officers and supervisors, armed with guns, is exclusively dedicated to policing Impact Schools alongside the SSAs already assigned to those schools.¹⁸ Appendix A lists the current Impact Schools.

Schools With Permanent Metal Detectors

In April 2006, the city reported that 21 percent of middle schools and high schools, 82 public schools in total, scan students using permanent metal detectors on a daily basis.¹⁹ The NYCLU’s recent investigation revealed that students on even more campuses than these 82 – at least 93,411 students attending at least 88 schools – must pass through permanent metal detectors to enter their school buildings each day.²⁰ Appendix A lists these 88 schools that were uncovered by the NYCLU’s investigation – an investigation that was necessary because the city refused to disclose a list of schools with permanent metal detectors.

Schools Targeted By Roving Metal Detectors

On April 13, 2006, Mayor Bloomberg announced a further escalation of police activity throughout the school system, unveiling a program which subjects all middle school and high school students to NYPD-deployed “roving” metal detectors.²¹ The deployment of the scanners at any given school is unannounced, designed to catch students by surprise and to reduce the number of weapons in the school; it requires students at targeted schools to submit not only to metal detector scans but also to police searches and other policing activity. As soon as it was implemented, the program began to cause chaos and lost

instructional time at targeted schools, each morning transforming an ordinary city school into a massive police encampment with dozens of police vehicles, as many as sixty SSAs and NYPD officers, and long lines of students waiting to pass through the detectors to get to class. It also appears to be an expensive program: in the fiscal year 2006-2007, which followed the mayor’s announcement, the city’s budget allocation for school safety equipment alone jumped 139 percent.²²

Growing Concern Over School Policing Program

In November 2004, the New York City Council, concerned about school safety, passed legislation requiring the NYPD and the DOE to provide the public with information regarding criminal incidents and certain non-criminal incidents in schools.²³ Three months later in January 2005, the City Council passed a law requiring the NYPD to submit quarterly reports detailing the number of SSAs assigned to every public school.²⁴ Both of these bills passed over the mayor’s veto.

Community members have sought transparency and accountability in school policing, but with little success thus far. In July 2005, dozens of students and advocacy groups rallied at City Hall to protest the presence of armed police officers in schools and to urge the NYPD and the DOE to establish a way to allow students to help evaluate school safety personnel. The DOE and the NYPD ignored the protest.²⁵

In September of the same year, some 1,500 students from DeWitt Clinton High School in the Bronx marched nearly two miles to the local DOE office to protest police policies and practices that they said treated them like inmates and caused hour-long delays as the school’s 4,600 students lined up to pass through metal detectors. Administrators met briefly with the protest organizers, but the only remedy they promised was to install more metal detectors to speed up the lines.²⁶

In August 2006, more than 100 students rallied at the DOE headquarters to protest the fact that policing practices in schools detracted from the learning environment and made them feel like criminals.²⁷ To make their demands heard, the students delivered a report card on school safety to the Chancellor, and criticized the DOE for failing to respect students and listen to their concerns.²⁸

On November 16, 2006, students citywide made yet another attempt to reclaim their rights in school when about 800 students of the Urban Youth Collaborative announced a students’ Bill of Rights.²⁹ The Bill of Rights reflects a deep concern about the conduct of police personnel in schools, as evidenced by the inclusion of the right “to attend school in a safe, secure, non-threatening and respectful learning environment in which [students] are free from verbal and physical harassment, as well as from intrusions into their bodily space and belongings by school safety agents [and] police officers.”³⁰

Sometimes the classroom feels like a jail cell. We have many people in this jail cell of ours and security officers going around in the hallway to reprimand us... I think before the city decides to post more security officers [in] our city’s schools, they should really think about the effect they are going to have on... our educations. JANE MIN, FLUSHING HIGH SCHOOL, QUEENS

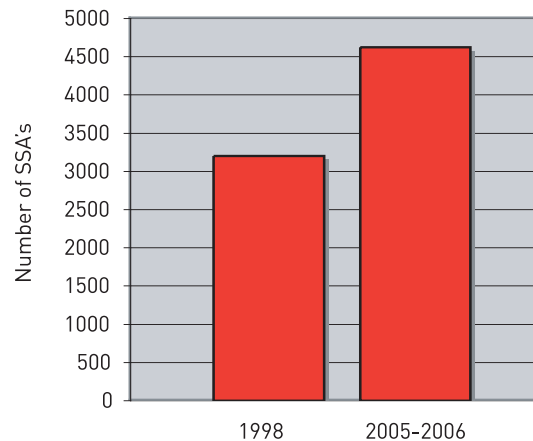
III. POLICING IN NEW YORK CITY SCHOOLS TODAY

Since the September 1998 takeover of school safety by the NYPD, the number of police personnel in schools has spiked dramatically. Before the takeover, the school safety division employed 3,200 school safety personnel.³¹ By the start of the 2005-2006 school year, the number of officers had increased by over 50 percent to 4,625 SSAs.³² In addition to the unarmed SSAs, at least 200 NYPD officers patrol school hallways with guns at their hips.³³

New York City has more SSAs, by far, than any other school district in the country. If SSAs were considered their own police force, the number of SSAs alone would make the NYPD's School Safety Division the tenth largest police force in the country, with more school safety agents than there are officers in the police forces of Washington, D.C., Detroit, Baltimore, Dallas, Phoenix, San Francisco, Boston, San Diego, Memphis, or Las Vegas.³⁴

In fact, New York City has more SSAs per student than other cities

Number of Police Personnel in Schools



have police officers per citizen. San Antonio, which has a population approximately equal to the 1.1 million student enrollment in the New York City public schools, employs half as many police officers per citizen as New York City employs SSAs per student.³⁵

Police personnel use a variety of technologies to police schools, including metal detectors and bag screens (both similar to the equipment used in airports), handheld wand metal detectors, ID scanners, and surveillance cameras.³⁶ Police presence is on the rise at all New York City middle schools and high schools – whether they are Impact Schools, schools with permanent metal detectors, or other schools targeted by the roving metal detector program – without an examination of how it affects the learning environment.

■ **JB McGeever, an English teacher at Jamaica High School in Queens, describes the police presence at school in the following article which appeared in *City Limits Weekly* on November 27, 2006.**³⁷

The campus of my public school building in New York City is a fortress these days. Gazing through the mesh caging of any stairway window, I can spot faculty deans, campus security (a branch of the NYPD with arresting powers), as well as regular NYPD uniformed officers patrolling the grounds like medieval sentries. As I move through the halls of this majestic, 70 year-old building, I'm forced to sidestep . . . two police officers, 9 mm Glock handguns bouncing off their hips. . . . New York's Finest, Bravest, and Brightest, all right here in one high school – and no one's quite sure why. . . .

[T]hose Glocks in their holsters, the

"hand cannons" at their hips. It simply looks obscene in the halls outside my classroom. This is supposed to be a sanctuary. . . . What in the world are these people doing with loaded weapons in our halls? It's just no way for a kid to go to school. . . .

Yet this is the way many of the city's teenagers attend high school each day. Instead of using the auditorium for assemblies and school plays, it's been turned into a weigh station for students to adjust their backpacks and redo their belts after removing them for the metal detectors twice a week. Maybe this type of indignity is worth the trouble at the airport or on your way to vacation in the islands, but before gym class? . . .

My girlfriend, who also teaches in the building, . . . tells me, police guns were pulled on two students today. "If I tell you to do something, you better do it," was the cop's explanation, which he related

to her. Before that he bragged how, in a separate incident, a Muslim student attempted to enter the building using another student's I.D. and the terrorism unit was called in. . . .

All it takes is for one student to have a bad morning, to carry that burden to school with him and then to act out on it, something that occurs in countless variations throughout schools nationwide. Instead of a routine suspension and a call to Mom, Dad, or even Grandmama, with NYPD presence inside a school the end result could be a world of hurt that no one ever imagined.

On our way out of the building, we pass one of the flyers some of the students have taped to the walls in an effort to win back their school. It shows a graphic with a pair of young hands gripping steel bars. "This is not a penitentiary," it says. "We are students, not inmates."

What has come of all this spending? Nothing, except tell kids that a place they once thought was a sanctuary is not really safe after all. —

CODY ALONGI, TOWNSEND HARRIS HIGH SCHOOL, QUEENS

IV. HOW POLICE PRESENCE AFFECTS LEARNING ENVIRONMENTS

The circumstances at Wadleigh Secondary School on November 17, 2006 – the day described in the opening pages of this report – are not unique. The experiences of students and educators at Aviation High School, the Community School for Social Justice, the Health Opportunities High School, and Curtis High School, all of which have received visits from the NYPD's roving metal detectors, show that the NYPD's metal detector program has caused widespread disruption in the New York City public school system.³⁸

Aviation High School

On October 24, 2006 approximately thirty police vans and cruisers surrounded Aviation High School, a public high school in Long Island City with approximately 2,100 students. Uniformed police officers joined SSAs to install metal detectors through which every student would have to pass in order to get into school.

Long lines encircled the school as students waited to pass through the metal detectors. Although many students did not set off the metal detectors, officers searched the bags of every student who entered the building. Officers confiscated engineering tools required for class – one officer explained they were “hazardous to society” – and the camera of the school's year-book photographer, Rich. Officers also threw out water bottles, lunches and even cupcakes brought to celebrate a birthday. Students were required to turn over cell phones. Many items, such as the engineering tools, were never inventoried and were never returned. The principal informed families that 617 electronic devices had been seized, but the NYPD never reported how many other items were confiscated or simply discarded.

As a result of the disruptions caused by the NYPD, the school was forced to cancel all “zero-period” Advanced Placement classes, labs, and leadership activities, which usually begin at 7:00 a.m. When first period began, shortly after 8:00 a.m., hundreds of students were still waiting in line outside of the school to pass through metal detectors. At 8:45 a.m., the end of first period, an estimated 200 students remained in line. An hour later, when third period began, many students still waited to pass through metal detectors. Typically the attendance rate at Aviation High School is between 92 percent and 94 percent. On October 24 that rate dropped to 70 percent.

Students and families who attempted to protest the NYPD police action at Aviation High School that day were threatened or silenced. After her son Jonathan Clark wrote a letter complaining about the incident to Chancellor Klein via email, one parent received an angry phone call from Bernard Lopez, the local head of school security. Students asked school administrators for permission to post flyers protesting the officers and

metal detectors, but their requests were denied on the ground that the flyers were critical of an official DOE policy. Many of the students at Aviation High School report that, as a result of the October 24 incident, they lost confidence in school administrators and have become more distrustful of the NYPD.

Community School for Social Justice and the Health Opportunities High School

The NYPD brought its roving metal detectors to the building that jointly houses the Community School for Social Justice and the Health Opportunities High School on November 29 and 30, 2006. Approximately 150 students attend the two schools. About forty SSAs and armed NYPD officers – one officer for every four students – swarmed the school building along with numerous police vehicles. The officers screamed at students before they even entered the building, directing them to empty their pockets and remove their belts, hair clips, and bracelets. As students walked toward school, officers belittled them and insulted their families. One officer demanded that Brian, a twelfth grader, explain where he had gotten his nice coat: “I know your mom ain't buy that!”

In the cafeteria, where the metal detectors were installed, officers required students to remove all chin and eyebrow piercings. They searched students' backpacks and confiscated their cell phones, iPods, and food (some of which they ate and some of which they threw away. They seized metal-studded belts, nail files, perfume, hand sanitizer, loose change—including a \$10 change roll—and CD players, none of which was returned. Upon finding a blank CD in the backpack of one ninth grader, Joshua, an officer said: “Is this rap? Then it's probably why you're being searched.” A second officer then emptied Joshua's wallet until Joshua protested that his Fourth Amendment rights were being violated, at which point the officer removed his badge so he could not be identified.

Officers demanded that students remove their belts before passing through the metal detectors, but refused students' requests to do so in a private area. When a student set off the metal detector while passing through, officers would yell, “We got another one!” and then subject that student to yet another



Aviation High School student Rich.

round of searches. Students who refused to pass through the metal detectors were pushed through.

For no apparent reason, some students who passed through the metal detectors without beeping were subjected to frisks and intrusive searches. One ninth grader passed without setting off the metal detector, but an officer nonetheless forced him up against a nearby wall. The officer ordered the young boy to spread his legs and then ran a handheld metal detector up and down his inner thighs – even as the student protested, “I don’t think you’re supposed to be doing this.” That boy was just one of many students who were pushed against the wall to be frisked, searched, and have handheld metal detectors run up and down their bodies that day.



Aviation High School student Jonathan Clark speaks to the media in front of City Hall.

In a clear violation of the Chancellor’s Regulations, female students were searched by male officers.³⁹ After being pushed against the wall for frisking, many girls were ordered to squat for intrusive searches with handheld metal detectors. After forcing one child to squat, a male officer repeatedly traced his handheld metal detector up her inner thigh until it beeped on the button of her jeans. “Is there something in your pants?” he asked repeatedly. The frightened girl repeated that there was not, but the officer kept at it, making her fear a cavity search, until he finally let her go.

Officers threatened to arrest students who were found with cell phones or food. They cut off students who tried to enter school through alternate entrances while yelling, “Round them up!” and chased down and arrested multiple students who, frightened by the police presence, tried to leave school for the day.

On both of the days when the roving metal detectors were installed at the Community School for Social Justice and the Health Opportunities High School, many students were late to classes, and attendance rates dropped significantly. Students and teachers alike reported that the disruptions caused by the metal detectors and the police presence meant that no one could concentrate on learning.

When one parent learned of the harassment students had faced at school, she made multiple phone calls to the NYPD in an attempt to stop the officers from pushing students against the wall and forcing them to squat for intrusive searches on successive school days. When she reached the second-in-command of the roving metal detector team, she was told that not a single student was forced into such positions. She expressed disbelief based on her children’s experiences, and offered to bring a video camera to the scene. “You’re not allowed to do

■ **Jonathan C., an eleventh-grader at Aviation High School in Long Island City, reported on the metal detector searches at his school in this letter to the Department of Education, sent October 24, 2006.**

I am writing this letter in regards to the random metal detector search which was active in Aviation High School this morning.

As I approached the school, the police presence was overwhelming. As I walked on, I was informed that the metal detectors had arrived. ...

I was treated as though I were a criminal. The officers were rude and when I simply asked what the procedure should be, I was yelled at for holding up the line. The officer said to hurry up, throw my back-

pack on the scanner, and follow the line of students through the metal detector. The officer searching my school bag was both unprofessional and disrespectful. I was interrogated regarding the educational supplies that were in my book bag. I was not the only student to be treated so harshly. I personally was violated and witnessed other students’ required tools being confiscated. The United States Air Force Junior ROTC members sustained the worst treatment of all the students.

At this time, my basic right to communicate has unjustly been taken from me as I am denied the right to carry a cell phone. The DOE does not provide safe transportation to and from school. I have to commute great distances via the MTA buses and subways. In denying me the right to a cell phone you are denying me the ability to remain in contact with family members. Should something happen

to myself, a family member or the like, without a cell phone, how am I expected to get help or receive information?

Furthermore, Aviation High School is a trade school certified by the Federal Aviation Administration, and as such, we are required to possess tools of the trade. How dare the NYPD and the DOE be allowed to confiscate these tools which are essential to our education as certified aircraft mechanics? ...

I cannot believe that the DOE and the NYPD is able to violate our rights as both citizens and students without any repercussions.

I love Aviation High School, it has become my home away from home. ... But today, the enthusiasm that I woke up with was stifled as I entered school ...

They treat us like criminals rather than children. JULIA, NORMAN THOMAS HIGH SCHOOL, MANHATTAN

The police like to put their hands on kids without reason. ALEXIS BATISTA, MARTIN LUTHER KING HIGH SCHOOL OF THE ARTS AND TECHNOLOGY, MANHATTAN



A student enters Curtis High School.

that," the officer responded. "It's the law." The officer denied the parent's requests to speak with his supervisor. Reflecting on the incident later, the parent said: "I don't want my children to come to school feeling like they're being criminalized. The students are not criminals, and I don't want them treated like criminals. A fear of retaliation really silences parents."

Leah Wiseman Fink, an English teacher, observed the scene at the metal detectors and snapped photographs for her personal use. But officers approached her and said she was banned from taking pictures. DOE official Harmon Unger told Fink: "You can't take pictures of police action." Unger later demanded that Fink turn over her film. Intimidated by the NYPD officers present, she complied. Although Unger promised to send her copies of any photographs unrelated to the NYPD, she has yet to receive any prints. Thinking back on the scene, Ms. Fink commented on how "freaked out" and "secretive" the police were. "If I were treating kids like criminals," she said, "then I would do it in secret as well."

Students choose to attend the Community School for Social Justice and the Health Opportunities High School because of their reputation for safety and cooperative learning, but the intrusive scan seriously damaged the atmosphere of community that students, parents, and educators had worked so hard to build. "After the metal detectors came in, I felt like this was a different school," twelfth-grader Brian says. "It just doesn't feel right anymore."

Leah Wiseman Fink wrote the following letter about her observations and experiences:

On this random Wednesday morning, scanners were set up in the cafeteria of the public high school in the South Bronx where I work. Students' bags were placed on a scanner, they were forced to walk through metal detectors, and any item deemed inappropriate for school – including food, keys, and spare change – were taken away. Many students were pat-

ted down, some even with their hands on a police car. An overwhelming ratio of adults to students made the cafeteria seem a lot like a police station.

My students were not the only ones treated like criminals today. During scanning, I was scolded for taking photographs by the people running the process. Then I had my film confiscated from me. . . .

[C]an we please not treat already-struggling, inner-city teenagers who have gotten themselves to school like they've committed a crime?

Curtis High School

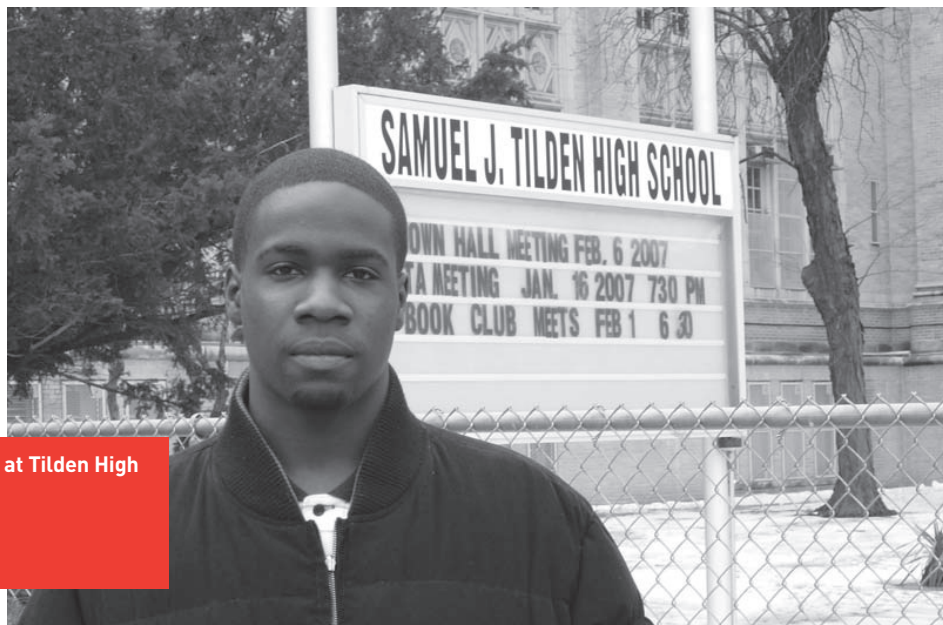
On December 14, 2006 NYCLU and ACLU investigators had an opportunity to observe the deployment of roving metal detectors first-hand at Curtis High School, a school with nearly 2,700 students in Staten Island. This site visit was conducted with permission from the school principal and the Chancellor's press office.

Approximately twenty NYPD vehicles surrounded the perimeter of Curtis High School that morning. Metal detectors were set up in the cafeteria; about sixty officers, both SSAs and full-fledged NYPD officers, encamped in the cafeteria and swarmed to areas outside the cafeteria.

All students were required to empty their pockets and take off their belts before passing through the metal detectors. If a detector beeped as a student passed through it, an officer would search that student using a handheld wand, requiring the student to lean against a table or wall, spread her legs, hold her arms out, and lift each foot to be wanded. Officers searched the bags of every student, confiscating iPods and cell phones (but this time permitting students to keep their cameras, unlike at Aviation High School). Officers even confiscated the tongue ring of one tenth grader; explaining that it could be used as a weapon.

They're treating us like criminals, like we're animals. STUDENT, CURTIS HIGH SCHOOL, STATEN ISLAND

I'm late and points are getting taken off my grade for this. STUDENT, CURTIS HIGH SCHOOL, STATEN ISLAND



Biko is a student at Tilden High School.

Due to a steady barrage of yelling and cursing by the officers, noise levels in and around the cafeteria were deafening. Tension filled the room, as students were clearly upset. As one student sought to avoid the metal detectors by walking toward the exit, three officers grabbed him and physically pushed him through, ignoring his attempts to wriggle away and his protests, "Get off me! I swear!"

Students and faculty alike expressed concern about the metal detector program's effects on the atmosphere of the school. "This is ridiculous," one student stated during the scan. "This is so unnecessary. This isn't a school anymore; this is Rikers." Another yelled: "We in prison, guys! We in prison!" Principal Aurelia Curtis also felt the scan had done more harm than good. She described the officers as "abrasive" and complained that they treated students with disrespect. "'No weapons were found,'" Curtis says. "'The whole tone of the building was disrupted and many students stayed home.'"⁴⁰ Two-hundred fourteen more students stayed away from Curtis on the day of the scan than had done so the day before.⁴¹

At Wadleigh Secondary School, Aviation High School, the Community School for Social Justice, the Health Opportunities High School, and Curtis High School, the city's roving metal detector program and its massive law enforcement squad caused serious disruptions to the learning environment. Even in the absence of metal detectors, police personnel in schools routinely provoke needless and indefensible confrontations with children.

Biko

Biko is a seventeen-year-old junior at Samuel J. Tilden High School. He plays center midfielder for the school soccer team and is active in school and community activities.

On the morning of January 12, 2007, Biko chatted for several minutes with his math teacher after class about additional work assignments. He then hurried to reach his next class, Chemistry

Lab, when Val Lewis, the Assistant Principal for Security, stopped Biko in the hallway. Worried that he would be late to his Chemistry Lab, which has a strict attendance requirement, Biko pleaded with Mr. Lewis to allow him to continue walking to class. He explained to Mr. Lewis that he had been talking to his math teacher and was attempting to reach his chemistry class. Mr. Lewis refused to listen to Biko's explanation, and told Biko to go to the "focus room," the detention center at the school.

As Biko continued to talk with Mr. Lewis, Mr. Lewis grew angry and threatened to send Biko to the principal's office. Mr. Lewis then ordered Officer Rivera, a police officer stationed at the school, to arrest Biko. Officer Rivera then grabbed Biko and slammed him against a brick door divider, lacerating Biko's face and causing him to bleed. Officer Rivera then sprayed Mace at Biko's eyes and face, causing Biko's eyes to burn. Rather than treat the student, Officer Rivera then called for back-up on his radio, and proceeded to handcuff Biko.

After being escorted to the school security office by numerous police officers and school safety agents, Biko was taken to a hospital where he spent approximately two hours being treated for his wounds, and spending most of his time in the hospital handcuffed to a chair. He was then transported to the local precinct, and then to central booking. Biko missed the rest of his classes that day, and spent more than 28 hours in police custody. He faces five criminal charges. The principal at the school suspended Biko for four days.

Aisha

Aisha is a fifteen-year-old tenth grader who attends Samuel J. Tilden High School. On January 18, 2007, Aisha left a class a few minutes late with a friend. As the two proceeded to the cafeteria, Assistant Principal Lewis stopped the girls outside the "focus room" (school detention center), and ordered them inside. Aisha began to protest, saying that they were not "roaming the halls" but were on their way to lunch. Her friend advised

I'm not used to having my body searched like that. ROBIN JAMES, HEALTH OPPORTUNITIES HIGH SCHOOL, BRONX

This is ridiculous. This is so unnecessary. This isn't a school anymore; this is Rikers. STUDENT, CURTIS HIGH SCHOOL, STATEN ISLAND

her to follow Lewis's instructions. Sergeant Lipscomb, an armed police officer, stepped in, grabbed Aisha's book bag, and ordered her to the focus room.

Although Aisha responded, "That's where I'm going," Lipscomb pushed her. Aisha protested loudly and informed Lipscomb that she was going to take down his name and badge number. In response, Lipscomb jerked Aisha's left arm behind her back at a painful angle, a jolt which also caused her right hand to slam against the wall. Aisha cried out in pain.

Students inside the focus room began to protest, saying that the two girls were just going to lunch. Aisha continued to cry. Mr. Fannon, a teacher monitoring the focus room, tried to calm her down. Aisha was forced to go to the dean's office. There, a female officer removed Aisha's jacket and searched her. Officer Rivera also searched Aisha's backpack.

Thereafter, Aisha was taken to the police precinct where she received a summons to appear in family court. The summons did not indicate any charges against her. Aisha and her mother returned home that evening to a phone call from Assistant Principal Lewis apologizing for the incident.

Jimmy

Jimmy is a senior at the New York Harbor School in Bushwick, Brooklyn. He is frequently on the honor roll, and has had no encounters with police officers outside of school. In the fall of 2005, Jimmy walked through a metal detector at the school entrance, set it off, then went to the back of the line to be scanned again. Jimmy went through the metal detector a second time, holding his pants up, since he had no belt on. An SSA ordered Jimmy to remove a wallet from his back pocket. Jimmy complied by turning over the wallet, but the SSA began yelling and accused Jimmy of throwing the wallet at him. Jimmy continued walking, aiming to reach his first-period class, when two other SSAs grabbed him, handcuffed him, dragged him to a small room used for disciplining students, and issued him a criminal summons.

Jimmy's faculty advisor, Noah Heller, arrived at the detention room along with an assistant principal and the principal and asked the SSAs if all of the actions taken against Jimmy were really necessary. In response, an SSA told Heller and his co-workers that they should shut up or be cuffed next. Weeks later, Jimmy's case was summarily dismissed in court.

On March 9, 2006, Jimmy was playing basketball in the school gym. He took a break from the game to put sports equipment away, but the game ended before he returned to the court. Still dressed in a short-sleeved basketball shirt, Jimmy needed to change into his street clothes, which he had left in the gym. As

he tried to enter the gym, he was stopped and denied entry by an SSA. Jimmy walked around her, retrieved his clothes from the bleachers, and came out to find the SSA waiting. He asked her if she was going to arrest him. She said yes. Other SSAs arrived, and Jimmy was handcuffed and issued a summons. When he appeared in court on May 16, 2006, the charges were again summarily dismissed.

"MM"

MM is a senior at the Bushwick School of Social Justice, a school with permanent metal detectors. She has no criminal record and no school disciplinary record. One morning, during the winter of 2006, MM's cell phone was confiscated by an SSA when it was detected by a scanner. MM asked that her phone be returned. In response, the SSA claimed that MM was threatening her. She and another SSA threw MM to the floor, handcuffed her tightly, and dragged her upstairs to a holding room. MM was released about an hour later.

Quinn Kronen and Cara Wolfson-Kronen

On March 8, 2005, at least seven NYPD officers arrived at the New School for Arts and Sciences after teachers called 911 to ask for medical assistance for a student who had been involved in a fight.

Several teachers had successfully stopped the fight and controlled the situation before the police responded, and Cara Wolfson-Kronen, a social studies teacher, informed the 911 operator that the fight had been defused. Despite this, one of the officers demanded that the teachers identify the students who had been involved in the fight and said that they would be handcuffed.

Quinn Kronen, an English teacher, pointed out that those students were now peacefully sitting in the classroom. Officer Bowen responded by yelling: "You fucking teachers need to get your shit together. These kids are running crazy. You need to get rid of them." When Mr. Kronen objected to such language, Sergeant Walter told Mr. Kronen that he had "better shut the fuck up" or she would arrest him. When Ms. Wolfson-Kronen objected, Sergeant Walter said: "That is it; cuff the bitch." Officers arrested Ms. Wolfson-Kronen, paraded her out of school in handcuffs and forced her to stand outside in sub-freezing temperature without a jacket. They also arrested Mr. Kronen.

The teachers were detained at the 41st Precinct for approximately two hours before being released. The charges against them — disorderly conduct — were dismissed at their initial court hearing, because their alleged wrongdoing did not constitute unlawful activity.

On March 22, 2005, Mr. Kronen and Ms. Wolfson-Kronen

■ One Youth Justice Board member described his experience entering his school with permanent metal detectors.

In the morning, we wait in line. We remove our belts, scarves, and hats. Three security guards are at the door with their radios. My pants are sliding off my waist, and my belt, coat, scarf, and hat occupy one hand while I swipe my ID with the other. Just before we approach the scanners there are two police offi-

cers standing with their hands on their guns. After I place my things on the baggage scanner I walk through the metal detector (with a sigh of relief that I completed my high school entry within 45 minutes). The police officer and school safety agent observing the metal detectors yell at me, "You! Go get scanned!" My heart races, not knowing why I am being singled out. The police presence gets stronger as I walk to where my body gets completely searched with "the wand." The school safety agent grabs my

hands and extends them and places his right foot between my legs and spread them as he passes the wand across my body. The wand beeps near my left pocket. The school safety agent signals nearby police officers as he grabs the external portion of the jeans and commands me to remove the object. As I pull the object — a forgotten pen with a metal cap — the school safety agent watches closely. He realizes that it's just a pen and calls off the surrounding police officers. I can finally go to my first class.

received an anonymous letter signed by “The Brotherhood.” The letter threatened them with physical harm for “messaging up with our fellow officers” continuing: “[i]f I were you I’d be planning my getting out of New York fast.” The teachers turned the letter over to a police officer. The Civilian Complaint Review Board and the Internal Affairs Bureau of the NYPD did not reach any conclusions or resolution.

Survey and Interview Results

These episodes – and many other similar ones – prompted the NYCLU to look closely at police conduct and policies in the New York City Schools and their impact on the educational environments within the schools. As part of that inquiry, the NYCLU conducted a survey of over 1,000 high school students at schools with permanent metal detectors; interviewed students, teachers, school administrators, families, former BOE members, former DOE officials, United Federation of Teachers officials, and NYPD officers; and observed the City’s roving metal detector program and its massive law enforcement squad in action.

Survey participants and interviewees expressed serious concern that the following particular problems with over-policing, discussed more fully below, undermine the educational missions of schools:

- A. Derogatory, discriminatory, and abusive comments and conduct;
- B. Intrusive searches and confiscation of personal items;
- C. Intrusions on instructional time;
- D. Arrests for minor non-criminal violations of school rules; and
- E. Retaliatory arrests of educators questioning the NYPD’s treatment of students.

A. Derogatory, Discriminatory, and Abusive Comments and Conduct

Students report that police personnel in their schools are deliberately disrespectful and verbally abusive. Fifty-three percent of students surveyed reported that officers have spoken with them in a way that made them feel uncomfortable. Countless students reported that SSAs and police officers curse at them, scream at them, treat them like criminals, and are “on power trips.” At Martin Luther King Jr. High School, one student reported, SSAs refer to students as “baby Rikers,” implying that they are convicts-in-waiting. At Louis D. Brandeis High School, SSAs degrade students with comments like, “That girl has no ass.” Students and educators alike reported that officers in schools are too hostile and aggressive, yelling at students and treating them with disrespect, even when the students have done nothing wrong.

Students also reported discriminatory conduct by police personnel who stigmatize and harass gay, lesbian, bisexual, and transgender students. At one high school, the only openly gay student

reported that SSAs “are discriminatory toward homosexuals.” He explained: “When it’s time for me to get scanned, the male security guards flip a coin to see who has to scan me. They don’t do this to anyone else because I see when they scan other males.”

Educators worry that students suffer physical abuse at the hands of police personnel in schools. A school aide at Paul Robeson High School witnessed a Sergeant yell at, push, and then physically assault a child who would not turn over his cell phone. The Sergeant hit the child in the jaw, wrestled him to the ground, handcuffed him, removed him from school premises, and confined him at the local precinct. The school aide who witnessed this abuse wanted to take action, but, like many faculty and staff, did not know how to report the incident.

On November 3, 2006, seven students from LaGuardia High School protested across the street from the school on behalf of a classmate who had been arrested for allegedly pulling a fire alarm lever. A SSA on school grounds saw the protestors across the street and began to yell at them, and then crossed the street, grabbed one 16-year-old student by his collar, called him “a little shit,” and dragged him across the street and into the school building.

B. Intrusive Searches and Confiscation of Personal Items

Many students enter school with – or avoid school because of – fear that officers will subject them to intrusive searches and confiscate their personal items. Each morning at schools with permanent metal detectors, SSAs order students to remove their belts and other articles of clothing. Regularly, students must walk into school holding up their pants, and officers order students to lift their shirts. Fifty-eight percent of students surveyed reported that they have taken off and/or lifted up clothing to enter school. Ninety-six percent of students surveyed reported that they have had to remove their belt or shoes to pass through the metal detectors. At Evander Childs High School, students reported that they frequently were required to remove even their socks before passing through the metal detectors.

After students pass through the metal detectors, officers frequently subject them to pat downs and frisks, and search their pockets and backpacks. Fifty-three percent of students surveyed reported that officers had frisked them and searched their pockets at the metal detectors. Seventy-six percent of students surveyed reported that officers had searched their backpacks.

Students report that “the police like to put their hands on kids without reason,” and that officers in schools are “perverts.” Twenty-seven percent of students surveyed reported that officers touched or treated them in a way that made them feel uncomfortable.

Girls are particularly targeted for intrusive searches and inappropriate sexual attention. Girls whose under-wire bras set off metal detectors must lift up their shirts so SSAs can verify that

■ Ilya Arbit, 17, reported an incident with school security in an article published in the *Gotham Gazette* in December 2006.

My school dean and a stern male security guard escorted my friend and me to an empty classroom near the dean’s office, then ordered us to put our bags against the wall and stand in the middle of the

room. The dean checked our bags, opening every pocket, looking through my folders, checking my wallet and cell phone. The guard asked us to turn out our pockets. Then he frisked us. That was the first time I was ever frisked. It felt like I was under arrest and they were about to read me my rights.

But the dean said they would let us go,

since they didn’t find anything, but they would still tell our parents what we had done. What we had done was retrieve my schoolbag bag from my friend’s car, a block from the school, immediately after gym class – returning to school on time, but a few moments after everybody else.

I do not even go to an Impact school, and yet I was made to feel like a criminal.

they are not concealing metal objects. Multiple girls reported that officers ordered them to unbuckle and/or unzip their pants for the purpose of verifying that the students were not concealing cell phones. At Evander Childs High School, students reported being patted down by officers of a different sex. One high school student testified at a public meeting in February 2005 that girls at her school were routinely searched by male officers, in violation of Sections A-432 I(A)(5) and A-432 II(B)(4) of the Chancellor's Regulations.

Students and teachers alike complain that male SSAs subject girls to inappropriate behavior, including flirting and sexual attention. Teachers, principals, and a former DOE official reported that SSAs are often not much older than the students they supervise and not firmly instructed about the impropriety of flirting with students. "SSAs have never been seriously told to knock off the attention that they give to the girls," one former DOE official said. "If their supervisors just told them, 'Don't do it again,' the SSAs would probably stop. But there is no reliable mechanism for reporting or disciplining SSAs involved in that kind of behavior."⁴²

Even parents seeking entry to schools are not exempt from inappropriate treatment by police personnel at metal detectors. A parent leader at Bronx Guild High School reported that, after her coat buttons set off a metal detector, she was not offered an opportunity to take off her coat and put it through the scanner. Instead, she was forced to lean over a table, feet apart and stand still while a hand-held detector was run between her legs.

Police personnel conduct intrusive searches of students in a purported effort to seize weapons, but instead they confiscate students' school supplies, personal items, and cell phones. Principals, teacher and students complain that SSAs often make up their own rules and prohibit students from bringing in food. The food is sometimes thrown out or even eaten by SSAs.

With the implementation of the roving metal detector program in April 2006, students at LaGuardia High School feared their art supplies would be deemed "dangerous instruments" and taken away. Their fears were borne out at schools like Aviation High School, where – as noted above – the engineering tools seized by the police, such as scales and t-squares, were seized and never returned to students.

C. Intrusions On Instructional Time

Over-policing in schools detracts from time that would otherwise be devoted to learning. Daily, students must wait in long lines to pass through metal detectors, making them late to class. Eighty-two percent of students surveyed reported that they have been late to class because of the metal detectors. Thirty-nine percent of students surveyed reported that they were late between one and five times in the last month because of the metal detectors; twenty-two percent of students surveyed reported that they were late five to ten times in the last month for that reason; and twenty percent of students surveyed reported that they were late ten or more times in the last month because of the scans.

At Jamaica High School in Queens, students must pass through metal detectors on several randomly selected days each week.

Police tape closes off some staircases, and students are segregated by gender to ascend the remaining staircases and pass through metal detectors. JB McGeever, an English teacher at the school, reports that on scanning days students may arrive late to classes through the third period because of lines for the metal detectors. Scanning has even made students late for final exams.

At Evander Childs High School, students reported that they receive detention for being late to class, even if lines at the metal detector are the cause of such tardiness.

At many schools, some SSAs refuse to allow children who arrive late to pass through the metal detectors at all. These students are forced to sit at the door for hours, hoping that a teacher will intervene, direct the SSA to scan the students, and allow them to attend class. This practice results in students missing significant instructional time.

Although principals and teachers try to work with SSAs to prevent metal detectors from interfering with classes, tests and extra-curricular activities, their requests often fall on deaf ears. For example, in November 2005, two students who arrived late at Pablo Neruda High School with the principal's knowledge were not permitted to enter the school building. They were called "criminals" by the waiting SSAs and were told to enter the building through the back entrance, which was closed. When the students asked the SSAs to inform their principal that they had arrived at school, the SSAs refused. Even when a teacher attempted to intervene on the students' behalf, the SSAs threatened to write up the students as truants. These students were finally permitted to enter the building two hours after they arrived at school.

Whitney, the 2006 valedictorian at Paul Robeson High School, reported that she and the other students in her Advanced Placement (AP) Calculus class were asked by their teacher to come into school early—at 7:00 a.m.—so that they could have breakfast together as a class before taking the AP exam. Their teacher, who was providing breakfast, instructed the SSAs to let the students enter the school early. When the class arrived and attempted to enter their school building, the SSAs refused to open the doors. The students waited nearly an hour before being admitted. They then rushed through breakfast and took the three-hour AP exam feeling more stressed and nervous as a result of the SSAs' conduct.

D. Arrests of Students for Minor Non-Criminal Violations of School Rules

"One thing you never want is to have the breaking of a school rule resulting in an arrest,"⁴³ says William C. Thompson, Jr., now the New York City Comptroller, who, as former President of the BOE, voted to transfer school safety control to the NYPD. Unfortunately, the breaking of school rules frequently results in children being handcuffed, arrested, and hauled off to precincts, undermining any semblance of a nurturing educational environment in schools and deflating students' self-confidence and engagement in school.

The arrest of Wadleigh Secondary School student Carlos, who

Anybody who leaves the line will be arrested. Anybody who refuses to turn over their cell phone will be arrested. SCHOOL SAFETY AGENT, WADLEIGH HIGH SCHOOL, MANHATTAN

was reluctant to turn over his cell phone and requested that the police officers speak with his mother,⁴⁴ exemplifies these problems. Because of his arrest Carlos missed school, as he was first locked in a police cell and then had to appear in Court. "I've never had problems with the cops until they put me in handcuffs," Carlos said, reflecting on the incident. "Now I hate them."

Students, families, and educators agree that officers are targeting too many students for minor infractions that would be better off without police intervention. Offenses that once were considered minor violations of school rules are now treated as violations of the penal law, resulting in harsher punishments for students. Fighting in the hallway is classified as assault; swiping a classmate's pencil case can be classified as a property crime; and talking back to an SSA or being late to class is disorderly conduct.

Principals frequently butt heads with police personnel over whether students should be arrested for minor misconduct. One principal, who acknowledged that sometimes cuffing a student is necessary, stated that often police personnel needle students into confrontations. "A special education student may need to be handcuffed to restrain him from hurting himself and others," the principal said. "But that's categorically different from goading a kid into a confrontation and then cuffing him."⁴⁵

The city refuses to disclose the number of arrests that take place in schools, and the NYPD refuses to make the numbers publicly available.⁴⁶ It has been reported that the Department of Probation has begun an informal internal tally of the number of school-based delinquency cases, but the Department refuses to discuss these numbers publicly.⁴⁷ A DOE spokesman once commented: "We don't arrest kids, so we don't track those numbers."⁴⁸

Undocumented immigrant youth in city schools are particularly fearful of being arrested in school. A report published by Desis Rising Up and Moving (DRUM), a New York City community-based organization that advocates on behalf of South Asian immigrants, documents that thousands of undocumented immigrant youth in city schools fear that "if the police ask for their identification and find out they don't have papers or if they get picked up by cops for any reason at all, including being late, being in the hallway, or for just 'looking suspicious,' they could ultimately be detained in immigration detention and deported."⁴⁹

E. Retaliatory Arrests Of Educators Questioning the NYPD's Treatment of Students

When educators act to protect students from abuse at the hands of police personnel, officers too often retaliate against educators by arresting them. As discussed above, in March 2005, Quinn Kronen and Cara Wolfson-Kronen, the teachers at the New School, were arrested without justification when they spoke out against police misconduct. This incident is not an aberration.

Urban Assembly Academy of History and Citizenship, October 2006⁵⁰

On October 30, 2006, at approximately 3:00 p.m., Mr. Adhim Deveau, a math teacher at the Urban Assembly Academy of History and Citizenship, received a phone call reporting that one of his students was being assaulted on 170th St. and Sheridan Avenue, right outside the school. Mr. Deveau and other staff members rushed to the scene in order to protect the student. When Mr. Deveau saw a police officer slam a student onto a car, Mr. Deveau approached the officer, explaining, "He's my student, I'm his teacher. He's just a kid."

In response, the police officer hit and then shoved Mr. Deveau.

Students and staff yelled, "He's a teacher, he's a teacher." Another officer then grabbed Mr. Deveau from behind and slammed him onto the sidewalk, where his head hit the pavement, causing injury. While face down on the pavement, Mr. Deveau was handcuffed in front of onlooking children. Officers searched his pockets and confiscated his wallet, house keys, and school keys; his identification and keys were never returned.

The officers then hauled Mr. Deveau to the police precinct, where he was charged with assaulting a police officer, resisting arrest, and obstructing governmental administration. Mr. Deveau denies these charges, since he did not assault the police, nor did he resist arrest or obstruct justice. He simply arrived on the scene in order to calm a situation that the police then escalated. If the police had acted rationally and taken the time to identify the educators at the scene, the situation could have been resolved.

Donald Vogelmann, Mr. Deveau's attorney, states, "Unfortunately, the officers merely wanted to assert their power. This is an example of how the police do not work with educators, but have the holier-than-thou attitude. By merely inquiring why an officer is manhandling a student, a teacher can be charged with obstructing justice and subject to unreasonable force and arrest by the police."

Bronx Guild High School, February 2005

On February 3, 2005, a principal and a school aide were arrested at Bronx Guild High School⁵¹ as a result of their attempts to shield a student from an overzealous SSA, Officer Juan Gonzalez. Officer Gonzalez barged into a classroom to arrest a student for cursing in the hallway. The officer sought to effectuate the arrest without first consulting the principal, Michael Soguero, in violation of the Chancellor's Regulations.⁵² When Principal Soguero reached the classroom, he asked Officer Gonzalez to leave, but the officer instead tried to grab the student. When Principal Soguero physically intervened to protect the student, Officer Gonzalez arrested him in front of a full classroom of students. James Burgos, a school aide who tried to help the principal, and the student were also arrested.

Principal Michael Soguero and the school aide spent the night in jail. The student spent two nights in jail. Criminal charges were pressed against all three. Principal Soguero and Mr. Burgos were removed from their positions at Bronx Guild and were not allowed back until the charges were finally dropped over two months later on April 13. The student was "encouraged" to transfer to a different school but missed school for several months because she could not get a new school placement.

"Using profanity, I'm not supposed to suspend a child for that," Principal Soguero said later. "Yet an officer can issue a summons for that and even put a child in cuffs and call it disorderly conduct."⁵³ Former City Council Member Eva Moskowitz, who served as Chair of the City Council Education Committee, commented:

The arrest of Principal Michael Soguero highlights a fundamental lack of coordination and communication between school leadership, school safety agents, and school-assigned police officers. . . . [I]t is clear the Department of Education has not adequately addressed the need for formal guidelines and training to define the relationship between school administrators and school safety personnel. As a result, administrators and school safety are at best not working collaboratively. At worst, arrests are being made.⁵⁴



V. THE CITY'S CLAIM OF CRIME PREVENTION

The Bloomberg administration claims that increased policing in schools is responsible for a significant decline in school crime. But the National Center for Schools and Communities at Fordham University shows that such claims are inflated:

Although the DOE reports declines as large as 59 percent for major crime incidents and 33 percent for all crime at the Impact Schools, the numbers on which these percentages are based are so low that even very small numerical decreases create large percentage changes. For example, at Christopher Columbus High School behavior officially classed as violent crime decreased from 17 incidents during the 2004-2005 school year to 10 during the 2005-2006 school year, which represented a 41 percent decline on paper, but only a small decrease in actual incidents.⁵⁵

New York University educational analyst Deinya Phenix provides further support for the conclusion that the Bloomberg administration's claims about decreases in school crime are misleading. Regression analysis reveals that the decline in crime figures at Impact Schools is *not* statistically significant compared to simultaneous declines at other high schools. Crime in schools had been declining for years before the Impact Schools program; proving, Phenix contends, that "the most important factor in the decrease in school crime is the passage of time."⁵⁶

Despite the Bloomberg administration's willingness to exaggerate small drops in school crime statistics, city officials routinely downplay statistics that show a rise in school crime. Data recently released by the Mayor's Office show that major crime in city schools increased by 21 percent from July through October of 2006 compared with the same period in 2005.⁵⁷ Although city officials virtually ignored the data,⁵⁸ a close examination of the numbers is worthwhile. The rise in major crime incidents was driven by an increase in grand larceny, typically theft, without threat or force, of items worth more than \$ 1,000, such as laptops or credit cards. The 197 incidents of grand larceny which occurred from July through October 2006 — and which caused the rise in major crimes⁵⁹ — could not have been prevented or deterred by policing practices that rely on metal detectors.

Indeed, any claims that the city makes about the NYPD roving metal detector program increasing school safety are hardly


plausible. From April 2006 to December 15, 2006, NYPD personnel confiscated 17,351 items from students through the roving program.⁶⁰ Over 70 percent of those items were cell phones, 29 percent were iPods and other electronic equipment, and a tiny percentage of those items — .3 percent — were classified as "dangerous instruments," a category which can include pipes, scissors, t-squares, scales, and other school supplies. Another tiny percentage of those items — .7 percent — were classified as weapons, a category which can include knives and box cutters. Not a single gun was found. This means that despite all the chaos, lost class time, and harassment that students suffer from the roving metal detector program, 99 percent of items seized by the NYPD as a result of that program pose no conceivable threat to school safety.

Education experts worry about the message that policing in schools sends to New York City students. Pedro A. Noguera, a professor at New York University's Steinhardt School of Education, recognizes that safety is a paramount concern in schools, but concludes that over-policing may create as many problems as it tries to solve. Noguera explains: "Schools that rely on security guards and metal detectors to create safety may end up creating an environment that is so repressive that it is no longer conducive to learning."⁶¹

Several members of the BOE who voted for the NYPD school safety takeover in September 1998 have since come to regret their decision. BOE member Irving Hamer says that he regrets his vote and hates that he was part of a process that has resulted in the criminalization of school children, particularly children of color.⁶² "I couldn't then and still can't understand why you would have an armed police officer with mace and a firearm and clubs and handcuffs in an already safe school," Hamer says. "There were some schools that were indeed troubled, but not all schools. I did not and do not understand the lack of differentiation between schools with needs and those without."⁶³

Another BOE member, who asked to remain anonymous, states the following about the transfer of responsibility for school safety from the BOE to the NYPD:

The ten years since the transfer to the NYPD have confirmed all my fears. I never felt that a school should have armed police officers patrolling it. Schools are not penitentiaries. It bothers me to see a nine-millimeter gun strapped around the waist of an adult in school, and it's more than bothering to children.⁶⁴



Principals are supposed to be in charge of the schools and should make rules and run the school. Now every school is being invaded by the police. Everyone including the teachers' privacy are being invaded. I think the school should go back to the old way and the principals should get control back of the school.

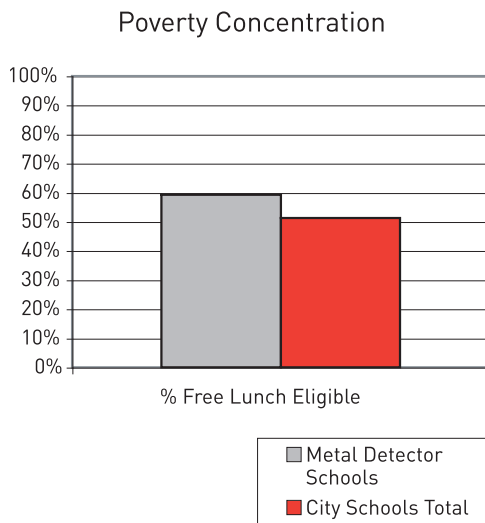
JESSE CREWS, FLUSHING HIGH SCHOOL, QUEENS

VI. WHO SUFFERS?

All students are not equally likely to bear the brunt of over-policing in New York City schools. The burden falls primarily on the schools with permanent metal detectors, which are attended by the city's most vulnerable children. The students attending these high schools are disproportionately poor, Black, and Latino compared to citywide averages, and they are more often confronted by police personnel in school for "non-criminal" incidents than their peers citywide. These children receive grossly less per-pupil funding on direct educational services than city averages. Their schools are often large and overcrowded and have unusually high suspension and drop-out rates.

A. High Poverty Concentration

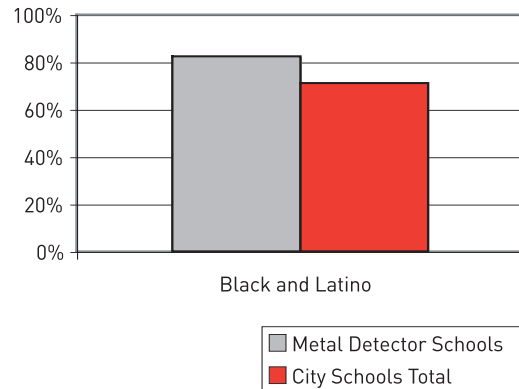
High schools with permanent metal detectors have more students living in poverty than schools without permanent metal detectors. Students are considered poor if they qualify for free lunch at school, meaning that their families earn less than 130 percent of the federal poverty level. During the 2004-2005 school year, poor students constituted 59 percent of children attending high schools with permanent metal detectors but only 51 percent of high school students citywide.⁶⁵



B. Disproportionate Impact on Children of Color

Children of color are disproportionately subjected to metal detector searches. During the 2004-2005 school year, 82 percent of children attending high schools with permanent metal detectors were Black and Latino, a minority enrollment rate eleven percentage points higher than in schools citywide.⁶⁶

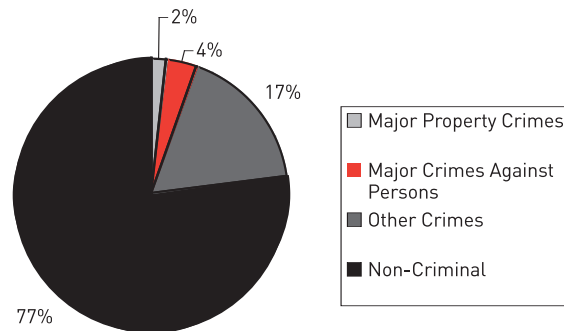
Enrollment of Black and Latino Students



C. Criminalization of Non-Criminal Incidents

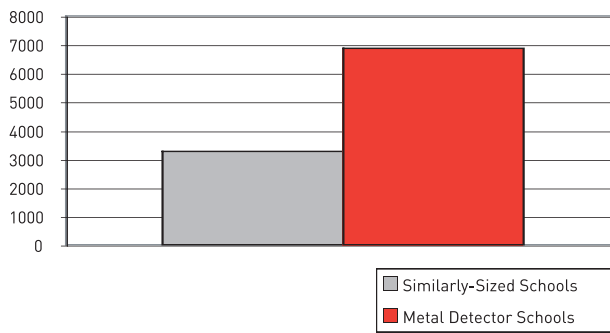
For each school, the DOE's Annual School Report records the number of "criminal" and "non-criminal" incidents in which NYPD personnel are involved (although the report does not meaningfully define these terms). In schools with permanent metal detectors, the vast majority of incidents in which the NYPD is involved are classified as non-criminal. In fact, 77 percent of police personnel interventions in such schools are non-criminal incidents.⁶⁷

Police Involvement in Metal Detector Schools, by Type of Incident



Police personnel are far more likely to be involved in non-criminal incidents at high schools with permanent metal detectors than at the average city high school. In fact, the police get involved in more than twice as many non-criminal incidents at schools with permanent metal detectors than at a typical similarly-sized schools.⁶⁸ These numbers show that students attending schools with permanent metal detectors are subject to increased criminalization for "non-criminal" incidents when compared to their peers citywide.

Instances of Police Involvement in Non-Criminal Incidents



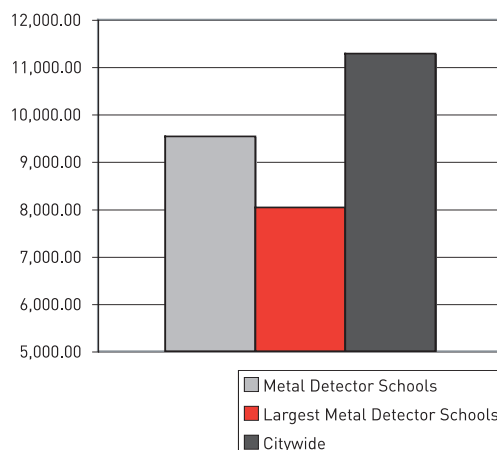
D. Gross Under Funding of Education

Children attending high schools with permanent metal detectors receive grossly under-funded educations. In 2003, the New York Court of Appeals ruled that New York City public schools lack the necessary funding to provide a meaningful high school education to students.⁶⁹ In 2006, the State of New York was ordered to pay New York City billions of dollars to make up for shortfalls in educational funding.⁷⁰

Even in comparison with children attending the average under-funded New York City high school, children at high schools with permanent metal detectors receive substantially less funding for direct services, which “include all services provided by the school to support teaching and learning, including classroom instruction, parent involvement, school safety, and building maintenance.”⁷¹

In the 2003-2004 school year, the city spent an average of \$9,601.87 on the education of a child at a high school with permanent metal detectors, compared with a citywide average of \$11,282.⁷² This means that students at high schools with permanent metal detectors benefited from only 85 percent of the direct services funding that the average student citywide received. For students at the largest high schools with permanent metal detectors, the funding shortfall was even starker. A child at a high school with more than 3,000 students and daily metal detector scans received \$8,066 of funding, equivalent to 71 percent of the citywide average.

Per Pupil Expenditures, 2003-2004



Librarians and books are in short supply at schools with permanent metal detectors. Available data shows that only 53 percent of schools with permanent metal detectors have librarians, while 73 percent of high schools citywide have librarians.⁷³ Marlessa Lee, then a seventeen-year-old junior at DeWitt Clinton High School, worried that the city prioritizes policing over academics. Lee told the *New York Times*: “They have money for metal detectors, but not for books.”⁷⁴ At DeWitt, the largest high school with permanent metal detectors in the city, there are 4,511 students and not one school librarian.⁷⁵

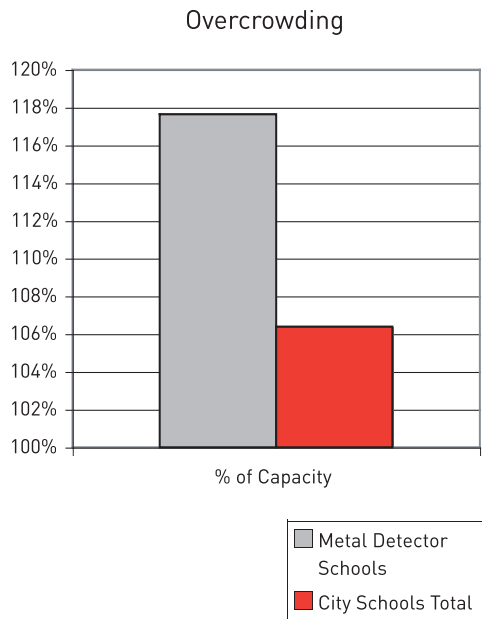
Students at the Impact Schools suffer from particularly acute shortfalls in educational resources. In the year before the Impact Schools program began, the 26 schools targeted by the program spent, on average, \$191 per pupil on textbooks, library books, and librarians combined.⁷⁶ By the 2004-2005 school year, that expenditure at the Impact Schools had fallen 5 percent, to \$180 per pupil.⁷⁷ During the same period, citywide per-pupil spending on textbooks, library books, and librarians rose by 12.5 percent, reaching \$198 per pupil in 2004-2005.⁷⁸ Thus, while the Impact Schools program flooded the schools with an increased police presence and harsher disciplinary measures, these schools lost educational resources both relatively and absolutely.

In his 2007 State of the City address, Mayor Bloomberg announced his intention to overhaul the school funding system so that schools would be funded based on pupils’ needs.⁷⁹ If properly implemented, such reforms can result in substantially increased funding for Impact schools and other schools with permanent metal detectors. In the meantime, the money wasted on improper use of security can and must be put to better use if city students are to receive the education they deserve.

D. Large and Overcrowded

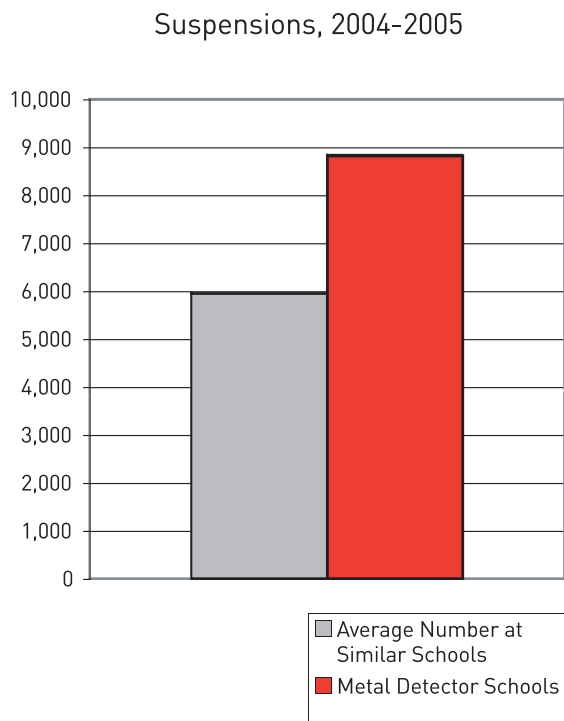
The New York City school system as a whole is overcrowded. But high school buildings with permanent metal detectors are among the largest and most overcrowded in the city. Eight schools with permanent metal detectors serve more than 3,000 children, and two serve more than 4,400 children.⁸⁰

The number of students enrolled citywide is 6 percent higher than the number that the city has the physical capacity to educate.⁸¹ However, overcrowding is an even more serious problem at high schools with permanent metal detectors, where there are 18 percent more children than seats.⁸²



E. Disproportionately High Suspension Rates

High schools with permanent metal detectors suspend children at far higher rates than similarly situated schools, even after controlling for variables such as the proportion of English language learners, students over-age for grade, attendance rates, and standardized test scores.⁸³ Overall, high schools with permanent metal detectors issued 48 percent more suspensions than similar schools.⁸⁴

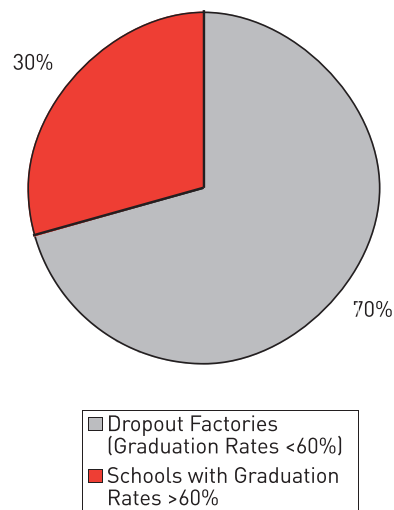


F. Drop-Out Factories

Most high schools with permanent metal detectors have high drop-out rates. Robert Balfanz of Johns Hopkins University defines a “drop-out factory” as a school where fewer than 60 percent of ninth graders are still enrolled in twelfth grade, regardless of whether or not they receive diplomas. According to Daniel Losen, a senior policy analyst at The Civil Rights Project at Harvard University, “[i]f all of the ninth graders [at such schools] showed up in twelfth grade, the schools would fall under their weight.”⁸⁵

Even based on the city’s inflated reports of graduation rates,⁸⁶ available data shows that the vast majority of high schools with permanent metal detectors — 70 percent — qualify as drop-out factories.⁸⁷

Graduation Rates at Metal Detector Schools



■ STUDENTS TAKING CHARGE:

Four Students Working to Change the Policing Regime in their Schools

Denise Melendez

Grade 10

Franklin K. Lane High School, Brooklyn

Denise Melendez, 16, is an activist and a student at Franklin K. Lane School in Brooklyn. "What got me involved in this work was the harassment by security guards," Melendez says. "It happened to me once. I was walking down the hallway and they asked for a pass. I pulled the pass out slowly so they thought I had drugs or something on me. So they took to the Deans Office and patted me down. I felt really violated. [Another time] my friend was singing a song by Tupac. In the lyrics they say 'I wish I had a gun.' They strip searched him down to his boxers for singing this. And he got suspended for three days for that. I got really mad about that as well." In search of change, Melendez joined a community organization called Future of Tomorrow (FOT). "When I heard FOT was doing campaigns to stop bad things in schools and fight for changes, I wanted to get involved," Melendez says. We met with the principal about the harassment. It's helping to make the school better. We also had a town hall meeting with elected officials. They took us really seriously and that helped us to get more attention on this issue."

Adilka Pimentel

Grade 12

Bushwick School for Social Justice, Brooklyn

Seventeen-year-old Adilka Pimentel is an active member of the community organization Make the Road by Walking and a leader in the movement to pass a Bill of Rights for New York City students. Pimentel decided to get involved in that movement, she says, after witnessing several incidents of harassment by school safety agents, including one incident in which a student was placed in handcuffs for wearing a hat in school. "We thought of the things that were being deprived to us students and thought of ways to fix them," Pimentel says. "I decided to do this because I am a senior and even though I graduate this year I wish that I would have had the things that the Bill proposes back when I was in younger grades. I would like my younger siblings to be able to enjoy an engaging curriculum and to be able to attend a school without a hostile environment. This is important to the youth because we experience it first hand ... My plans are to propose the bill to the mayor and the chancellor and gain student and staff and even principal support and keep fighting until they pass the bill of rights."

Elizabeth Vincent

Grade 11

John F. Kennedy High School, Bronx

Elizabeth Vincent, 17, wakes up early every morning in order to arrive 45 minutes early at John F. Kennedy High School in the Bronx so that she can be scanned without being late to class. "When I get on line, the line is very long," Vincent says. "It's annoying the way they scan us. ... They treat us like just because we're young, we're nothing. It's uncomfortable when they wand you all over your body. They think you have something on your body that might be a danger to your school, but even if you don't, they treat you like that and it's very uncomfortable. Sometimes I come early, but I have to wait on line so long that I am late for class. ... They have to come up with another way to make the school feel safe but not feel like a prison. Adult mediators could help us figure out how to deal with conflicts, together as youth and adults, and then youth would not be treated as prisoners."

Maksuda Khandaker

Hillcrest High School

As a student at Hillcrest High School, Maksuda Khandaker often found himself without a desk. But there was always enough money for policing. This distortion of priorities, Khandaker says, drove him to get involved, through the community organization DRUM (Desis Rising Up and Moving), in a student movement to change the way school safety works. "By replacing the school officers in our schools with mediators, they can solve the root cause of violence in the schools," Khandaker says. "Mediators can help students that cause this violence by talking with them one on one and finding solutions to their issues. However, with police officers present in our schools, we're not making our schools safer; we're just adding more violence to it. Because the police officers are not trained to work with students. Instead, they are trained to work with criminals. We are the future generation, we will be the ones supporting this nation, so why are we treated as criminals? Why are we locked up in our school? In South Asia, it is said that schools are a temple of knowledge. So what about America--should we have to say that schools are prisons for criminals?"

■ JULIA RICHMAN:

A Model for Successful and Respectful School Safety

By the early 1990s, Julia Richman High School (JRHS) was the definition of a failing school. With an official enrollment of about 2,400 students — primarily low-income students of color — the school had a 66% attendance rate and a 36.9% graduation rate.

Freshman classes included 800 students. In 1996, the school's final year, only 200 students participated in graduation ceremonies; of those, only 10 received diplomas.

The high school was a dilapidated building that looked and felt like a prison. Students passed through metal detectors every day, often not clearing the line until ten or eleven o'clock. All students, even those known to the School Safety Agents assigned to the school (of which there were over a dozen), needed identification cards to enter the building. Students without IDs were routinely sent home.

Despite such measures, fights were common and guns often found their way onto school grounds. The school was so infamous that nearby shop owners locked up their stores during the day, admitting customers only by buzzing them in.

Recognizing JRHS as the worst high school in Manhattan, the Board of Education decided to close the school and invited the Coalition for Essential Schools to develop a plan to redesign it. That plan called for the gradual phasing-out of the old Julia Richman High School and its replacement by a newly developed Julia Richman Educational Complex (JREC). The new complex would include six small schools, four of them high schools.

The overhaul produced a model for extremely successful school reconfiguration. Today, the six schools occupying the building serve the same population of students — but many more of them come every day, and many more of them graduate. The daily attendance rate is 91% and the graduation rate is 90%. 91% of graduating students go to college.

Not surprisingly, the redesign included an impressive shift in school safety methods. The educational leadership of the new complex refused to allow metal detectors or scanners to be installed at

the school; instead, they proposed an alternative security plan. Each of the small schools would be responsible for knowing and supervising its own students, and a small contingent of eight school safety agents would work collaboratively with the educators to facilitate the educational atmosphere of the school. The school safety agents' primary responsibility would be to protect the school from outside intruders. No NYPD officers would be assigned to the school.

In the 2006-2007 school year, SSAs reported only four fights on school grounds — none of which involved a weapon more dangerous than thrown fruit. As of February 2007, the local NYPD precinct had been involved in school matters only twice during the school year.

Educators and advocates attribute JREC's safety success to four main factors: educators' control over the enforcement of school rules; the restriction of school safety actions to legitimate safety concerns; the mutual respect, collaboration and constant communication between the educational leadership of the school and school safety; and the training of SSAs for the school environment.

At JREC, educators, not SSAs or NYPD officers, enforce the rules of the various schools housed in the facility. Students who arrive late are never stopped by SSAs; instead, tardy students check in at their school's office and receive a late pass. "Lateness, that's not a security problem," one SSA says. "If you're here, I want you to come in."

While SSAs from time to time intercept a student returning from an unauthorized trip off school grounds for lunch, any resulting discipline is the responsibility of school administrators, not SSAs. SSAs also identify disputes among students and are trained to intervene early to defuse a situation before it can escalate. They typically escort any student involved in a fight on or near school grounds to the school principal. In this way, JREC SSAs have successfully protected the safety and well-being of the school community, prevented violence, and enhanced the educational environment of the school.

According to several educators, the training and leadership of the supervis-

ing SSA is key to the school's outstanding safety record. A holdover from the old JRHS era, that SSA nonetheless grew to appreciate the philosophy of the new school and maintained a close rapport with students. She knows all the students' names and clearly cares about them. She believes that "kids do stupid stuff all the time," and that it is the responsibility of school safety to help them survive the foolishness of youth — rather than having their lives defined by it. "These are somebody's children," she says, "Once they get a record, that's it."

Over the years, the supervising SSA has effectively transmitted to her staff that same individualized approach to gaining students' trust and respect. The high regard that students have for the school safety staff at JREC helps them to anticipate and defuse potential conflict. Students will often inform school safety when they learn of a fight in the offing and will ask them to intervene. SSAs from the school often appear on street corners and in nearby subway stations at the request of students in order to talk with them and escort them back to school to work things out peacefully. Once back at school, students have enough confidence in the SSAs that, according to one SSA, eventually "they spill it all," explaining the reason for the fight and who was involved.

JREC SSAs' close relationship with students helps ensure the continued safety of their school. Relations between school safety personnel and educators are built on mutual trust and respect. Regular meetings with all six of the facility's principals and regular daily check-ins with the building manager are supplemented with ongoing conversations and joint problem-solving by SSAs and the educational staff. SSAs are fully integrated into the JREC community.

Administrators at JREC recognize that the SSAs at their school — their genuine caring and respect for students and faculty and their collaborative approach to school safety — are a rarity within the School Safety Division. They hope, however, that their approach can serve as a model for the productive enforcement of both safety and positive learning environments in New York City high schools.

VII. RECOMMENDATIONS FOR NEW YORK CITY

A. Restore educators' authority over school discipline.

1. Bring New York City's school policing program in line with the nation's other large school districts by restoring control over school safety to educators.

The New York City Board of Education erred when it transferred school safety responsibility to the NYPD in September 1998. NYPD control of school safety is undermining the education that city children receive each day. Educators, not police personnel, should make decisions about school discipline and should control school safety. Currently, educators are denied that authority. The result is the host of problems detailed in this report.

Interviews with teachers, principals, former BOE members, and a former DOE official revealed that many individuals familiar with policing practices in city schools believe that the solution is to restore control over school safety to educators. Former BOE member Irving Hamer states:

Teachers and principals and counselors have experience and training to negotiate the lunchroom fight. But with the NYPD in schools, the lunchroom fight turns into an arrest and that's wrong. Every school in America has a lunchroom fight. I can't understand how and where a police officer is going to get the appropriate experience and training to deal with that.⁸⁸

Control over the School Safety Division – including the recruitment, training, and management of SSAs – should be transferred to the DOE, which will be able to coordinate educational goals and safety outcomes in city schools.

Reestablishing the School Safety Division under educators' control would put New York City in line with large urban school districts across the country which face school safety challenges similar to New York City's. Of the fifteen largest school districts in the nation, just three place school safety under the exclusive control of law enforcement.⁸⁹ Two of these — Fairfax County, Virginia, and Orange County, Florida — utilize School Resource Officer (SRO) models to create a symbiosis between the security officers and the schools. New York City is alone among the largest districts in placing in schools police personnel who are neither responsible to the educational bureaucracy nor specifically trained to "educate, counsel and protect our school communities."⁹⁰

In fact, most of the nation's largest school districts have their own school police departments under the supervision of a high-level education administrator, which allows for the prioritization and coordination of both education and safety outcomes. For example, in the Los Angeles Unified School District,

the Miami-Dade Public Schools, and the Clark County School District in Nevada – respectively, the second, fourth, and sixth largest school districts in the country – the school police departments report to, and are supervised by, educators. Appendix B elaborates on these models.

2. Establish clear rules of governance that allow educators, rather than police personnel, to make the final decisions regarding discipline in schools.

Educators, generally, and principals, specifically, should regain authority of their schools' environments. Barring exigent circumstances, school discipline decisions should be made by educators, not police personnel, since it is crucial that school discipline decisions take place within the context of a school's overall educational mission.

The 1998 Memorandum of Understanding between the BOE and the NYPD affirmed the importance of this principle, stating that "the imposition of school-based discipline shall continue to be a pedagogical function exercised by superintendents, principals and other appropriate school personnel . . ."⁹¹ But the same principle is directly contradicted by the NYPD Patrol Guide, which in the section on "Handcuffing Students Arrested Within School Facilities" states:

Whether probable cause to arrest exists will be determined by the Police Department. **While the desires of school personnel (principals, teachers, school safety officers, etc.) may be considered by the uniformed member of the service in determining whether an arrest is warranted, the views of school personnel are NOT controlling.**⁹² [Emphasis in original.]

Because NYPD personnel are instructed not to defer to educators, policing handicaps educators' ability to manage the learning environment. This policy also encourages school safety agents to disrespect or ignore the educators and undermines educators' authority and stature with their students. Unnecessary police involvement leads to lost class time and erosion of students' engagement in schools. It leads to the arrest of students for minor violations of school rules and to the retaliatory arrests of educators who seek to protect students from abuse by officers.

New York State Education Law clearly establishes principals' authority over their schools.⁹³ Although the city has developed some policies governing the conduct of police personnel in schools,⁹⁴ the Chancellor's Regulations and the NYPD Patrol Guide do not reflect the state legislative mandate or the sound principle of school governance. These deficiencies and contradictions must be corrected to ensure that educators regain the ability to create supportive learning environments.

In June 2006 Mayor Bloomberg announced the "Empowerment Schools" program, inviting nearly a quarter of city school principals to assume greater control over critical decisions in exchange for being held accountable for educational performance.⁹⁵ However, these principals lack the authority to make key decisions regarding the enforcement of school discipline. It is entirely inconsistent with the notion of principal responsibility and accountability to require them to defer to SSAs.

3. Ensure that principals play a meaningful role in selecting and evaluating police personnel in their schools.

In the Chicago Public Schools, principals hire part-time law enforcement officers for their schools.⁹⁶ These "Safety Supervisors" report directly to and are evaluated by the princi-

pals of the schools in which they work. In New York City, although school custodians are not officially employees of school principals, principals play a role in their evaluation and promotion, which creates incentives for collaboration.⁹⁷

In New York City, principals play no meaningful role in selecting and evaluating the police personnel who work in their schools. The current system is inconsistent with giving principals autonomy. Recently, Chancellor Klein told an audience of business leaders that principals should become the Chief Executive Officers of their schools:

No longer will principals be the agent for the bureaucracy in the building, where principals are told what they need whether they want it or not. I believe that we need to unleash the creative power of our great leaders and educators, letting them select the tools and support they want to meet the needs of the students they serve.⁹⁸

An important step toward achieving Chancellor Klein's vision of principal autonomy is giving each principal meaningful opportunities to select and supervise police personnel assigned to his or her building.

B. Train police personnel for the special environment in schools.

The anecdotal evidence described above portrays police personnel behaving with an aggressiveness and belligerency that is of questionable value on the streets and entirely inappropriate in school hallways. There is no reason children and educators should have to suffer the foul-mouthed invectives, abusive behavior and summary punishment that, all too often, replace the decorum and respect to which children and educators are entitled. Police personnel must be trained to function in accordance with sound educational practices and to respect the differences between the street and the school.

The efficacy of policing in schools depends on students' perceptions of whether officers are acting in legitimate and fair ways. Leading social science research shows that strong, positive relationships between school security officers and students make schools safer. For example, a 2005 national report, sponsored by the National Institute of Justice, concluded that a "positive opinion" of a school safety officer is the most important variable that affects a student's propensity to report crime.⁹⁹ Officers who are viewed in a positive light by the student body are more capable of obtaining information pertaining to crimes and delinquent acts.¹⁰⁰ The quality of interaction between the officers and the students – as measured by whether students knew officers' names and engage in conversations with them – is far more effective than merely placing officers in a school.¹⁰¹ The researchers concluded, "it is a reasonable expectation for the [school safety officers] to gain the trust and favorable views of the students they encounter every day."¹⁰²

These conclusions are not novel. In 1999, the Vera Institute for Justice reported in *Approaches to School Safety in America's*

Largest Cities, prepared for the New York State Lieutenant Governor's Task Force on School Safety, that "[t]he effectiveness of security staff appears to depend . . . on how fully integrated into the school structure officers are and the extent to which they have trusting relationships with students and staff."¹⁰³

The Memorandum of Understanding, which transferred control over school safety to the NYPD, acknowledged the importance of respecting the school environment. It required training for law enforcement personnel working in schools on, among other issues, "the unique culture, diversity and structure of such environment."¹⁰⁴ And yet, no publicly available information suggests that SSAs and police officers receive any training on working with adolescent populations or minimizing disruptions to the educational environments.¹⁰⁵ Principals and teachers report that many police personnel show no signs of having received such training. They are particularly concerned about the lack of sensitivity that some officers display towards the needs of special education students.

The city must ensure that police personnel in schools gain trust and respect from the students they serve daily by providing officers with specialized and adequate training on how to collaborate with adolescents and educators. Such training should involve teachers and principals, focus on enhancing the school climate, and emphasize sensitivity in working with diverse populations and students with special needs. The training also should emphasize the importance of earning students' trust and respect.

In addition, the training should encourage police personnel to participate in the school community, rather than, in the words of one teacher, be "brainwashed that they're not part of the school."¹⁰⁶ Currently, SSA turnover rates are high, and SSAs who stay on the job are frequently transferred from one school to the next – an effort by the NYPD School Safety Division's to prevent SSAs from developing inappropriate relationships with students.¹⁰⁷ These dual factors contribute to a lack of understanding of school needs. The School Safety Division should allow its officers to put down roots at a school with proper training about how to establish friendly, but not sexual, relationships with children. By establishing long-term relationships with students and educators, security officers will best serve the school community.

C. Limit policing in schools to legitimate security concerns.

As demonstrated by this report, police personnel often treat children like criminals, even if they have done nothing wrong. Such over-policing in schools undermines the nurturing learning environment which educators strive to create and which children need to learn. Safety officers in schools must focus on legitimate security concerns. Accordingly, the city should adopt the following reforms:

1. *Police personnel must not handcuff or arrest students for violating school rules, but should limit their intervention to criminal activity. Such intervention must be with due regard to the educational atmosphere of the schools.*

Who knows who is in control — the police or the principal? NYIESHA SEWELL, FLUSHING HIGH SCHOOL, QUEENS

Building more schools would also be a smart decision in trying to reduce violence in schools. DENISE LUNA, TOWNSEND HARRIS HIGH SCHOOL, QUEENS

When a student violates a school rule, by, for example, loitering in the hallway, that student, under the current regime, may be arrested for breaking the law. What once clearly resided in the domain of educators – a violation of the school code – is now susceptible to police involvement. But police personnel should not arrest, detain, or otherwise discipline students for minor violations of school rules. Specifically:

- Police personnel should not treat school supplies and sandwiches as contraband.

Police personnel often make up their own rules that allow them to confiscate students' school supplies, lunches, and personal items. Officers must be trained in the rules and required to apply them uniformly. They should not be given discretion to treat ordinary items as contraband.

- Police personnel should not enforce the cell phone ban.

Students and families citywide are frustrated by the cell phone ban, which is implemented by police personnel who search students and then seize their phones. The city should ensure that the cell phone ban is not enforced through the heavy hand of the NYPD. The ban puts every student at risk of being searched by the NYPD in order to attend school. The policy fails to accommodate the legitimate purposes for which families might want children to carry phones. In response to the uproar over the cell phone confiscation policy, the New York City Council Committees on Education and Public Safety held a hearing on June 14, 2006, but no policy changes have resulted to date.

- Police personnel should not search students without individualized suspicion of wrongdoing.

When the roving metal detector program descends on a middle school or high school, police personnel search all students before allowing them to attend class. This practice is unnecessary, results in lost class time, and causes arbitrary interferences into students' privacy. Absent individualized suspicion, police personnel should not subject students to searches.

Reform of each of the aforementioned police practices is necessary to ensure that police personnel do not undermine the pedagogical mission of schools and subject children to increased criminalization without cause. Enforcement of school rules is a matter for school officials. Indeed, the Memorandum of Understanding authorized police officers and SSAs to be involved in enforcing rules, regulations, or procedures only in furtherance of school security.¹⁰⁸

When there are grounds for arrest within a school, police personnel must minimize disruption to school activities. Police personnel must not barge into classrooms unless there is an emergency that poses immediate health or safety risks,¹⁰⁹ and should avoid unnecessarily parading students and teachers in handcuffs in school hallways.¹¹⁰

2. The city should reduce the use of permanent metal detectors and evaluate the needs of each school community before installing metal detectors.

There is no objective evidence that metal detectors are effective in making schools safe and keeping weapons out of schools.¹¹¹ School security experts suggest that point-of-entry screenings are easily evaded,¹¹² and that metal detectors are effective only where there is no other way to enter a school, such as through an unlocked door or an open window.

The presence of metal detectors in a school, along with police personnel, may reinforce the climate of fear on campus.¹¹³ A report by the Center for the Study and Prevention of Violence found, "Use of metal detectors may establish a fear that the school is not safe because of the necessity of such extreme measures."¹¹⁴

Metal detectors also serve as a flashpoint for conflicts between police personnel and students. All too often, students passing through metal detectors are subjected to derogatory, discriminatory, and abusive comments and conduct, intrusive searches, inappropriate sexual attention, confiscation of personal items, and other forms of harassment and abuse.

School safety experts strongly advise that school districts do not haphazardly install metal detectors in school buildings without first studying the needs of each school community. Bill Woodward of The Center for the Study and Prevention of Violence recommends, "Before installing metal detectors, each school must complete a needs and risk assessment study, which includes an all-student, all-teacher, and all-parent questionnaire."¹¹⁵ He further emphasizes that it is crucial to use evidence-based practices to determine what actually works in improving school safety.¹¹⁶ There is no evidence that New York City is following these thoughtful guidelines before installing metal detectors in schools.

Metal detectors should not be introduced into any city school without a review of alternative safety mechanisms, and a fact-based determination that less intrusive mechanisms are unavailable to ensure student safety in the face of a credible danger. Moreover, metal detectors should not be utilized as a long-term or permanent fixture in any school. Whenever introduced, the need, efficacy, and alternatives should be reviewed regularly.

D. Create accountability mechanisms over policing in schools.

The City of New York has repeatedly shielded policing in schools from public scrutiny.

To achieve openness, the city should adopt the following reforms:

1. Expand the jurisdiction of the Civilian Complaint Review Board to accept complaints regarding school safety agents.

At present, no effective mechanism exists to hold SSAs accountable for inappropriate or abusive behavior in the schools. There is an urgent need for a clear, meaningful and confidential process to hold SSAs accountable for wrongdoing. This requires an expeditious and fair process to adjudicate complaints.

Our investigation into how to file a complaint against an SSA yielded contradictory and confusing information. As civilian personnel, SSAs are excluded from the jurisdiction of the Civilian Complaint Review Board (CCRB), the independent body created in 1993 in response to the chronic unresponsiveness of the NYPD Internal Affairs Bureau. Thus, complaints against SSAs are ostensibly received by Internal Affairs itself. This protocol, however, is not widely known even within city government. 311 operators regularly direct those who try to file complaints against SSAs to the DOE, which has no authority over them.

No phone number for filing complaints against SSAs is publicized. The phone system at the School Safety Division headquarters prompts a caller to press "1" to register a complaint. Investigators were placed on hold for twenty minutes, on average, and then directed by an operator to call the School Safety

borough office that covers the school at which the incident occurred. An Integrity Control Officer within one of these offices explained that he sends reports of “high-level” violations to Internal Affairs, which may call on him to investigate or may conduct an investigation itself.¹¹⁷ The School Safety Division and Internal Affairs were unresponsive to multiple inquiries for clarification of the mechanics of the complaint process.¹¹⁸ Internal Affairs also ignored a request for data on the number of complaints filed against School Safety Agents.¹¹⁹

The CCRB currently handles complaints against school-assigned police officers. The jurisdiction of the CCRB should be expanded to accept complaints about SSAs. The City Council should amend the City Charter to require that the CCRB adjudicate complaints against SSAs. If this change is implemented, students, families, and educators must be notified, and the CCRB must create avenues that facilitate the reporting of school-based incidents.

Based on CCRB complaints about SSAs and school-assigned police officers, the City should annually report information on the number and nature of complaints against school-based police personnel, and a breakdown of such complaints by year, school, type of allegation, and any other pertinent information that will allow the public to make an informed evaluation of the performance of school safety measures.

2. Institute annual reporting requirements for policing activities in schools.

The NYPD has refused to disclose the number of arrests in schools, the number of summonses issued in schools, and the number and type of items confiscated in schools. The city should require the NYPD to report, on an annual basis, (a) how many children are arrested in school, on what grounds, and whether the charges were dismissed in court; (b) how many summonses are issued against children in schools, on what grounds, and whether the charges were dismissed in court; and (c) the number and type of items police personnel seize from schoolchildren.

3. Conduct annual evaluations of school safety practices and adopt practices with proven success.

The city does not adequately fund programs that teach students alternatives to violence and that help them mediate their disputes.¹²⁰ Guidance counselors at certain city high schools are often responsible for 400 to 500 students, which precludes counselors from reaching out to students in need.¹²¹ Many students are lost in large overcrowded schools, where they are disengaged from learning opportunities. Teachers also are not adequately trained in the role of conflict education and resolution programming.¹²² Each of these factors detracts from school safety and the learning environment which schools are charged with providing.

On an annual basis, the city should evaluate its school safety practices. The city also should engage an independent, pro-bono consulting firm to analyze whether expenditures on policing in schools are used effectively to maximize the educational missions of schools. This recommendation is in line with the recent recommendation of the New York City Public Advocate Betsy Gotbaum, who suggests, “The DOE in conjunction with the Office of Management and Budget, should list all school safety allocations . . . in line items in the city budget, making it possible to track specific budget allocations for school safety.”¹²³

Leading social science research raises questions about the effi-

cacy of policing in schools which targets vaguely defined student misconduct, using metal detectors and surveillance cameras, and imposing zero-tolerance policies — all policing techniques used in city schools. Experts have concluded that each of these approaches is ineffective, at best, and detrimental, at worst, for school safety and education.¹²⁴ If haphazardly implemented, an increased police presence in schools exacerbates disorder, impedes educators’ efforts to create a positive school climate, encourages opposition to school rules, and undermines students’ motivation.¹²⁵

Research on school safety emphasizes instead the development of positive relationships between students and school safety officers; student engagement in school; involvement in after-school programming; early identification of at-risk students coupled with intervention; implementation of conflict resolution programs; and incorporation of families and the community into school safety decisions.¹²⁶ As the Safe and Responsive Schools Project explains, “Preventive programs, such as bullying prevention, peer mediation, or anger management, have far more data available to support their effectiveness than do technology-based fixes such as metal detectors or video surveillance cameras.”¹²⁷ Negotiation, conflict resolution, and anti-bullying awareness have been proven to improve school safety, reduce gang activity, contribute to students’ self-confidence, and promote educational outcomes.¹²⁸ These techniques should be introduced into all New York City public schools, and where the techniques are already in place, the commitment to teaching them should be reinvigorated. In addition, city teachers should receive training in conflict education and/or resolution training, since 98 percent of high school administrators report that virtually no teachers in their schools are trained in these methods.¹²⁹

As the city has increased reliance on police for school safety, it has sharply reduced the funding for programs such as these.¹³⁰ The city should maximize reliance on alternatives to policing in schools. Among other outcomes, such a shift would result in the reduction of suspensions, arrests, and dropouts. That effect would be hugely beneficial given that “exclusionary punishments actually intensify certain adolescents’ conflicts with adults,” and suspensions and arrests often fail to promote healthy development or teach a student to correct his or her behavior.¹³¹



VIII. CONCLUSION

This report demonstrates that New York City is over-policing its schools with significant and consequential damage to the learning environment. The recommendations offered herein are urgently needed to reform the city's school policing program.

In sum, the city should take immediate and concrete steps to restore educators' authority over school discipline, train police personnel to respect the school environment, and limit the authority of police personnel to legitimate security concerns. Accountability mechanisms over policing in schools also must be established, including the creation of a meaningful mechanism that allows students, their families, and teachers to complain about wrongdoing by school-based police personnel.

The full implementation of all the reforms is necessary to transform New York City schools from places where students feel like they are in detention to vibrant, positive learning communities where students feel nurtured and engaged.

IX. APPENDIX

APPENDIX A:

LIST OF SCHOOLS WITH DAILY METAL DETECTOR USE

Abraham Lincoln High School	High School of Hospitality Management
Academy for College Preparation and Career Exploration: A	High School of Medical Science
College Board School	Hillcrest High School
Academy of Hospitality and Tourism	HS for Service and Learning
Academy of Urban Planning	HS for Youth and Community Development
Adlai Stevenson High School	Jamaica High School
Astor Collegiate High School	James Madison High School
Automotive Career and Technical Education High School	Jeffrey M. Rapport School for Career Development
Belmont Preparatory High School	John Adams High School
Bronx Expeditionary Learning High School	Jonathan Levin High School for Media and Communications
Bronx Guild High School	Kennedy High School*
Bronx High School for Law and Community Service	Kingsbridge International High School
Bronx High School for Writing & Communication Arts	Lafayette High School
Bronx High School of Business	Louis D. Brandeis High School
Bushwick School for Social Justice	Magnet School of Law and Government
Business, Computer Applications & Entrepreneurship Magnet HS	Manhattan Hunter Science High School
C.I.S. 313 School of Leadership Development	Martin Luther King, Jr. High School for Law, Advocacy & Community Justice
Canarsie High School*	Math, Science Research and Technology Magnet High School
Celia Cruz Bronx High School of Music	Monroe Academy for Business & Law
Channel View School for Research	Newtown High School*
Christopher Columbus High School*	Norman Thomas High School*
Collegiate Institute for Math and Science	Pablo Neruda Academy
DeWitt Clinton High School	Paul Robeson High School
Discovery High School	Samuel J. Tilden High School*
Dreamyard Preparatory School	Science, Technology and Research Early College
EBC High School for Public Service in Bushwick	Secondary School for Journalism
Erasmus Campus - Business/Technology	Secondary School for Law
Erasmus Campus - Humanities]	Secondary School for Research
Evander Childs High School	Sheepshead Bay High School*
Excelsior Preparatory High School	South Shore High School
Facing History School	Springfield Gardens High School
Far Rockaway High School	Theodore Roosevelt High School
Food and Finance High School	Thomas Jefferson High School
Fordham Leadership Academy For Business and Technology	Urban Assembly High School for History and Citizenship for Young Men
Foreign Language Academy of Global Studies. (FLAGS)	Urban Assembly Media High School
Franklin K. Lane High School	Urban Assembly School of Design and Construction
Frederick Douglass Academy VI High School	Walton High School*
George Westinghouse High School	Washington Irving High School
Grace Dodge Vocational High School	West Bronx Academy For the Future
Graphic Communication Arts High School	William H. Maxwell Vocational High School
Harry S. Truman High School*	Williamsburg High School for Architecture and Design
High School for Contemporary Arts	Williamsburg Preparatory School
High School for Law and Public Service	
High School For Media & Communications	
High School for Teaching and the Professions	
High School of Arts and Technology	
High School of Arts, Imagination and Inquiry	

* Schools designated with an asterisk are current Impact Schools.

APPENDIX B:

POLICING PRACTICES IN LARGE URBAN SCHOOL DISTRICTS

The Los Angeles Unified School District, the Miami-Dade Public Schools, and the Clark County School District each have their own school police departments, which allow educators to prioritize and coordinate both education and safety outcomes.¹³² New York City should consider these districts in reformulating its own approach to school safety.

A. Los Angeles Unified School District

The Los Angeles Unified School District is the second largest school district in the country, smaller than only the New York City school system.¹³³ The school district has its own School Police Department of over 600 sworn and civilian personnel, including more than 370 police officers.¹³⁴ The Chief of the School Police Department reports to the Chief Operating Officer for the Los Angeles Unified School District who, in turn, reports to the School Superintendent.¹³⁵ All School Police Department budget requests must be approved by the Superintendent.¹³⁶ This system gives educators, and specifically, the School Superintendent, oversight over school police officers.

For issues beyond the expertise of school administrators, there is collaboration with the Los Angeles Police Department (LAPD). For example, with regard to training, each member of the School Police Department must undergo the same training as the LAPD, in addition to specialized training that focuses on roles and responsibilities in an educational setting. According to the current Chief Operating Officer, the School Police Department officers are better suited and better trained to interact with schoolchildren in an educational setting on a daily basis than regular LAPD officers.¹³⁷

Metal detectors are used in the Los Angeles Unified School District as one aspect of safety initiatives. According to the Chief Operating Officer, metal detector scans are not performed by police officers. Instead, they are performed by certified school administrators, such as assistant principals, who are specially trained and authorized to perform the scans.¹³⁸

B. Miami-Dade County Public Schools

The Miami-Dade County Public School system is the fourth largest in the nation.¹³⁹ The School Police Department is situated within the Miami-Dade School District infrastructure, and operates independently of the Miami Police Department. The School Police Department, which consists of certified Florida police officers, is the second largest school police agency in the United States with 215 sworn personnel.¹⁴⁰ The Chief of the School Police sits on the School Superintendent's cabinet.¹⁴¹

The School Police Department lists as its mission "to be responsive to the school community," explaining that it is a priority "to becom[e] part of the school community through improved communication, mutual setting of priorities, and shared commitment to positive youth development."¹⁴² As part of this collaborative process, the School Police Department works closely with state attorneys to determine whether incidents in school should be handled through the courts or through school disciplinary procedures.¹⁴³

There are no walk-through metal detectors in the Miami-Dade County public schools.¹⁴⁴ Handheld metal detector scans and

other searches are conducted by employees of a private company, Safety Teams Corp., Inc., and are supervised by a school administrator. Pursuant to a court order, School Resources Officers are prohibited from participating in scans and other searches, unless a weapon is found on a student.¹⁴⁵

C. Clark County School District

The Clark County School District in Nevada is the sixth largest in the nation.¹⁴⁶ The Clark County School District has its own School District Police with 145 sworn officers patrolling school district properties.¹⁴⁷

The School District Police has an established Bureau of Professional Standards that investigates alleged misconduct by school safety officers and other department personnel.¹⁴⁸ The Bureau of Professional Standards is housed within the office of the Chief of Police. Since 1999, the Chief of School Police has reported directly to the Superintendent of Schools.¹⁴⁹ This structure gives the Superintendent control over the investigation of misconduct and ultimate authority over the discipline of officers. The Clark County School District does not have a single metal detector in any school.

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