

Sentencing Commission Position: School Safety Funding 2018

Recent events and incidents in schools across the country and in Ohio have made school safety a priority for Ohio's policymakers, school administrators, students, teachers, and families. In July 2018, the Ohio legislature passed HB 318, which included \$12 million in grants to enhance school safety. These grants can be used for: 1) School Resource Officer (SRO) training or certification, 2) active shooter training, 3) educational resources, 4) training on identifying and assisting students with mental health issues, or 5) any other safety training. In addition, several districts across the state are putting forward school safety levies on local ballots.

Link Between School Safety and the Juvenile Courts: The Sentencing Commission has a direct interest in Ohio policymakers investing in effective school safety programs. As the National Council of Juvenile and Family Court Judges (NCJFCJ)¹ has recognized, school safety responses, including security or law enforcement presence or suspending or expelling students, can increase youth involved in the juvenile courts through:

- More students *arrested on school property* during school or a school-sponsored event due to “relying on law enforcement to settle minor disputes” or “offenses that easily could have been handled in school.”
- Increased *charges filed or law enforcement referrals* for behavior at school. Some of these referrals “might result in arrest at school even though they would not have if the same incident occurred on the street (e.g., disrespect, fighting, carrying a toy gun, etc.)”
- Higher rates of missed school if students do not feel safe, leading to increased *truancy caseloads and charges*.
- Increased likelihood of court involvement of *youth who have been suspended or expelled* as these students are likely to lack supervision, be less engaged in school, and more likely to drop out. Students can receive “double punishment” for incidents by both getting a law enforcement referral plus a suspension or expulsion

The NCJFCJ recognizes that students who become court-involved through a school referral will “remain involved in or go deeper into the juvenile justice system” and are less likely to stay engaged in school, leading to potential dropout, long-term economic costs to society, and a criminal record, which “dramatically curtails employment opportunities and potentially leads to a life of poverty or crime.”

Effective School Safety Investments: Research shows that school safety is more likely to be achieved through investments to create positive school climates instead of punitive options. Investments in school security – such as security personnel and hardware (i.e. cameras, metal detectors, etc.) – are “associated with more incidents of school crime and disruption[,] higher levels of disorder in schools,” increased violence due to an heightened sense of students to engage in self-protection, and “negatively impacts students’ perception of safety and even increases fear among some students.”² Additionally, placing law enforcement and security personnel in schools cannot – and has not – prevented all school violence, including school shootings. School resource officers and armed guards have been present at four out of the five worst school shootings in U.S. history, including

¹ Villalobos, J.G., & Bohannon, T.L. (2017). *The Intersection of Juvenile Courts and Exclusionary School*. National Council of Juvenile and Family Court Judges. Available at https://www.ncjfcj.org/sites/default/files/NCJFCJ_SJP_Courts_SchoolDiscipline_Final.pdf.

² National Association of School Psychologists, *Research Summaries: School Security Measures and Their Impact on Students* (2018), available at https://www.nasponline.org/Documents/Research%20and%20Policy/Research%20Center/School_Security_Measures_Impact.pdf.

Columbine and Parkland.³ Finally, the FBI has warned that “[d]isciplinary action alone, unaccompanied by any effort to evaluate the threat or the student's intent, may actually exacerbate the danger.”⁴

Instead, research shows that effective investments in school safety should focus on:

- Developing a threat assessment approach to school safety issues that includes: 1) an individual in the school specifically trained in threat assessment who can evaluate threats based on the specific circumstances, including the nature of the threat, the student’s personality, and the family, school, and social dynamics at play and 2) a plan in place to deal with threats, including clear policies and a designated staff person who can call together a multidisciplinary team to respond. This approach is recommended by both the FBI and the Secret Service.⁵
- Creating a positive school climate; positive school climates work because when schools are “safe, supportive learning environments where youth become connected to school, students are less likely to engage in disruptive and destructive behavior and more likely to graduate from high school.”⁶ HB 318 also included \$2 million grants to improve school climates in districts across the state.
- Increasing student support staff – including psychologists, school nurses, social workers, and counselors – who can intervene and either directly work with students or connect them to resources in their communities. While law enforcement officials and security personnel may be able to help identify threats, they are not trained to work with students more holistically to prevent violent acts from occurring.

***Suggested statement for approval:**

The Sentencing Commission recommends that Ohio’s stakeholders invest in research-based approaches to school safety – including implementing threat assessment protocols, improving school climate, and increasing student supports (i.e. psychologists, nurses, social workers, and counselors) – to make Ohio’s schools as safe as possible and to keep students out of Ohio’s courts unnecessarily.

³ Marjory Stoneman Douglas (2018), Marshall County High (2018), Santana High School (2001), and Columbine High School (1999).

⁴ Federal Bureau of Investigation, *The School Shooter: A Threat Assessment Perspective*, available at <http://www.doe.in.gov/sites/default/files/safety/fbi-report.pdf>.

⁵ United States Secret Service and United States Department of Education, *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States* (July 2004), available at <https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf>.

⁶ https://saferschools.ohio.gov/content/ohio_school_climate_guidelines