Arresting Development: Student Arrests in Connecticut
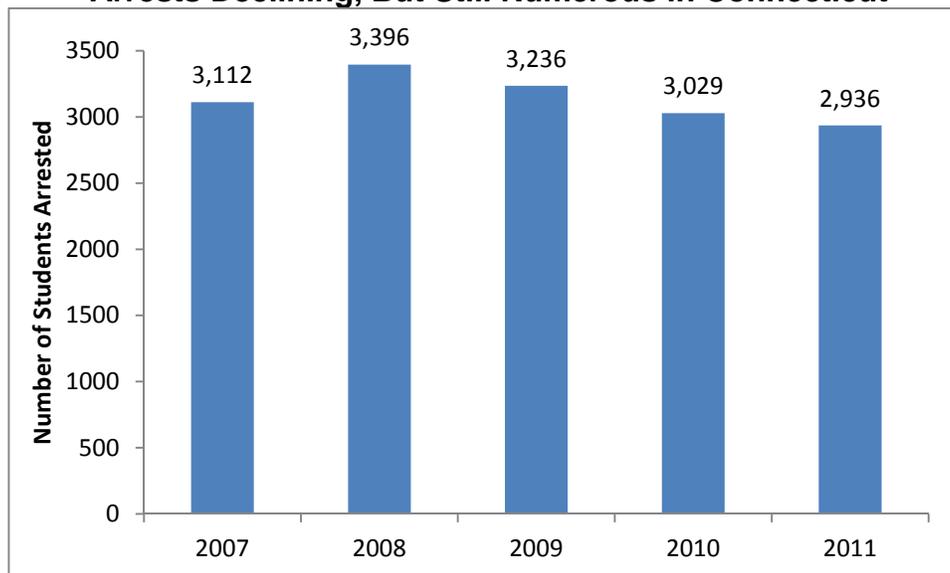# Executive Summary

September 2013

Despite increased focus in recent years on bullying, dropout, and school discipline in Connecticut, one category of exclusionary discipline with dramatic impacts on students – school arrests – has not received much attention. Decades of research shows that use of police to enforce school rules and punish students can result in considerable long-term harm, including a significant increase in dropout risk among arrested youth. Additionally, unnecessary involvement with the juvenile justice system is costly to the state.

While work on this report began long before the tragedy in Newtown, this project has taken on a new importance in light of the many school safety conversations and changes occurring at the state and local level in the past nine months. In particular, the findings of this report demand caution and careful attention to potential unintended consequences related to increased police presence in schools. We hope that this report's recommendations can help districts seeking to prevent future school violence to proceed in a thoughtful, evidence-based manner that improves outcomes for all children.

Statewide, the number of student arrests has declined in recent years. In the 2010-2011 school year, 2,936 Connecticut children (0.5%) were arrested in school, with a total of 3,183 school arrests that year. This represents a 13.5% decline in children arrested from the peak of 3,396 students arrested in 2007-2008. Although few districts were actively engaged in school arrest reduction efforts over this period, the public debate around a 2007 law limiting the use of out-of-school suspensions increased attention on discipline practices that remove children from classrooms for a significant period of time. This conversation encouraged many schools to implement policies that improved school climates and more effectively handled student misbehavior. These broader discipline policy improvement efforts may well have contributed to an encouraging reduction in arrests over the last four years.

Arrests Declining, But Still Numerous in Connecticut

Bar chart titled "Arrests Declining, But Still Numerous in Connecticut." Y-axis: Number of Students Arrested (0 to 3500). Values by year: 2007 = 3,112; 2008 = 3,396; 2009 = 3,236; 2010 = 3,029; 2011 = 2,936.

Many student arrests were avoidable – with children being arrested for behaviors that could have likely been handled in schools. Using the detailed descriptions of what each behavior entails, we grouped the behaviors for which students were arrested in 2011 into four categories – Mandatory, Reasonable, Questionably Necessary and Likely Avoidable – based on whether the student's behavior resulted in an injury (and the severity of that injury), whether there was destruction of property (and the level of destruction), the apparent intent to cause harm, and the extent to which the behavior was a criminal act. (See Appendix B of the full report for a breakdown of how arrest reasons were categorized.) During the 2010-2011 school year, a significant share of arrests (11%) were the result of uniquely student misbehaviors – such as skipping class, insubordination, and using profanity – that likely did not rise to the level of criminal activity. We group these types of arrests as likely avoidable. These behaviors are typically more effectively and appropriately handled at the classroom or school level. Another one-quarter of arrests (23%) were the result of behaviors that were at best questionably necessary, such as physical altercations without injuries, bullying, obscene behavior, and false fire alarms. These incidents may have risen to the level of a crime in some circumstances, but in many cases could have been handled by the school. One-third of arrests (33%) resulted from incidents with mandatory or potentially mandatory referrals to police (drugs, weapons, or assault). One-third of arrests (33%) resulted from incidents whose description suggested school referral to police was reasonable (cases in which crimes appear likely to have occurred, such as theft, trespassing, and vandalism).

Arrest rates were higher for students of color, students in poor districts, and special education students. The children most likely to be arrested are those who are already at a disadvantage within our schools – students of color, students in poor districts, and students with identified special education needs. Students of color are much more likely to be arrested than white students – 3.7 times more for black students and 3.2 for Hispanic students.

Black and Hispanic Students are Three Times as Likely to Be Arrested as White Students
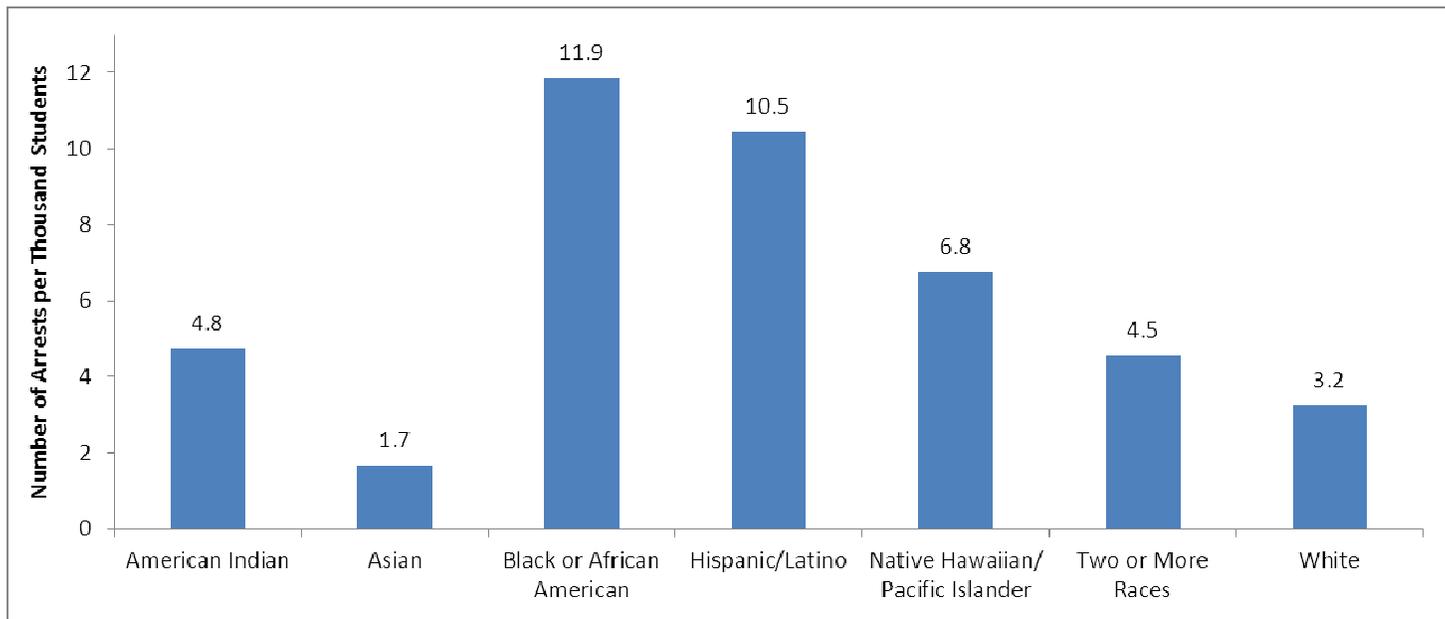
High arrest rates for students of color are correlated with a much higher arrest rates for students who attend school in low-income, urban communities when compared to the arrest rates of students in wealthier, suburban towns. Students attending a school in District Reference Group (DRG) I, which includes the cities of Bridgeport, Hartford, New Britain, New Haven, New London, Waterbury, and Windham, were arrested nine times more often than students in the schools of DRG A, which includes nine suburban districts in Fairfield County. However, racial disproportionality in school arrests is not confined to either urban or suburban schools; 70 out of 119 school districts (59%) had higher arrest rates for black students than white students.

Students identified as having special education needs were also arrested at disproportionately high rates – 2.8 times more often than their non-disabled peers. Relatedly, children attending alternative and special education schools,

which tend to enroll more students with disabilities, were arrested 12.3 times more frequently than children in traditional, charter, or magnet schools.

Arrests rates varied widely between similar school districts, and among schools in the same district, suggesting that much variation is driven by school practice, not differences among students. Similar districts often vary tremendously in the frequency with which they arrest children. A number of districts with similar demographics and student populations have tenfold or greater differences in arrest rates, suggesting that some differences are driven by variations in discipline practices rather than simply differences in the student body and community demographics. Sixty-two districts out of the 193 in the state (32%) reported zero school arrests in 2011, and another 39 (20%) had very low arrest rates (fewer than two arrests per thousand students in the district). The majority of these low- or no-arrest districts were in high- or middle-income rural or suburban areas, but there were also some lower-income rural and urban districts with no arrests.

While lower-income and urban districts tended to have higher arrest rates, Hartford, Bridgeport, New Haven, and Stamford have some of the largest student populations in the state but have average or below-average arrest rates. In contrast, while higher-income and middle-income schools tend to have lower than average student arrest rates, some of these districts have rates that are above the state average, including Region 5 (Bethany, Woodbridge, and Orange), Ellington, Enfield, Windsor Locks and Newington.

Overall, a handful of districts produce a very large proportion of the state's school arrests. The ten districts with the largest numbers of arrests account for nearly half (1,464 or 46%) of all arrests. Some of these districts' high arrest numbers reflect their large student populations rather than just high arrest rates. Other high-enrollment and high-arrest districts point to the need for state and local arrest reduction initiatives. However, districts with above-average arrest rates exist throughout the state, not just in high poverty urban areas. This highlights the need for broad arrest reduction efforts across Connecticut in addition to more intensive efforts in the worst-performing communities.

High Arrest Rate/High Enrollment Districts Present Top Targets for Intervention

Rank	District	Number of Arrests	Enrollment	Arrests Per Thousand Students
1	Meriden	230	8,279	**27.8**
2	Area Cooperative Educational Services	54	1,991	**27.1**
3	New London	71	3,068	**23.1**
4	Ansonia	48	2,619	**18.3**
5	Waterbury	310	18,129	**17.1**
6	Regional District 5	41	2,475	**16.6**
7	West Haven	102	6,194	**16.5**
8	New Britain	160	10,098	**15.8**
9	Connecticut Technical High School System	147	10,643	**13.8**
10	Windham	46	3,375	**13.6**
11	Norwich	46	3,805	**12.1**
12	Norwich Free Academy	28	2,381	**11.8**
13	Danbury	121	10,343	**11.7**
14	East Haven	40	3,420	**11.7**
	STATEWIDE	3,183	559,914	**5.7**

Arrests are not only concentrated in a small number of districts, but in a small number of schools within those districts (or even in districts with otherwise unremarkable arrest rates). The ten schools with the greatest number of arrests accounted for 23% of all arrests in the state, and half of all arrests statewide came from only 36 schools. Out of the state's 1,116 public schools, 787 (71%) recorded zero arrests in 2011. Only 131 schools (11.7%) had either 10 or more arrests or an arrest rate of 10 or more arrests per thousand students.

Schools with the Greatest Number of Arrests

Rank	School (District)	Enrollment	Arrests	Arrests per thousand	% of All CT School Arrests	Cumulative % of School Arrests
1	Danbury High School (Danbury)	2,898	104	35.9	3.3%	3.3%
2	Orville H. Platt High School (Meriden)	1,100	97	88.2	3.0%	6.3%
3	New Britain High School (New Britain)	2,618	90	34.4	2.8%	9.1%
4	Francis T. Maloney High School (Meriden)	1,235	84	68.0	2.6%	11.8%
5	West Side Middle School (Waterbury)	1,147	75	65.4	2.4%	14.1%
6	West Haven High School (West Haven)	1,545	74	47.9	2.3%	16.5%
7	Wilbur Cross High School (New Haven)	1,290	56	43.4	1.8%	18.2%
8	Michael F. Wallace Middle School (Waterbury)	1,348	50	37.1	1.6%	19.8%
9	Enlightenment School (Waterbury)	150	47	313.3	1.5%	21.3%
10	Stamford High School (Stamford)	1,811	47	26.0	1.5%	22.7%

The fact that children of the same age, residing in the same town, and who are attending different schools are arrested at markedly different rates suggests that one or more of the following factors likely contributes to differences among the schools: a) school climate; b) school rules and rule enforcement; c) the behavior of school staff and their capacity to manage challenging student behavior; d) the presence and culture of police in the school; and e) student composition and student behaviors. These factors are likely related. For example, differences in arrest rates are to some extent a product of variations in student populations from school to school. These differences in population can be attributed to a number of factors including differential participation in school assignment lotteries or residential segregation (which can affect the makeup of neighborhood schools). Differences in school climate and teachers can influence parent decisions about where to enroll their children (influencing school composition), while school composition and climate can influence student behavior. In any case, this evidence strongly suggests that arrests are not an intractable problem for large, high-poverty districts. Rather, arrest rates are responsive to good leadership and practice at the school level, and fewer arrests can be achieved at schools in any district.

Conclusion and recommendations. Decades of academic and public policy research shows that arrests of young people can result in much long-term harm. Arrest increases likelihood of dropout, as well as a host of other negative life outcomes with significant financial and social harm on both the individual and his community. The entire state suffers from decreased lifetime earnings, increased risk of future incarceration, and greater likelihood of relying on state-funded social programs. In many cases, behaviors for which students are being arrested could be prevented through earlier intervention and better access to services, or handled more effectively with lower-level school-based sanctions that address the true source of the misbehavior and work to correct it. School arrests are often costly, ineffective, and unnecessary.

Several Connecticut organizations, including the Juvenile Justice Advisory Committee sponsored by the state Office of Policy and Management, the Center for Children's Advocacy, the Connecticut Juvenile Justice Alliance, the Court Support Services Division of the Judicial Branch, and the Child Health and Development Institute of Connecticut, working in conjunction with local community groups, have turned their attention to the problem of student arrests.

These local initiatives have begun to take steps to reduce the reliance on the justice system to resolve school discipline problems.

Building on key elements of these successful community programs as well as state and national best practices, the following ten action items were identified for the State Legislature, State Department of Education, local districts and schools, and community members and parents:

1. **Defining "student arrest".** Neither the State Department of Education nor state statute defines "student arrest" or "school arrest." This can result in inconsistencies in how various stakeholders and data reporters interpret the term. A clear definition of school arrests will help eliminate these inconsistences and will allow for more accurate comparisons to be made across districts.
2. **Collecting data on student arrests**. All arrest data presented in this report comes from the Connecticut State Department of Education "Serious Incident Reporting Form," called the ED166. Districts could file an ED166 form for all incidents that result in arrests, but it is not required. The ED166 form is only required to be filed for suspension related events, "serious" offenses (defined in agency policy), and alcohol and drug related offenses. In order to fully understand the scope of the school arrest problem, districts should be required to report any and all school arrests.
3. **Establishing and supporting community collaboratives/LISTs across the state.** Local Interagency Service Teams (LISTs) bring together community providers, parents, and youth around issues of the juvenile justice system and service delivery.
4. **Supporting arrest reduction initiatives and peer learning for schools and school districts.**
5. **Implementing memoranda of agreement between schools and police.** Memoranda of agreements (MOAs) between school and police are used to delineate what situations should be handled by school staff instead of police, and to establish a graduated response policy that clearly lays out for staff and students what the consequences are for certain types of behaviors, improving the transparency, uniformity, and fairness of school discipline policies. MOAs have already been successful in several pilot communities around the state.
6. **Promoting police and educator training.**
7. **Expanding and utilizing Juvenile Review Boards.** Juvenile Review Boards represent an effort to divert juvenile offenders from the formal justice system. Generally, the Boards are community-based and are designed to reflect the population that resides in that community.
8. **Ensuring access to mental health services.**
9. **Enforcing existing laws that address truancy and the need for special education services.**
10. **Integrating arrest reduction with school climate plans and bullying policies.**

CT Voices School Arrest Database

Recognizing that local solutions requires an understanding of local strengths and challenges, Connecticut Voices has created an interactive online database that provides detailed school arrest data for all 193 Connecticut school districts. For each district, the data tool will allow viewers to find the number of school arrests, arrests per thousand students, and peer group and state average arrest rates, broken down by gender, race/ethnicity, disability status, and grade level, as well as overall figures.

The database is available on our website at www.ctvoices.org/arrest

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