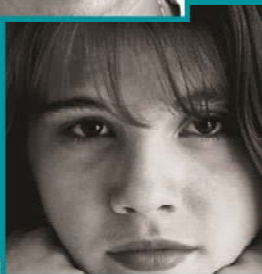
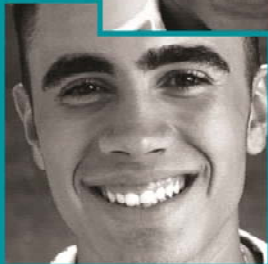


CONNECTICUT
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Arresting Development: Student Arrests in Connecticut

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I. Introduction

This report seeks to provide a comprehensive survey of the practice of student arrests in Connecticut. It begins by providing some context on the individual and societal costs of arrest; the recent growth in student arrest rates and connections to the rise of zero tolerance policies; concerns about disproportionate student arrest rates among minority populations; and the role of data in guiding reform. Next, the report summarizes key statewide student arrest data, including the numbers and rates of arrest, and types of behaviors leading to arrest. The report then dives deeper into an analysis of disproportionate student arrest rates among a number of groups: young people who live in poorer, urban communities, students of color, youth with disabilities, older students, and young people attending alternative schools. The report then turns to patterns of student arrests among and within school districts. This section highlights districts and schools with high and low numbers of student arrests and student arrest rates. It also explores the significant degree of variation in arrests between similar schools within the same district. Finally, it concludes with recommendations on the ten ways Connecticut’s legislature, the State Department of Education (SDE), the state’s school districts, and individual schools can reduce student arrests. Appendices following the report contain detailed information about definitions and data sources, and supplemental data tables and graphs. An online interactive tool, which can be found at www.ctvoices.org/arrest, provides district-level data on the numbers and rates of student arrests overall and by gender, race/ethnicity, disability status, and grade level.

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 local and state levels in recent months. Several issues highlighted by this report (particularly access to mental health services and the need for early and effective interventions for children in crisis) have received significant attention and broad support. For other measures under consideration by policymakers, most notably the increased presence of police in schools, the findings of this report demand caution and careful attention to potential unintended consequences. This report does not directly address the issue of whether police ought to be stationed in schools because we lack Connecticut-specific data on which schools have police and what the outcomes are for those schools. However, the significant number of student arrests occurring in this state before any increased police presence, the widespread disproportionate impact of arrests on minority youth, and the many negative consequences of arrest demand that – at a minimum – districts deciding to place police in schools must carefully track arrest rates and take swift action to curb any increases following their policy change. We support measures to improve school climates and reduce violence in schools, and believe that these goals are best achieved not through the unnecessary criminalization of youth in our classrooms, but through the provision of individualized supports, interventions, and graduated sanctions. We hope that this report’s recommendations can serve as a guide for districts seeking to prevent another Sandy Hook in a thoughtful, evidence-based manner that improves outcomes for all children.

II. The Problem of School Arrests: Some Context

A. Individual Costs of Arrest

Decades of academic and public policy research shows that arrests of young people can result in much long-term harm. One of the most concerning impacts – with lifetime consequence – is the significant increase in dropout risk among arrested youth. For example, a 2006 study based on a nationally representative longitudinal dataset found that “arrest doubles the probability of dropout *even when controlling for* arrest expectations, college expectations, prior and concurrent delinquency, grade retention, school suspension, middle school grade point average, and a number of demographic factors.”¹ The study also found that “a court appearance nearly quadruples the odds of dropout” and that the increased risk of dropout was particularly severe for first time offenders.² These findings are consistent with results from other studies, which were also rigorously designed to measure the specific impacts of arrest and court involvement.³

While it is difficult to prove direct causation, juvenile arrest and incarceration are (at a minimum) correlated with a host of health-harming behaviors and detrimental outcomes later in life. Previously arrested young people are more likely than non-arrestees to engage in alcohol and drug use, substance use during sex, and unprotected sex; contract sexually transmitted infections (STIs); attempt suicide, and have psychiatric hospitalizations.⁴ Imprisonment also weakens youths’ links to legal employment, while their exposure to “prison culture” strengthens gang and criminal connections, leading to a cascade of negative life outcomes.⁵ Previously incarcerated youth are much more likely to be unemployed as young adults and experience a weakening of their social bonds, both of which contribute to an increased risk of crime as adults.⁶

Entrance into the juvenile justice system is one of the most direct pathways by which youth become disconnected from school and work, and thereby thrown off track in becoming successful adults.⁷ In addition to the direct harms resulting from being excluded from institutions that help support a successful transition to adulthood, there may be significant psychological damage that further inhibits community integration. Some researchers suggest that arresting young people leads to detrimental life outcomes because the “nearly inevitable correlates” of youth offenses – such as incarceration – undermine bonds of social control and support (like marriage and stable employment) which would otherwise help ground the young

¹ Sweeten, Gary, “Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement” 23.4, *Justice Quarterly*, 462-480, at 478 (December 2006) (emphasis added).

² “First time court appearance during high school increases the chances of dropping out of high school independent of involvement in delinquency. Furthermore, the effect of court appearance is particularly detrimental to less delinquent youth.” (Gary Sweeten. “Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement,” *Justice Quarterly* 23:4 (2006))

³ *Id.* at 473 (“These magnitudes are similar to Bernburg and Krohn’s (2003) estimates of the effect of any arrest or juvenile justice system involvement for males from ages 13.5 to 16.5. They found that arrest nearly quadrupled the odds of high school dropout, and justice system involvement increased the odds of dropout 3.6 times.”). See also Paul Hirschfield, “Another Way Out: The Impact of Juvenile Arrests on High School Dropout”, *Sociology of Education*, Vo. 82, No.4 (October, 2009), pp. 368-393 (concluding, based on sample of more than 4,844 inner-city Chicago students, that “contact with the legal system increased school dropout” and that “being arrested weakens subsequent participation in urban schools, decreasing their capacity to educate and otherwise help vulnerable youths.”)

⁴ Marina Tolou-Shams, Larry Brown, Glenn Gordon, Isabel Fernandez, “Arrest History as an Indicator of Adolescent/Young Adult Substance Use and HIV Risk,” *Drug and Alcohol Dependence* 88:1 (17 April 2007): 87-90, available at: <http://www.sciencedirect.com/science/article/pii/S0376871606003619>

⁵ John Hagan and Ronit Dinovitzer, “Collateral Consequences of Imprisonment for Children, Communities, and Prisoners,” *University of Chicago* (1999): 136, available at: http://individual.utoronto.ca/dinovitzer/Publications/Hagan_Dinovitzer_1999.pdf

⁶ Robert Sampson and John Laub, *Crime in the Making*, Cambridge, MA: Harvard University Press. 1993

⁷ Janine Zweig “Vulnerable Youth: Identifying their Need for Alternative Educational Settings,” *The Urban Institute* (June 2003), available at: http://www.urban.org/UploadedPDF/410828_vulnerable_youth.pdf

person. This theory posits that young people, usually male, develop a “perceived sense of injustice resulting from a pattern of corrosive contacts with officials of the criminal justice system, coupled with a general sense of working-class alienation from elite society,” which leads them to see “the system” as unfair and corrupt.⁸ This perception of outside forces conspiring against them leads to further alienation and a downward spiral away from stable employment, families, and community engagement.

B. Societal Costs of Arrest

Arrests and justice system involvement negatively impact society as a whole, not only the directly-involved youths and their families. There are direct costs to arrest, including those borne by the police, court, probation, and parole systems to process and supervise the young person. Furthermore, the arrests that predispose young people to a host of bad outcomes (including dropout, increased likelihood of committing crimes in the future, decreased future earnings, reliance on the welfare system, and drug or alcohol abuse) impose additional long-term social costs that can quickly exceed the immediate costs of processing an arrest and temporarily confining a youth.

One study that examined the cost to society of career criminals, heavy drug users, and high school dropouts estimated that these behaviors cost – *per individual engaged in them* – \$1.8 to \$2.1 million, \$523,000 to \$1.4 million, and \$331,000 to \$548,000, respectively, with costs for those with multiple behaviors as high as \$3.25 million.⁹ Since arrests of young people increase their likelihood of dropout, and future arrest, and are correlated with increased drug use, one could consider the increased societal cost of those behaviors a related, distal result of arrest. Increased use of social services and lost wages are additional costs.

In addition to the financial cost of these negative outcomes, there are the intangible but not insignificant impacts on families. Increased lifetime risk of incarceration means that often the children who are arrested as juveniles become young parents in the criminal justice system later in life. A growing body of literature suggests real harms to children from parental incarceration, which include trauma, delayed development, stress and uncertainty, and stigma. These children can least afford to have additional burdens placed on them, given that they are already likely to have been exposed to other risk factors like poverty, housing instability, fractured families, and parental substance abuse even prior to their relative’s incarceration.¹⁰ Incarceration also disrupts families, leading to placement of children in foster care or informal care by relatives, loss of parental income, limitations on access to public support, disruption of family ties, and instability when the parent leaves the justice system.¹¹

Communities also suffer major effects from high incarceration rates of their members. When large numbers of people from the same area are (or have recently been) in prison, neighborhoods experience residential instability and social disorganization that undermine community participation, social networks, and social cohesion. Disintegration of ties to the neighborhood, loss of friendships and relationships with non-incarcerated community members, and declining participation in social organizations like churches, schools,

⁸ Robert Sampson and John Laub, “A Life-Course View of the Development of Crime,” *The Annals of the American Academy of Political and Social Science* 602: 1 (November 2005): 12-45 available at:

<http://troublesofyouth.pbworks.com/f/Sampson%2BLaub%2Bedited.doc>

⁹ See, Mark Cohen, “The Monetary Value of Saving a High-Risk Youth,” *Journal of Quantitative Criminology* 14: 1 (1998), available at: http://www.epi.msu.edu/janthony/requests/articles/Cohen_Monetary%20High-Risk%20Youth.pdf. Cost figures from 1998 adjusted to 2012 dollars using the Bureau of Labor Statistics CPI Inflation calculator at

http://www.bls.gov/data/inflation_calculator.htm.

¹⁰ Jeremy Travis and Michelle Waul, “Prisoners Once Removed: The Children and Families of Prisoners,” in *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families and Communities*. Jeremy Travis and Michelle Waul, eds. Washington D.C.: Urban Institute Press (2003):16-17

¹¹ Id. at 17-25

and civic groups, among other types of social decline, disrupt the typical means of social control and also damage community supports necessary to prevent crime.¹² The result is broken communities with higher crimes rates, weakened families, decreased participation in voluntary associations, and reduced community solidarity. As one study commented, incarceration “taints” the area for those who remain.¹³

C. Zero Tolerance, Exclusionary Discipline, and School Arrests

Schools have a special mandate to serve the needs of all students and equip them for future success as workers and members of a democratic society. Therefore, one would hope that schools would make every effort to minimize the use of arrests as punishment, limiting them only to situations in which students commit serious violent or criminal acts that pose an imminent danger to themselves or others. However, this is not the case in Connecticut.

Over the last few decades, as the national war on drugs and fears of youthful “super-predators” exploded, schools became the newest battleground for arrests of young people. Schools began to employ referrals to police and the courts as part of a growing and ever-harsher spectrum of exclusionary discipline practices that encompassed temporary removal from a classroom, school suspension, school expulsion, and placement in alternative schools or other segregated settings. The spread of zero tolerance policies and attitudes – from the criminal justice system to schoolyards (and codified in laws like the Safe and Drug Free Schools Act), coupled with the expansion of surveillance and police presence in many schools – led to a proliferation of harsh discipline practices that remove many children from their classrooms and feed the so-called “school-to-prison pipeline.” The increased emphasis on standardized testing may also contribute to the increased use of exclusion and push-out by incentivizing teachers and administrators to remove low-scoring or disruptive children from the classroom to boost test scores and ratings.¹⁴

This expansion of zero tolerance in schools occurred despite little evidence of its effectiveness and ample evidence of significant drawbacks. In 2008, the American Psychological Association (APA) conducted an extensive review of studies on zero tolerance discipline in schools, concluding not only that there is insufficient evidence to warrant its use but also that the evidence that does exist suggests it can be counterproductive.¹⁵ Furthermore, the entire philosophy rests on assumptions about why children misbehave and how to change behavior that conflict with modern scientific understanding of the characteristics of normal adolescent development, including youths’ psychosocial immaturity, inability to

¹² Dina Rose and Todd Clear, “Incarceration, Reentry, and Social Capital: Social Networks in the Balance,” in *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families and Communities*. Jeremy Travis and Michelle Waul, eds. Washington D.C.: Urban Institute Press (2003)

¹³ James Lynch, William Sabol, Michael Planty, and Mary Shelley. “Crime, Coercion, and Community: The Effects of Arrest and Incarceration Policies on Informal Social Control in Neighborhoods.” Report to the National Institute of Justice. Washington, D.C.: Urban Institute Justice Policy Center. (2001): 30, cited in Dina Rose and Todd Clear, “Incarceration, Reentry, and Social Capital: Social Networks in the Balance,” in *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families and Communities*. Jeremy Travis and Michelle Waul, eds. Washington D.C.: Urban Institute Press (2003): 317

¹⁴ “Test, Punish, and Push Out: How ‘Zero Tolerance’ and High-Stakes Testing Funnel Youth Into the School-To-Prison Pipeline,” *Advancement Project* (March 2010), available at: http://b3cdn.net/advancement/d05cb2181a4545db07_r2im6caqe.pdf

¹⁵ The APA found that: 1) differences in school discipline rates result more from variations in school characteristics and personnel than differences in child behavior; 2) schools with zero tolerance policies spent more time on discipline and had worse school climates where teachers and students reported feeling less happy and safe; 3) exclusionary discipline was ineffective as a deterrent and instead predicted increased rates of future misbehavior; and 4) schools are increasingly using referrals to the juvenile justice system to handle infractions that would previously have been handled at a school level and are not dangerous or threatening. See, American Psychological Association Zero Tolerance Task Force, “Are Zero Tolerance Policies Effective in Schools?” *American Psychologist* 63: 9, (December 2008): 852-862, available at: <http://www.apa.org/pubs/info/reports/zero-tolerance.pdf>

anticipate the consequences of their actions, poor decision-making, limited impulse control, and risk-taking.¹⁶

D. Disproportionate Impact on Disadvantaged Minority Populations

While all children who are arrested are harmed in some way, minority and disadvantaged students are much more likely to be arrested and subjected to harsher treatment throughout the justice system. Starting in 1988, the federal government required states to assess whether minority young people were detained or placed in secure facilities at higher rates than their white counterparts. If states discovered a disparity, they were then required to take steps to reduce it.¹⁷ Over time, concern about racial and ethnic disparities in the treatment of young people in the justice system expanded from a focus solely on rates of confinement. Policymakers realized that they needed to examine the way that race affected the treatment of youth long before they reached the point of incarceration, beginning with referrals to police, through the decision to arrest and detain, to court disposition and length of stay in residential facilities.¹⁸ The juvenile justice system's differential treatment of racial and ethnic minorities (and in some cases of economically disadvantaged, disabled, and other minority populations) is called Disproportionate Minority Contact (DMC).

Over-Representation of Racial and Ethnic Minority Children

Recent federal data show black children being arrested at more than twice the rate of white children.¹⁹ While children of color are overrepresented in detention and custody in nearly every state, those in Connecticut experience some of the highest rates of disproportionality in the country. Children of color in Connecticut were detained at 6.9 times the rate of white children, committed to public facilities at 3.5 times the rate, and committed to private facilities at 4.1 times the rate.²⁰ Connecticut's disparity among detained children was higher than in 46 other states.²¹ Further, some recent research in Connecticut has found pervasive and disturbing disproportionality (both statewide and in individual school districts) in exclusionary discipline practices, school arrests, and the state's juvenile justice system.²² While comparative state-level school arrest

¹⁶ Ibid.

¹⁷ 1988 Amendments to the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, *see*, 42 U.S.C.5633 Sec. 223(a)(22)

¹⁸ For a history of DMC, *see*, Office of Juvenile Justice and Delinquency Prevention, "A Disproportionate Minority Contact (DMC) Chronology: 1988 to Date," Updated by Andrea R. Coleman, available at: <http://www.ojjdp.gov/dmc/chronology.html>

¹⁹ In the US in 2009 (the most recent year for which data are available), there were an average of 44.5 arrests per thousand white young people, compared to 99.1 arrests per thousand black young people. (Puzzanchera, C. and Adams, B. (2012). National Disproportionate Minority Contact Databook. Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Online. Available: <http://www.ojjdp.gov/ojstatbb/dmcd/b/>)

²⁰ These facilities include detention centers, secure residential treatment facilities, and group homes.

²¹ *See*, Table 6. Indices of Overrepresentation of Youth of Color in Custody, 2003 in "And Justice for Some: Differential Treatment of Youth of Color in the Justice System" *National Council on Crime and Delinquency* (January 2007), available at: <http://sccounty01.co.santa-cruz.ca.us/prb/media%5CAnd%20Justice%20for%20Some.pdf>

²² *See, e.g.*, Connecticut Voices for Children, "Missing Out: Suspending Students from Connecticut Schools," (August 2008), pp. 13-17 (discussing disproportionality by race/ethnicity and special education status); American Civil Liberties Union, "Hard Lessons: School Resource Officer Programs and School-Based Arrests in Three Connecticut Towns" (November 2008), pp. 35-44 (discussing racial disproportionality in frequency of school-based arrests in West Hartford and East Hartford and finding that "the ED166 data indicate that students of color who commit certain common infractions – for example, incidents involving the use of physical force, like fights, or incidents involving drugs – are more likely to be arrested than are white students committing the very same offenses."); Spectrum Associates Market Research, "A Second Reassessment of Disproportionate Minority Contact in Connecticut's Juvenile Justice System" (May 15, 2009) (finding disproportionate minority contact in many decision points in Connecticut's juvenile justice system, even when controlling for other factors); Office of Policy and Management, "Biennial Report on Disproportionate Minority Contact, Fiscal Years 2010-2011 (December 31, 2011) (discussing in detail data regarding disproportionate minority contact in Connecticut's juvenile justice system and steps to reduce such disproportionality).

data and rankings are not yet available, in out-of-school suspensions, Connecticut's black-white and Hispanic-white discipline rate disparities were the largest in the country.²³

Because poverty and community characteristics vary greatly by race and ethnicity in the United States, it can be difficult to isolate race-driven effects from the poverty-driven/race-correlated reasons for observed disproportionality. Disproportionality does not necessarily imply overt racism. Unconscious racism may be a factor, as well as systemic racial inequality in poverty, family structure, and community characteristics – gaps that in turn have tremendous impact on how the justice system might respond to misbehaving children. These systemic inequalities can present through many mechanisms, including:²⁴

- Language barriers can prevent a child's access to diversionary services, forcing the child into a more restrictive placement.
- Courts may impose lesser sanctions on children who live in stable two-parent families, viewing them as better able to adequately supervise the youth.
- Children exhibiting similar behaviors may receive differential treatment based on whether they live in a city, suburb, or rural area because law enforcement officers in different areas may have different philosophies about punishment versus rehabilitation, or respond differently to similar actions (such as whether a minor traffic violation is just that, or serves as a pretext for a more thorough search and interview).
- Laws may require harsher punishment for functionally similar behavior that children of one race are more likely to engage in (e.g., differential sentencing for use of crack vs. powder cocaine, for loitering vs. perceived gang-related activity).
- Racial differences in health insurance coverage (whites are more likely to be covered) may affect which children can readily access substance abuse and mental health treatment, affecting sentencing options.

Numerous studies have found evidence of race-based differences in the treatment of children of color at various points along the path to court involvement – including at the decision to involve the police and the police decision to arrest.²⁵ Credible research has found that disproportionalities exist that cannot be explained by differences in socio-economic status, types of behavior, or statistical errors, suggesting that “racial disproportionality in school discipline, originating at the classroom level, is an indicator of systematic

²³ Black students were 8.61 times more likely to be suspended than white students and Hispanic students were 5.68 times more likely to be suspended than white students. The next highest states had a black-white relative rate of 7.60 and Hispanic-white rate of 2.85. (Connecticut Voices for Children analysis of 2009 OCR data from Daniel J. Losen and Jonathan Gillespie, “Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School,” *UCLA Civil Rights Project* (August 7, 2012), available at: <http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/upcoming-crr-research>)

²⁴ See, Chapter 2: Assessment, Stage 1: Generating Possible Explanations: Mechanisms Leading to DMC in “Disproportionate Minority Contact Technical Assistance Manual 4th ed.” *Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice*. (July 2009): 2-2 to 2-10, available at: http://www.ojjdp.gov/compliance/dmc_ta_manual.pdf.

²⁵ The gold-standard meta-analysis done by Pope, Lovell, and Hsia for the Office of Juvenile Justice and Delinquency Prevention examined all the quantitative studies on racial disproportionality in juvenile justice processing from 1989 to 2001. They determined that 74% of studies (25 out of 34) found some race effects in the treatment of youth, and only one study found no effects. Though they do not go beyond speculation as to the reason for these disparities, the authors do conclude that “the research findings support the existence of disparities and potential biases in juvenile justice processing.” While few of the studies analyzed focused on police actions and the decision to arrest, all of those that did found at least some race effects. (Carl E. Pope, Rick Lovell, and Heidi M. Hsia, “Disproportionate Minority Confinement: A Review of the Research Literature From 1989 Through 2001.” *Juvenile Justice Bulletin, Office of Juvenile Justice and Delinquency Prevention* (2002), available at: http://www.ojjdp.gov/dmc/pdf/dmc89_01.pdf).

racial discrimination.”²⁶ This is particularly evident in data that suggest that black students have higher rates of severe punishments for less serious and more subjective reasons.²⁷ In sum, for a complex combination of reasons, including direct and indirect race effects, children of color receive different treatment than their white peers.

This disparate treatment is particularly problematic in a school context where, upon the first administration of standardized tests in third grade, there already exists an achievement gap between white and minority students, a gap that persists through high school. DMC in school arrests subjects students who are often already behind academically to lost class time that further impedes their academic progress. Additionally, as discussed above, it may increase their alienation from the school system, contributing to racial inequalities in graduation rates and college attendance.

Over-Representation of Children Living with Disabilities

Similar over-representation of young people with special education needs exists in the juvenile justice system, with students identified as having special education needs being more likely to be disciplined at school than their non-disabled peers. However, the higher prevalence of problematic behavior among disabled students (often related to their disabilities) makes it difficult to determine the extent to which there is actual discrimination going on.²⁸ Regardless, schools bear special legal responsibility to provide equal and appropriate education to students with special education needs, including special training for teachers in effectively managing the students’ challenging behaviors, discipline practices that respond fairly to student behaviors as influenced by their disabilities, and proper identification and provision of necessary school supports for students with special education needs.

E. Data: The First Step in Making Change

A key impediment to reducing Connecticut’s student arrests has been a lack of reliable data on their prevalence, geography, and the affected populations²⁹ – data that are necessary for policymakers, educators, advocates, and community leaders seeking to focus attention and resources on the problem, and determine which approaches to use to address it.

Preliminary research has, however, highlighted the importance of gaining a better understanding of this critical issue. Following the national movement to address DMC concerns, efforts began in the early 1990s to investigate DMC in Connecticut. Over the last two decades, three studies have found differences in the treatment of white children and children of color by police, the Judicial Department, and the Department of Children and Families staff at various decision points, even when controlling for factors such as the severity

²⁶ Russell Skiba, Robert Michael, and Abra Carroll Nardo, “The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment.” *Indiana Education Policy Center* (June 2000), available at: <http://www.indiana.edu/~safeschl/cod.pdf>

²⁷ Ibid.

²⁸ Peter E. Leone, Christine A. Christle, C. Michael Nelson, Russell Skiba, Andy Frey, & Kristine Jolivet. “School Failure, Race, and Disability: Promoting Positive Outcomes, Decreasing Vulnerability for Involvement with the Juvenile Delinquency System,” *The National Center on Education, Disability, and Juvenile Justice* (October 2003)

²⁹ In 2008, when the American Civil Liberties Union of Connecticut attempted to investigate the practice of school arrest in the state, it encountered significant data roadblocks. These barriers included refusal by the State Department of Education to release the data, inconsistent collection and storage practices that called into question the validity of the data they did obtain, and data errors. See, American Civil Liberties Union, “Hard Lessons: School Resource Officer Programs and School-Based Arrests in Three Connecticut Towns” (November 2008), available at: <http://www.aclu.org/racial-justice/hard-lessons-school-resource-officer-programs-and-school-based-arrests-three-connecti>

of the offense and community socioeconomics.³⁰ Previous reports on school discipline in the state have found similar patterns of disproportionality in school suspensions of children of color and students identified as having special education needs.³¹ Most closely on point, a 2008 American Civil Liberties Union study of school arrests in three Connecticut towns (Hartford, East Hartford, and West Hartford) discovered significant overrepresentation of minority students among those arrested, and found that minority students were more likely to be arrested than white students who engaged in the same behaviors.³²

Prior to this report, there had been no documentation of the existence of race-based DMC in school arrests in Connecticut as a whole or all of its school districts. Furthermore, despite national evidence suggesting the likelihood of overrepresentation of students identified as having special education needs among those arrested at school, there had been no study to determine whether or not this is an issue in the state.

This report seeks to begin to fill this current void in information about the scope, reasons for, and differential impacts of student arrests across Connecticut's school districts. Armed with data, more communities may be encouraged to learn about their school arrests and take steps to decrease their use.

³⁰ Dorinda Michetelli, Eliot Hartsone, and Kerri Murphy, "A Second Reassessment of Disproportionate Minority Contact in Connecticut's Juvenile Justice System." (May 2009), available at:

http://www.ct.gov/opm/lib/opm/cjppd/cjijyd/jjydpublishations/final_report_dmc_study_may_2009.pdf

³¹ Taby Ali and Alexandra Dufresne, "Missing Out: Suspending Students from Connecticut Schools," *Connecticut Voices for Children*, (August 2008), available at: <http://www.ctvoices.org/publications/missing-out-suspending-students-connecticut-schools>

³² American Civil Liberties Union, "Hard Lessons: School Resource Officer Programs and School-Based Arrests in Three Connecticut Towns" (November 2008), available at: <http://www.aclu.org/racial-justice/hard-lessons-school-resource-officer-programs-and-school-based-arrests-three-connecti>

III. Statewide Figures

This report analyzes Connecticut school disciplinary offense data related to student arrests from the 2007 to 2011 school years – the most recent years for which data are available³³. It seeks to understand:

- How frequently students are being arrested in schools;
- The reasons why students are being arrested; and
- Whether certain categories of students are more likely to be arrested than others.

The analysis looks at these issues statewide, within groups of similar school districts, and at the local level. It uses a combination of incident counts and relative rates that account for the differences in student population size.

Because neither the State Department of Education nor state statute defines “student arrest” or “school arrest,” there can be inconsistencies in how various stakeholders and data reporters interpret the term. Because our data come from discipline forms completed by local districts, the definition of student arrest used in *this* analysis is essentially any arrest that the reporting schools defined as such. Generally, this means: a) an arrest of a student during the school day on school property; or b) an arrest of a student outside of school hours and/or off school property while the student was at a school-sponsored activity and engaged in behaviors for which the student was also disciplined by the school.

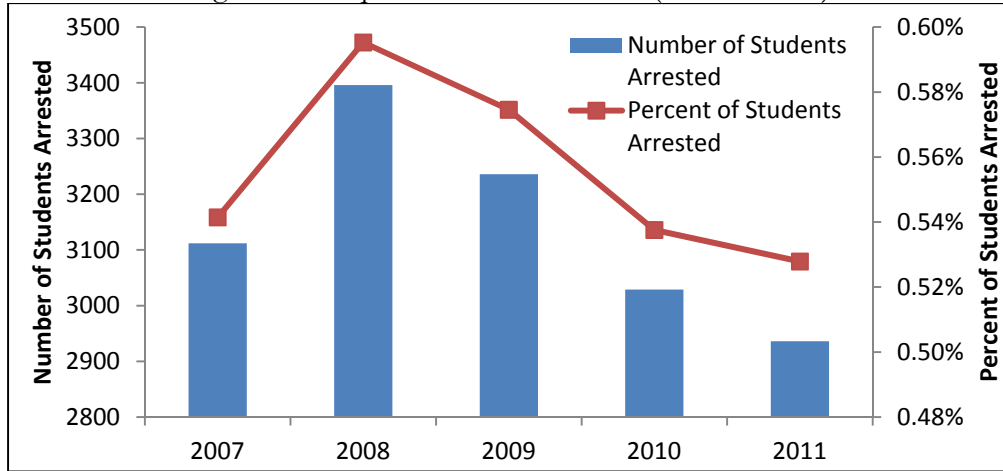
All arrest data presented in this report come from the Connecticut State Department of Education “Serious Incident Reporting Form,” called the ED166. Information about the data sources, calculations, and definitions appears in Appendix A.

A. Number of Students Arrested

During the 2011 school year, 2,936 Connecticut students (0.5% of all students) were arrested. This is a 3.1% decline from the 3,029 children who were arrested in school or at school-sponsored activities in 2010, and a 13.5% decline from the peak of 3,396 children (0.6% of all school children) arrested in 2008 [Figure 1]. Although few districts were actively engaged in school arrest reduction efforts over this period, the public debate around the 2007 law limiting use of out-of-school suspensions increased attention on the use of exclusionary discipline, encouraging many schools to implement policies to improve school climates and more effectively handle student misbehavior. These broader discipline policy improvement efforts may well have contributed to the reduction in arrests between 2007 and 2011.

³³ School years are reported by the end year, i.e. the school year running from September 2010 to June 2011 is referred to as the 2011 school year.

Figure 1. Unique Arrests of Students (2007 to 2011)

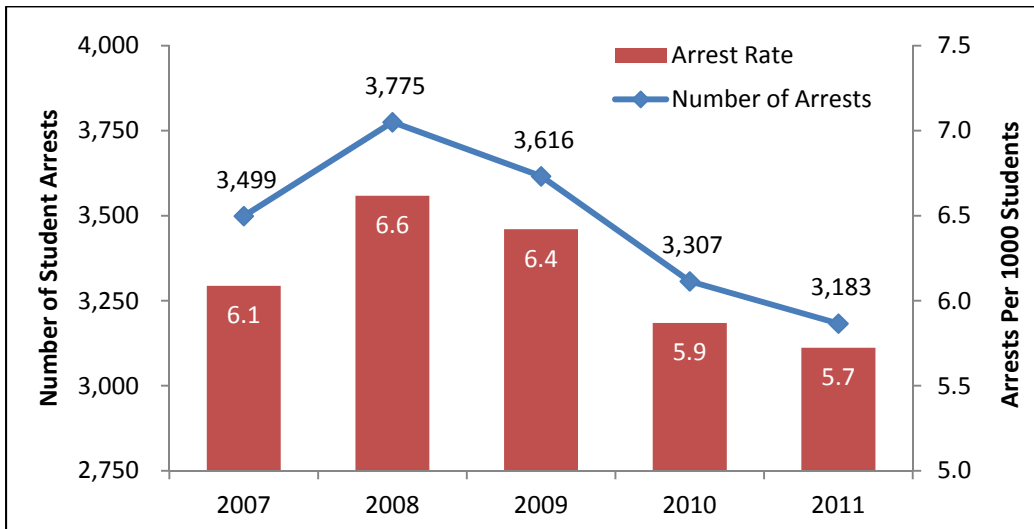


B. Total Arrests and Arrest Rates

Students in Connecticut public schools were arrested 3,183 times during the 2011 school year, which equals 5.7 arrests per thousand students enrolled.³⁴ Notably, the total number of arrests is only 247 higher than the total number of students arrested, suggesting that nearly all the students arrested in 2011 were arrested only once; only a small number of the arrests – less than 8% – result from multiple arrests of the same child.

Overall, the number of arrests in 2011 declined by 4% from the previous school year and by 9% from 2007. Between 2007 and 2011, the arrest rate (number of arrests per thousand students) fell from 6.1 to 5.7 (a 6% reduction) [Figure 2].

Figure 2. Student Arrests and Arrest Rates by School Year (2007-2011)



³⁴ Data on unique numbers of students arrested were only available statewide. For this reason, this report relies almost exclusively on the number of arrests that occurred rather than the number of students arrested. To compare the frequency of arrests in schools and districts with different size student populations, we calculate an arrest rate (the number of arrests per thousand enrolled students). This is NOT the percent of students arrested (though given the small magnitude of the difference between number of arrests and number of unique students arrested, the gap between the arrest rate and unique students arrested per thousand is likely not great). See Appendix A for a further discussion of the data sources, definitions, and limitations.

C. Behaviors Leading to Arrest³⁵

Students are arrested in schools for a number of reasons, from possession of weapons or drugs to skipping class or using profanity. The most common reason for arrest in 2011 – the rationale for 21% (672) of all student arrests - was a fight or physical altercation that resulted in minor injuries to at least one party [Figure 3].³⁶ Eight percent of arrests (258) were for battery/assault (physical altercation intended to cause serious physical harm) [Figure 3]. In sum, physical confrontations in general, ranging from minor altercations with no injuries to significant fights resulting in serious bodily harm, were the cause for one in three arrests [Figure 4].

Drug- and alcohol-related offenses made up the second largest category of incidents leading to student arrests, accounting for approximately one in five arrests (19%) made in 2011. Six percent of students were arrested for weapons possession. School policy violations – low level offenses such as profanity, skipping class or detention, disrespect, and disruptive behavior, which are typically more effectively and appropriately handled within the classroom or school – led to more than one in ten arrests (11%). In reviewing the following charts, it should be noted that if there are multiple infractions leading to a student’s arrest, the school is instructed to report only the most serious offense.

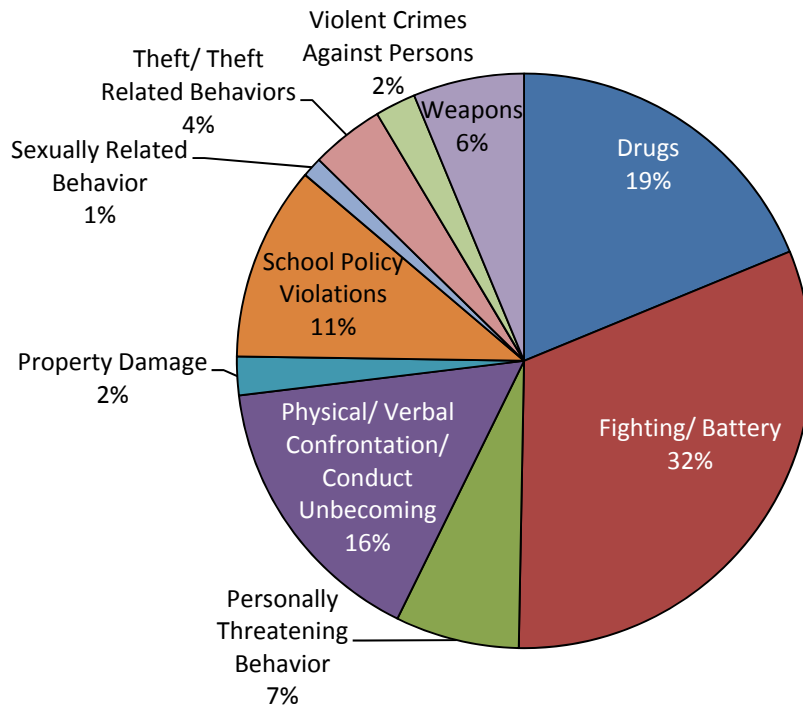
Figure 3. Top 20 Behaviors Leading to Student Arrest, 2011

Rank	Sub-Category of Incident Leading to Arrest	Total Number of Arrests	Percent of All Arrests
1	Fighting/Altercation/ Physical Aggression	672	21%
2	Drugs/Alcohol/Tobacco	598	19%
3	Physical Altercation	377	12%
4	Battery/Assault	258	8%
5	Weapons	199	6%
6	Threat/Intimidation/ Verbal Harassment	142	4%
7	Theft/Stealing	99	3%
8	Serious Disorderly Conduct	73	2%
9	Breach of Peace	52	2%
10	Insubordination/ Disrespect	51	2%
11	Threats of Bodily harm	51	2%
12	Vandalism	47	1%
13	Disorderly Conduct	45	1%
14	Disruption/Disruptive Behavior	43	1%
15	Verbal Altercation	42	1%
16	Skipping Class	41	1%
17	Obscene Language/Profanity	26	1%
18	School Threat/Bomb Threat	25	1%
19	Inciting a Fight/Riot	24	1%
20	Foreign substance (Illegal drugs)	22	1%

³⁵ For a full list of the ED166’s possible reasons for student arrests made in the 2011 school year, as well as the SDE major categories they fall under and definitions of what each sub category entails (i.e. the difference between Fighting/ Altercation/ Physical Aggression and Physical Altercation), see Appendix C. “Incident Types and Definitions.”

³⁶ For technical explanations of incident categories, see, “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” Connecticut State Department of Education, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf.

Figure 4. Reasons for Student Arrests by Major Category, 2011



School Discretion

Under the Gun-Free Schools Act³⁷ and Connecticut state law,³⁸ schools are required to call the police in cases in which students are expelled for possession of firearms or deadly weapons on school property or at a school-sponsored activity. Additionally, state law requires that schools report to police physical assaults by students on teachers or other school staff if the assault occurs during the performance of school duties and the staff member files a report with the principal.³⁹ State law also requires school personnel to turn over to school administrators or police any physical evidence of alcohol or drug-related crimes committed by a student.⁴⁰ However, school staff may refrain from reporting a student's verbal communication about their own drug or alcohol use.⁴¹ Beyond these specific cases, federal and state laws *do not require* schools to report other crimes, though many local districts have adopted discipline codes that make mandatory the reporting of all or certain types of criminal behavior.⁴²

³⁷ “No funds shall be made available under any title of this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to a school served by such agency.” (No Child Left Behind Act of 2001, Pub. L. No. 107-110 §4141(h)(1))

³⁸ “If a pupil is expelled pursuant to this section for possession of a firearm or deadly weapon the board of education shall report the violation to the local police department or in the case of a student enrolled in a regional vocational-technical school to the state police.” (Conn. Gen. Stat. §10-233d(e)).

³⁹ Conn. Gen. Stat. §10-233g

⁴⁰ Conn. Gen. Stat. §10-154a(b)-(c)

⁴¹ *See*, Conn. Gen. Stat. §10-154a(b). However, state law requires that local boards of education “develop, adopt and implement policies and procedures in conformity with §10-154a for (1) dealing with the use, sale or possession of alcohol or controlled drugs, as defined in subdivision (8) of §21a-240, by public school students on school property, including a process for coordination with, and referral of such students to, appropriate agencies, and (2) cooperating with law enforcement officials,” but does not specify what that coordination must entail (Conn. Gen. Stat. § 10-221(d)). Under this law, some districts may make reporting of all evidence of drug and alcohol violations mandatory in their local discipline codes, though that is not required under state statute.

⁴² *See, for example*, “Unified Code of Conduct 2011-2012,” *New Haven Public Schools* (May 19, 2011), 5-8 (available at: http://nhps.net/sites/default/files/11_May_19_COC_Eng.pdf). Other districts clearly provide discretion to principals *not* to

Which Arrests in 2011 Were Appropriate? Mandatory, Reasonable, Questionably Necessary, and Likely Avoidable Arrests Using the detailed descriptions of what each behavior entails,⁴³ we grouped the behaviors for which students were arrested in 2011 into 4 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 Figure B3 in Appendix B for a breakdown of how arrest reasons were categorized.

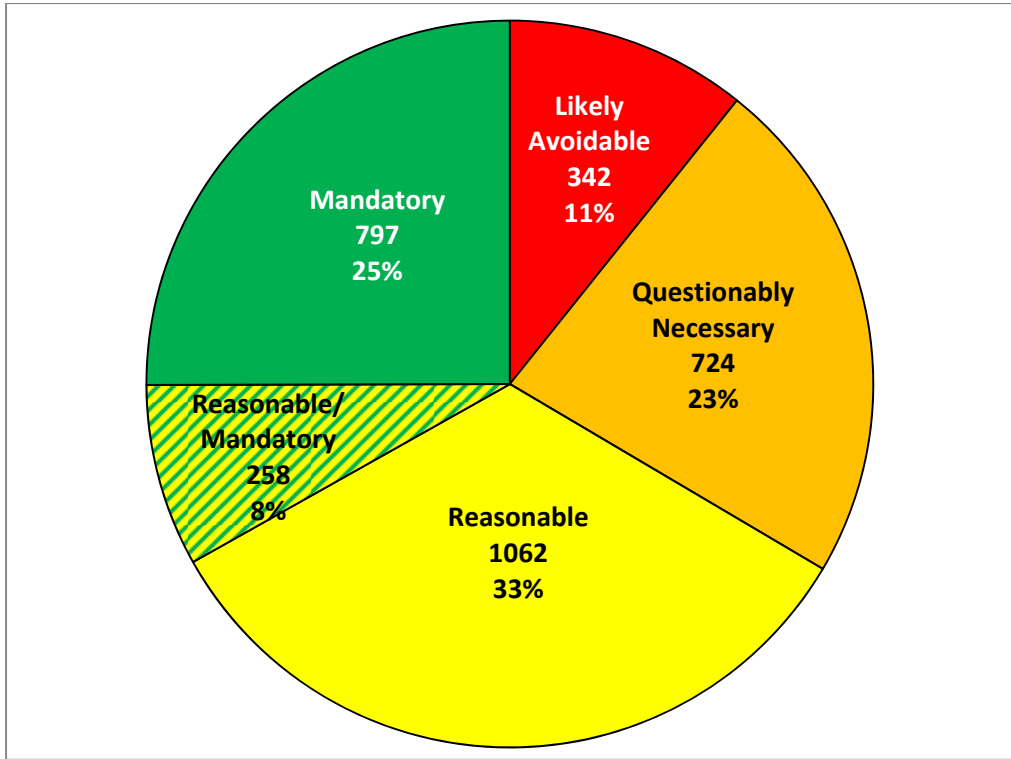
Under these categorizations, one third of arrests resulted from incidents with mandatory or potentially mandatory referrals to police (drugs, weapons, or assault) [Figure 5]. One third of arrests resulted from incidents whose description suggested school referral to police was reasonable (cases in which crimes appear likely to have occurred). However, the final third of arrests appeared questionably necessary (potentially avoidable or discretionary) or likely avoidable (actions that appear to be non-criminal).⁴⁴ Arrests we categorize as “questionably necessary” are those that could potentially have risen to the level of a crime, but in most circumstances were not criminal and could have been handled administratively by the school – and we only classified an arrest as “questionable” if the offense did not include injury or destruction of property. These “questionable” offenses include incident categories like physical altercation (which by definition requires that no student be injured), bullying, obscene behavior, harassment, crank phone calls, and serious disorderly conduct. Likely avoidable arrests are defined and discussed below.

report certain kinds of criminal behavior if there is a compelling reason, while also requiring the reporting of other behaviors. *See, for example*, “Code of Conduct Staff Manual, 2011-2012,” *Bridgeport Public Schools* (Revised 2011), 22-30 (available at: <http://www.bridgeportedu.com/procedures/docs/2011-2012/Code%20of%20Conduct%20%28staff%29.pdf>)

⁴³ For the descriptions of each offense type, as provided by SDE to districts, *see*, Appendix C. Incident Types and Definitions, which is a reproduction of the data in Table C in “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” *Connecticut State Department of Education*, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf

⁴⁴ See Appendix A for description of our categorization process, Appendix B for a listing of the categorization of each type of incident, and Appendix C for detailed descriptions of what behaviors each type of incident included.

Figure 5. Appropriateness of Reasons for Arrest, 2011



More than 1 in 10 arrests (342) resulted from students engaging in school policy violations - behaviors that are not criminal and almost certainly could have been handled within the classroom or by the school. These included arrests for the use of cell phones, cameras, and electronic music players; disruptive or disrespectful behavior; tardiness; leaving class without permission; throwing objects like erasers or paper airplanes; not attending detention or in-school suspension; shouting; and cheating [Figure 6]. We categorized these as “likely avoidable.”

Figure 6. Behaviors Leading to “Likely Avoidable” Student Arrests, 2011

Incidents Resulting in “Likely Avoidable” Student Arrests (2011)	Total Number of Arrests
Insubordination/Disrespect	51
Disorderly Conduct	45
Disruption/Disruptive Behavior	43
Verbal Altercation	42
Skipping Class	41
Obscene Language/Profanity	26
Failure to Attend Detention or In School Suspension	20
Leaving Grounds	16
Inappropriate behavior	14
Cell phone	8
Attendance Policy	6
Leaving class without permission	**

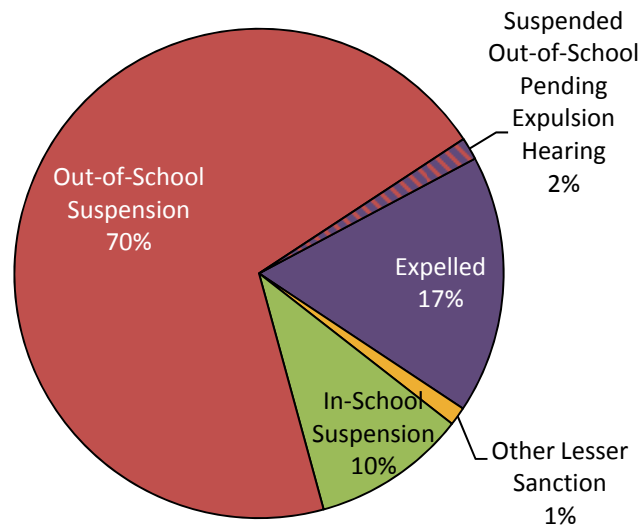
Obscene Written Messages	**
Tardiness	**
Behavioral referrals	**
Camera	**
Motor vehicle	**
Spitting	**
Throwing objects (such as a paper airplane or rubber band)	**
Truancy	**
Cheating	**
Dress Code Violation	**
Electronic music device	**
Failure to comply with agreement/behavior plan	**
False information/Lying	**
Forgery	**
Refusal to identify	**
Teasing	**
Unauthorized use of computers	**
Total	342

**= between 1 and 5

D. School Sanctions Accompanying Arrests

Seven out of ten times that a student was arrested in school, the student also received an out-of-school suspension [Figure 7]. Seventeen percent of incidents leading to student arrests led to expulsions (mostly for drugs (215), weapons (104), and fighting/battery (98)), with another 1.5% receiving out-of-school suspensions pending expulsion. Thirty-nine incidents resulted in low-level school sanctions, including detention, classroom conferences/warning, the creation of a behavior contract, and bus suspension.

Figure 7. School Sanctions Associated with Student Arrest Incidents, 2011



E. Arrests of Young Children

There were 156 arrests of elementary school children (grades kindergarten to six) during the 2011 school year, including more than ten students in grades three and below and at least one kindergartener. It is highly questionable whether these young children had the capacity to understand what was happening to them or the relationship between their behavior and their punishment – a fact recognized by the legislature and the Governor when they raised the age of competency to seven during the 2012 legislative session, meaning that for purposes of delinquency matters, a child must have been at least age seven at the time of the alleged commission of a delinquent act.⁴⁵

A number of the arrests of young children were for school policy violations (17), a category that encompasses many behaviors typical of young children (particularly classroom disruptions and disrespect). The most common reason for the arrest of young children – fighting, which produced 51 arrests – is also a behavior one might expect of young children. In 24 cases, small children were arrested for weapons possession, and in at least one case, a child was arrested for the possession of illegal drugs.

IV. Disproportionality in Student Arrests

Arrest rates in Connecticut are particularly high for racial/ethnic minority students, special education students, male students, high school students, and students who live in communities with low socioeconomic indicators. This disproportionality occurs not only statewide, but also within a majority of individual school districts in the state.

While some of these disproportionalities are not wholly unexpected (e.g., males commit more crimes and more violent crimes than females, high school students would be arrested more often than elementary school students), others reflect troubling differences in the treatment of students based on their personal characteristics rather than meaningful differences in their behaviors. Of particular concern are the high rates of arrest for students in poorer, urban communities, students of color, and students identified as having special education needs.

The reasons for these problematic disproportionalities are complex. Higher rates of misbehavior among certain student subpopulations may explain a portion of the differences – higher rates that are driven by racial differences in prevalence of risk factors (such as poverty, mental health issues, and lack of family support) and differences in how similar behaviors are interpreted based on the characteristics of the youth. Conscious and unconscious racism at a number of decision points (e.g., the decision to refer to police, decision to arrest, decision to divert) may also contribute.

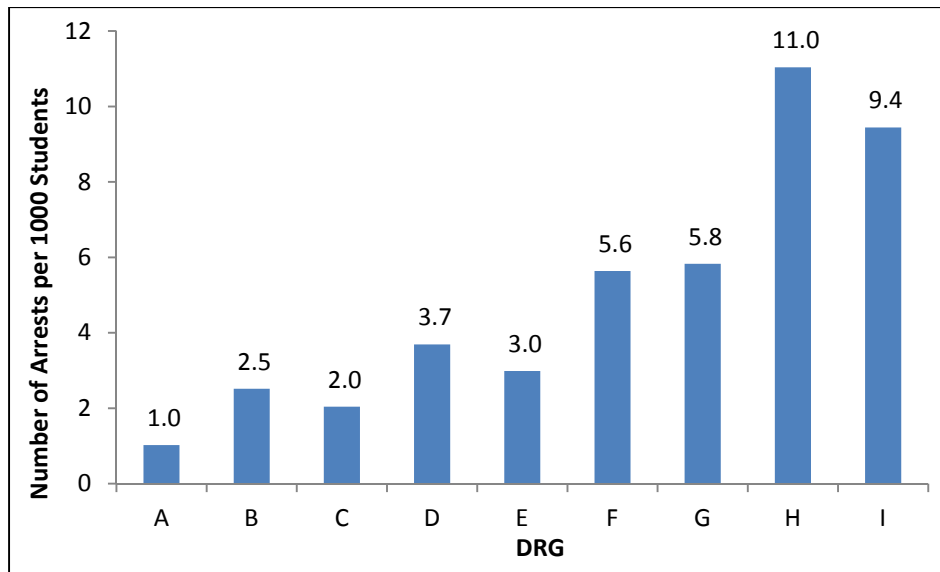
Many of these disproportionalities appear across the adult justice system, including much higher arrest and incarceration rates for adult men, persons of color, and those who live in poorer areas, and much higher rates of learning disabilities and mental health issues within incarcerated populations than the general public. Racial and other differences in school arrest rates are both an early symptom of the underlying systemic and individual reasons for higher lifetime arrest rates, and also a catalyst, given that involvement with the juvenile and adult justice systems increases likelihood of future offense and system involvement.

⁴⁵ See, “An Act Implementing Provisions of the State Budget for the Fiscal Year Beginning July 1, 2012,” *Connecticut General Assembly* Public Act 12-1 (June 12 Special Session), § 266, available at: <http://cga.ct.gov/2012/ACT/PA/2012PA-00001-R00HB-06001SS2-PA.htm>

A. Students in Poorer, Urban Communities

Schools in poorer, more urban districts arrest students at substantially higher rates than schools in more advantaged suburban districts. Students in the poorest urban areas (District Reference Group, or 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 wealthiest suburban areas (DRG A, which includes nine suburban districts in Fairfield county) [Figure 8].⁴⁶

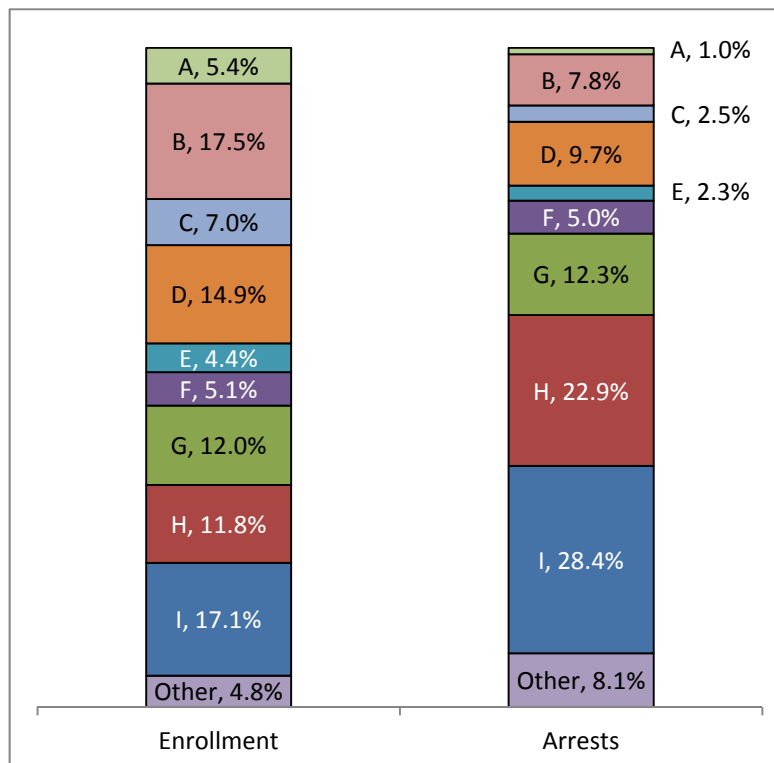
Figure 8. Arrest Rates by District Reference Group, 2011



The sixteen districts with the lowest socioeconomic indicators (DRGs H and I) educate 29% of the state’s children, but accounted for 51% of the 2011 school-year arrests made. Conversely, the thirty highest SES districts (DRGs A and B) teach 23% of Connecticut’s children, but only produced 9% of the state’s arrests [Figure 9].

⁴⁶ District Reference Groups (DRGs) are used by the State Department of Education to place towns of similar incomes into groups to facilitate comparison. Districts are grouped together on the basis of median family income, parental education, parental occupation, family structure, percentage of children receiving free or reduced-price meals, percentage of children whose families speak a language other than English at home, and the number of students enrolled within the district. A list of towns by DRG is available at: <http://www.sde.ct.gov/sde/LIB/sde/PDF/dgm/report1/cpse2006/appndxa.pdf>. For more information about DRGs, see “District Reference Groups” in Appendix A.

Figure 9. Arrests vs. Enrollments by District Reference Group, 2011⁴⁷



Trends in Student Arrest Rates Among the DRGs

Some communities appear to be making more progress in reducing arrests than others. Over the last five years, DRG I has reduced its arrest rate by 19.8% (from 11.78 arrests per thousand students to 9.44). DRGs A (-11.4%), B (-9.0%), D (-19.4%), F (-8.7%), and G (-12.3%) also saw significant reductions in their arrest rates from 2006.

However, even as the statewide arrest rate declined from 2007 to 2011, rates rose in a number of places. DRGs E and H experienced astonishing increases in arrest rates: 71.2% and 62.0%, respectively. Rates in DRG C also rose, by 43.6% [Figure 10].⁴⁸

⁴⁷ Note: Districts listed as “other” are those with no assigned DRG, which include charter and magnet districts, special school districts (such as CREC, ACES, and EASTCONN), and the Connecticut Technical High School System.

⁴⁸ These overall trends belie more recent differences, such as in DRG F, where rates fell sharply from 2008 to 2009, but have been increasing steadily since then, creating a small net decline over the last five years but a concerning upward trend in the last three (+72.2%). Conversely, DRG G experienced an increase from 2007 to 2009 that masked the magnitude of its recent dramatic declines from 2009 to 2011 (-32.2%).

Figure 10. Arrest Rates by DRG, 2007-2011

DRG	2007	2008	2009	2010	2011
A	1.16	1.02	0.69	0.63	1.02
B	2.77	2.83	2.66	2.21	2.52
C	1.42	1.90	2.07	2.56	2.04
D	4.58	4.45	3.96	3.16	3.69
E	1.74	2.14	1.90	2.07	2.99
F	6.18	6.51	3.27	3.90	5.64
G	6.65	8.02	8.60	7.84	5.83
H	6.81	8.67	8.05	9.76	11.04
I	11.78	11.84	12.16	10.93	9.44

Differences in Reasons for Arrests Among the DRGs

Students in communities of differing socioeconomic status were also arrested for different behaviors [Figure 11]. Arrests in higher SES communities were most frequently for drug-related offenses – offenses for which school staff are required by state law to involve the police. Fifty-two percent of arrested students in DRG A and 51% in DRG B were arrested for drug incidents, compared to 12% and 8% of students in DRGs H and I, respectively. Students in the lowest SES communities were most likely to be arrested for fighting/battery (42% of arrests in DRG I) and physical/verbal confrontation/conduct unbecoming (16% of DRG I arrests) – offenses for which not a single student was arrested in DRG A in 2011. Arrests due to weapons-related incidents did not track as clearly along community income lines; while young people in DRGs A and B were least likely to be arrested for weapons possession (weapons accounted for 3% of arrests in each), the highest percentage of weapons arrests occurred in DRG C, where it accounted for 13%. [See Figures B2, B3, and B4 in Appendix B for arrest numbers, arrest rates, and percent distributions of incident type prevalence by DRG].

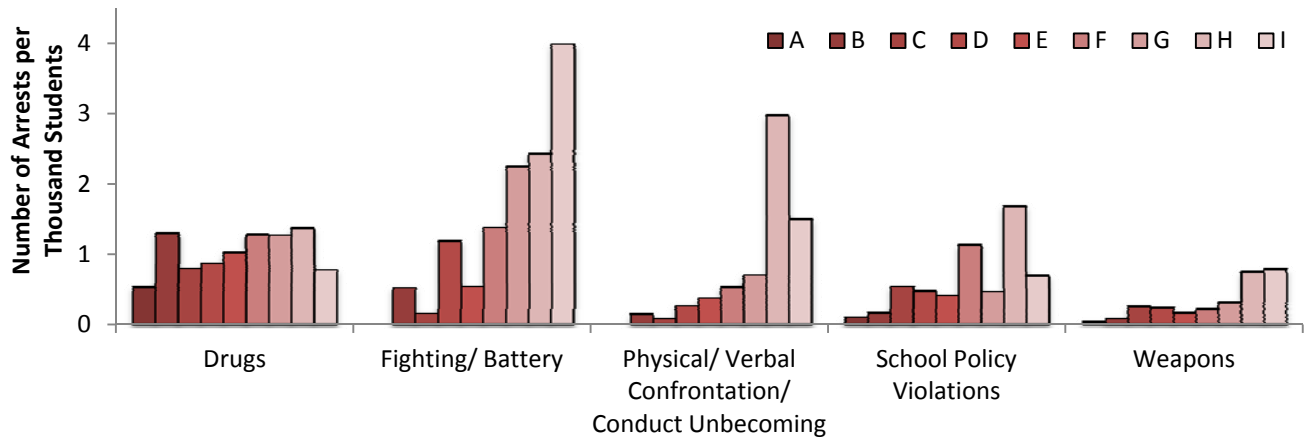
Figure 11. Reason for Arrest by DRG, 2011

DRG	Drugs	Fighting/Battery	Personally Threatening Behavior	Physical/Verbal Confrontation/Conduct Unbecoming	Property Damage	School Policy Violations	Sexually Related Behavior	Theft/Theft Related Behaviors	Violent Crimes Against Persons	Weapons
A	52%	0%	6%	0%	16%	10%	0%	6%	6%	3%
B	51%	21%	3%	6%	0%	6%	2%	6%	1%	3%
C	39%	8%	3%	4%	1%	27%	0%	5%	1%	13%
D	23%	32%	5%	7%	4%	13%	1%	5%	4%	6%
E	34%	18%	8%	12%	1%	14%	1%	4%	1%	5%
F	23%	25%	8%	9%	2%	20%	0%	6%	4%	4%
G	22%	38%	7%	12%	2%	8%	0%	4%	1%	5%
H	12%	22%	8%	27%	1%	15%	2%	4%	2%	7%
I	8%	42%	9%	16%	2%	7%	1%	3%	3%	8%
State	19%	32%	7%	16%	2%	11%	1%	4%	2%	6%

Arrest rates for drugs were relatively similar across DRGs, with a somewhat lower prevalence in DRGs A, C, and I (though not necessarily across districts) [Figure 12]. Fighting arrests were significantly more common in DRG I (4.0 per thousand students, as compared to 0 in DRG A and 0.5 in DRG B), while

school policy violations were most common in DRGs H (1.7 per thousand students) and F (1.1 per thousand students). Physical/verbal confrontation-related arrests were significantly more common in DRGs H (3.0 per thousand students) and I (1.5 per thousand students). In general, the number and rate of arrests for fighting, school policy violation, physical/verbal confrontation, personally threatening behavior, and weapons increased as the school district’s socioeconomic status fell (from DRG A to I) [Appendix B, Figures B2 and B4].

Figure 12. Arrest Rates by Offense for District Reference Groups, 2011

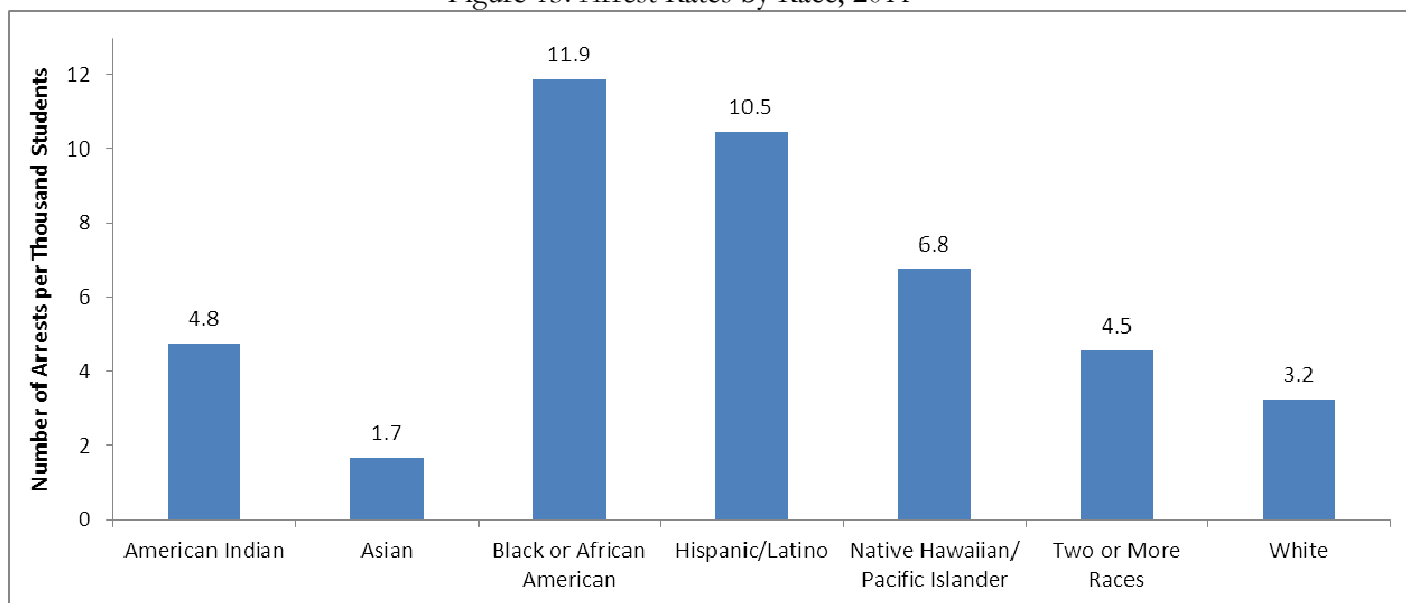


B. Minority Students

Connecticut’s students of color are arrested at much higher rates than its white students. In 2011, black students were arrested at 3.7 times the rate of white students - 11.9 black students arrested per thousand black students in Connecticut’s public schools, compared to 3.2 white students arrested per thousand white students. Hispanic students were arrested 3.2 times more often than white students (10.5 arrests of Hispanic students per thousand versus 3.2 arrests per thousand for white students) [Figure 13].

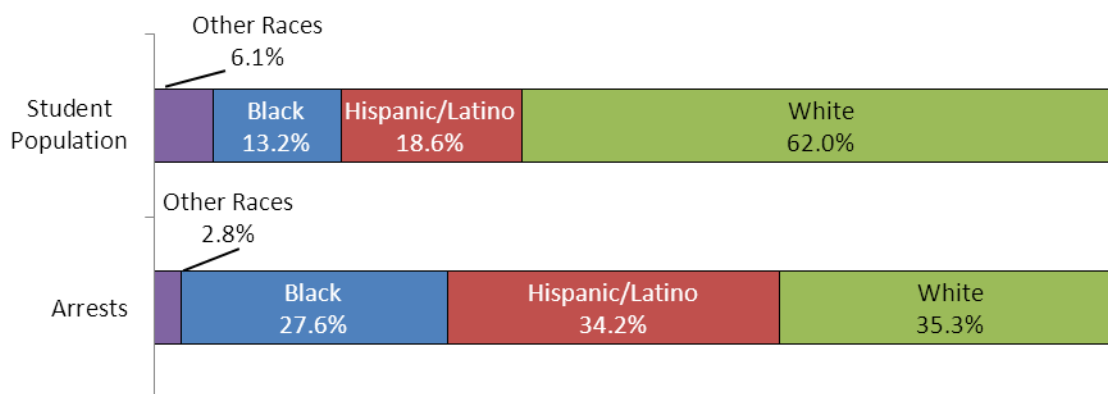
Overall, in 2011, 880 black students, 1,090 Hispanic students, 10 American Indian/Alaska Native, 40 Asian, 1,125 white, between 1 and 5 Native Hawaiian/Pacific Islander, and 36 students of two or more races were arrested.

Figure 13. Arrest Rates by Race, 2011



Although white students were 62.0% of Connecticut’s student population in 2011, only 35.3% of the students arrested were white. Black children were 13.2% of the state’s students, but 27.6% of those arrested, while Hispanic students were 18.6% of the state’s students, but 34.2% of those arrested. Students of other races (which includes American Indian/Alaska Native, Asian, Native Hawaiian/Pacific Islander, and students of two or more races) constituted 6.1% of Connecticut’s students, but only 2.8% of those arrested in 2011 [Figure 14].

Figure 14. Arrests vs Enrollment by Race, 2011



Differing Reasons for Arrest

The primary reasons for arrest also varied by race and ethnicity [Figure 15]. Black and Hispanic students were most likely to be arrested for fighting/battery and physical/verbal confrontations or conduct unbecoming (which together accounted for over half of their arrests, compared to only one third of arrests for white students). White students were most likely to be arrested for illegal drug possession or sale (which caused one third of their arrests, compared to only about one tenth of arrests for black and Hispanic students).

Figure 15. Top Reasons for Arrest by Race

	Black Students		Hispanic Students		White Students	
	Reason for Arrest	% of Arrests	Reason for Arrest	% of Arrests	Reason for Arrest	% of Arrests
1	Fighting/ Battery	35%	Fighting/ Battery	38%	Drugs	32%
2	Physical/ Verbal Confrontation/ Conduct Unbecoming	19%	Physical/ Verbal Confrontation/ Conduct Unbecoming	18%	Fighting/ Battery	22%
3	Drugs	12%	Drugs	10%	School Policy Violations	14%
4	School Policy Violations	9%	School Policy Violations	10%	Physical/ Verbal Confrontation/ Conduct Unbecoming	11%
5	Personally Threatening Behavior	8%	Personally Threatening Behavior	8%	Personally Threatening Behavior	6%
6	Weapons	8%	Weapons	6%	Weapons	6%
7	Theft/ Theft Related Behaviors	6%	Theft/ Theft Related Behaviors	4%	Property Damage	3%
8	Violent Crimes Against Persons	2%	Violent Crimes Against Persons	3%	Theft/ Theft Related Behaviors	3%
9	Property Damage	1%	Property Damage	2%	Violent Crimes Against Persons	2%
10	Sexually Related Behavior	1%	Sexually Related Behavior	1%	Sexually Related Behavior	1%

Pervasiveness of Racial Disparity

Racial disproportionality in student arrests was not confined to urban or suburban schools, nor was it solely a product of vastly higher arrest rates in inner cities. In every single DRG, black students were arrested at higher rates than white students – ranging from 9.4 times more often in DRG A to 2.6 times more in DRG G. Seventy out of 119 school districts (58.8%)⁴⁹ had higher arrest rates for black students than white students. And of the 49 districts that did not arrest black students more often, only eight had more than 100 black students enrolled in the entire district.

Similarly, Hispanic students were arrested more often than white students in eight out of nine DRGs (from a high of 3.5 times more often in DRG B to a low of 1.1 times more often in DRG A). Only in DRG C were Hispanic students less likely to be arrested than white students. Sixty-eight out of 122 districts arrested

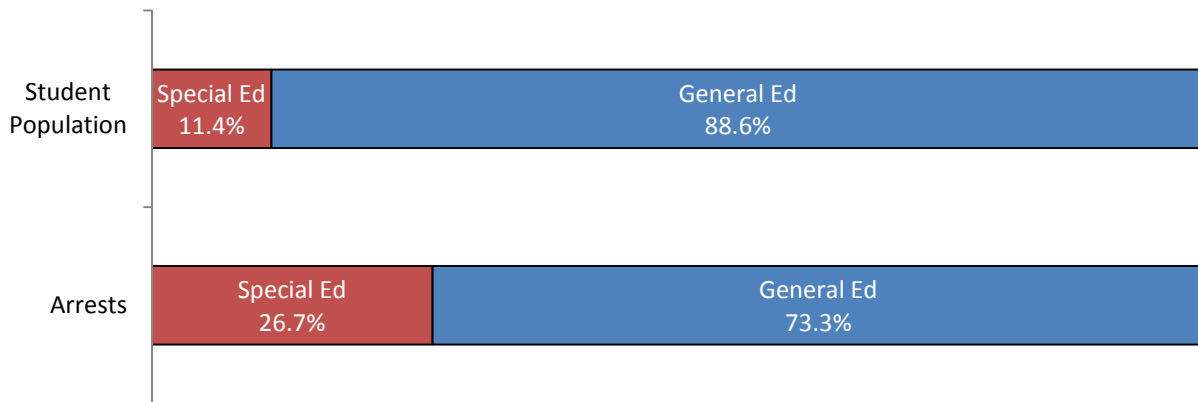
⁴⁹ This analysis considers only the 119 of the state’s 193 districts that had more than 5 black and more than 5 white students. Schools with fewer than 6 students in any racial category being analyzed were excluded to protect student confidentiality and increase statistical precision.

Hispanic students at a higher rate. Over half of the 54 that did not arrest Hispanic students at a higher rate enrolled fewer than 100 Hispanic students.

C. Students Identified Having Special Education Needs

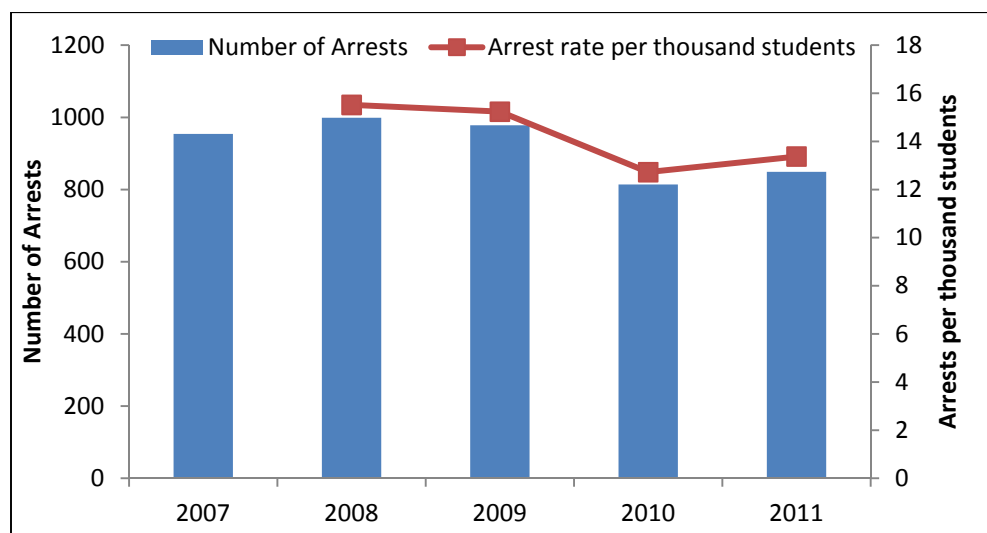
In 2011, students identified as having special education needs were arrested at 2.8 times the rate of non-disabled students (13.3 arrests per thousand students versus 4.7). Students in need of special education services only make up 11.4% of the student population in Connecticut, but accounted for 26.7% of the arrests [Figure 16].

Figure 16. Enrollment vs. Arrests for Students by Education Status, 2011



As overall numbers of arrests have declined in Connecticut, the number of arrests of students receiving special education services has fallen as well, though it rose from 2010 to 2011. In 2011, students with special education needs were arrested 829 times, down 11.0% from 2007. These declines came alongside slight decreases in the special education population, resulting in an overall 13.8% reduction in the rate of special education students being arrested from 2008 to 2011 [Figure 17].⁵⁰

Figure 17. Arrest Rate and Frequency for Students with Special Education Needs, 2007-2011



⁵⁰ Enrollment data for special education students for 2007 were not available, and thus the arrest rate for special education students that year could not be determined.

Although special education students were arrested at higher rates for every type of offense than students in regular education programs (ranging from 2.1 times more likely for drug offenses to 4.7 times more likely for property damage), the percent of arrests stemming from each type of misbehavior were similar between the two populations [Figure 18]. Students in both regular and special education were most frequently arrested for fighting (31% and 32% of all arrests, respectively), and were also commonly arrested for physical/verbal confrontations or conduct unbecoming (16% and 15%).

By comparison, a higher percentage of arrests of regular education students resulted from illegal drug possession (20%, compared to only 15% of arrests for special education students). Personally threatening behavior led to a higher percentage of arrests of special education students (10%, compared to 6% for regular education).

Figure 18. Reasons for Arrest by Education Status, 2011

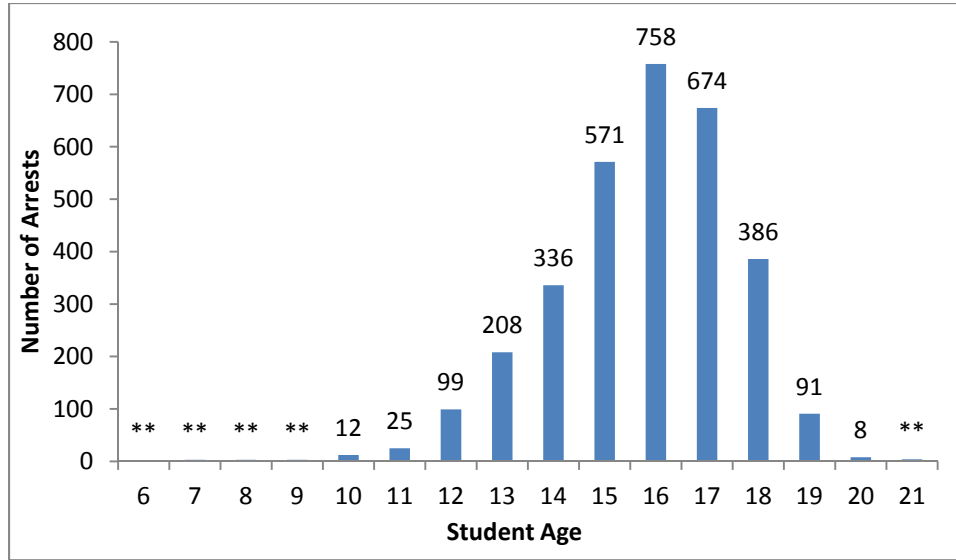
	Regular Education		Special Education	
	Reason	% of Arrests	Reason	% of Arrests
1	Fighting/ Battery	31%	Fighting/ Battery	32%
2	Drugs	20%	Physical/ Verbal Confrontation/ Conduct Unbecoming	15%
3	Physical/ Verbal Confrontation/ Conduct Unbecoming	16%	Drugs	15%
4	School Policy Violations	11%	School Policy Violations	10%
5	Weapons	6%	Personally Threatening Behavior	10%
6	Personally Threatening Behavior	6%	Weapons	7%
7	Theft/ Theft Related Behaviors	4%	Theft/ Theft Related Behaviors	5%
8	Violent Crimes Against Persons	2%	Property Damage	3%
9	Property Damage	2%	Violent Crimes Against Persons	2%
10	Sexually Related Behavior	1%	Sexually Related Behavior	1%

D. Older Students

Unsurprisingly, the largest number of student arrests took place among older teens (ages 15-18) [Figure 19]. Sixteen year olds were the most often arrested (758), followed closely by seventeen year olds (674). High school students were much more likely to be arrested than elementary or middle school students, though the 9th and 10th graders were more likely to be arrested than 11th and 12th graders [Figure 20].

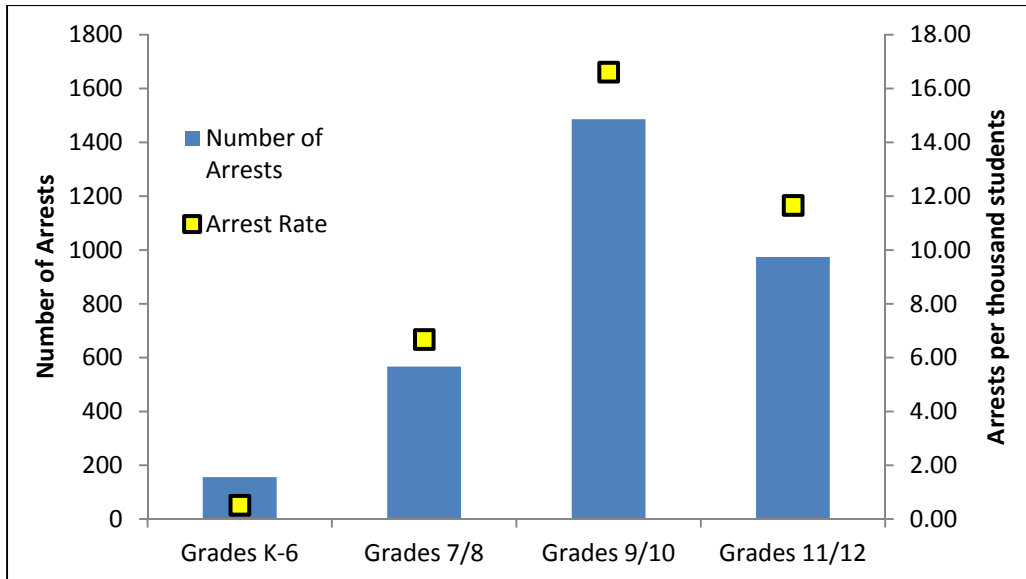
As illustrated in Figures 19 and 20 below, of the 3,138 arrests made in 2011, 156 were of children in grades kindergarten through 6, 567 were of 7th and 8th graders, 1,486 were of 9th and 10th graders, and 974 were of 11th and 12th graders. This translates to arrest rates of 0.5 arrests per thousand preschool through 6th graders, 6.7 arrests per thousand 7th and 8th graders, 16.6 arrests per thousand 9th and 10th graders, and 11.7 arrests per thousand 11th and 12th graders.

Figure 19. Arrests by Student Age, 2011



**= between 1 and 5

Figure 20. Arrests by Student Grade, 2011



The significant difference between the number of arrests and the arrest rate for 9th and 10th graders as compared to 11th and 12th graders suggests that the transition into high school may be an important point of focus for interventions to reduce student arrests. However, it also may suggest that students with challenging behaviors drop out or are pushed out of school by their later years of high school.

Implications for Data Interpretation

The developmentally-predictable age-related differences in arrest rates suggest it is unreasonable to compare schools that serve different grades, i.e., one should not be surprised if a district’s high school had more arrests than its elementary school. Likewise, it is also unfair to compare districts that only serve certain ages of students to districts that serve students of all ages. This is a particular concern when analyzing regional school districts, many of which serve only high school students and therefore appear to have anomalously high arrest rates, and small rural school districts that only contain elementary or elementary and middle

schools (whose older children attend regional high schools). It is also a necessary factor to consider when looking at special school districts, such as single charter school districts and regional special education service programs.

In Section V, where district and local variations in arrest rates are discussed, the data are stratified (separating districts and schools by the grades of children they serve) prior to making arrest comparisons. Additionally, in an online data tool accompanying this report that appears on the ctvoices.org website, districts are compared not only to the state, but also to relevant DRG averages. Because DRGs group together similar types of districts (e.g. rural districts, which predominantly include elementary and middle school only systems), this can help provide a fairer benchmark that reflects some of the normal variations.

E. Students Attending Alternative Schools

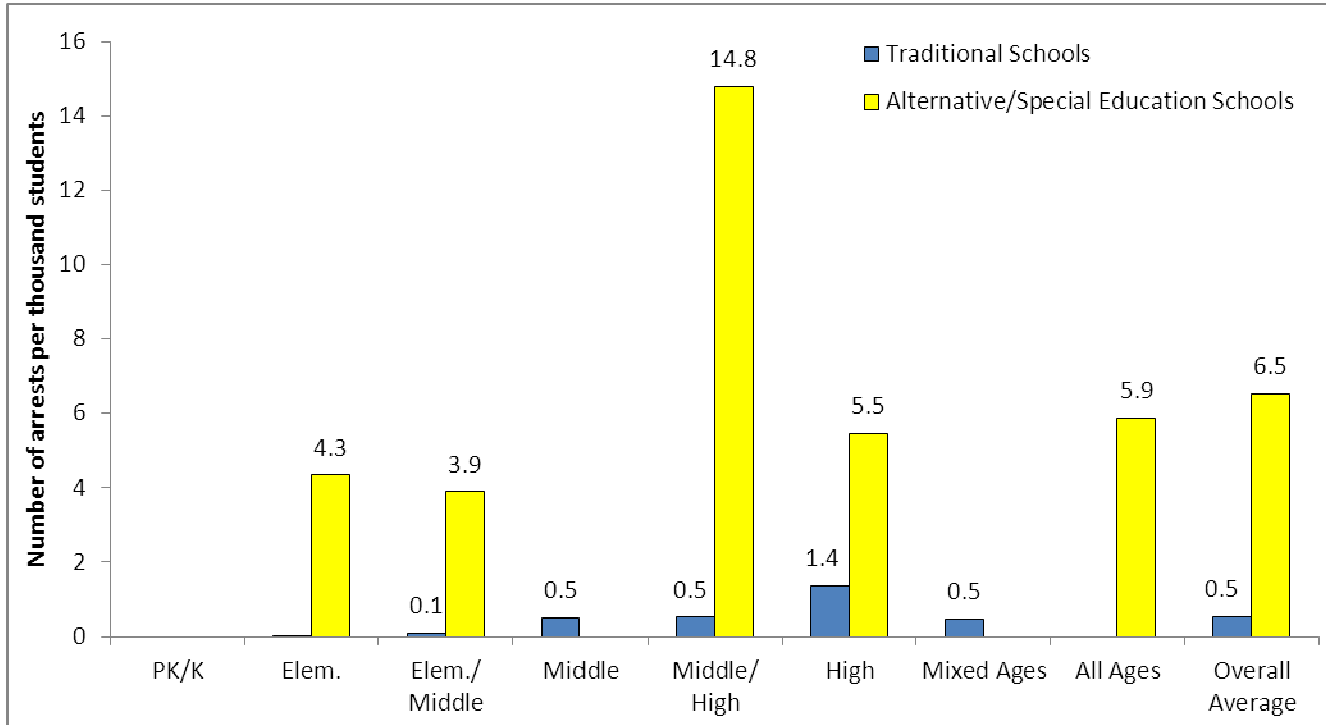
Thousands of Connecticut students attend alternative and special education schools or programs.⁵¹ Many alternative schools are run by local school districts, while some alternative and special education schools are operated by the state (usually as a part of regional educational services), and others are charter schools.⁵² Students usually have been placed in these schools because of a significant special education need that could not be addressed in a traditional setting or because they struggled in typical school environments, and were at risk for educational failure and/or dropout. Many of these children have risk factors associated with arrest – including challenging behaviors and prior involvement with the juvenile justice and child welfare systems – and therefore might be expected to be arrested at higher rates than their lower-risk peers in traditional schools. However, it is also possible that arrest rates could be the same or lower than those in traditional schools, given that these schools have self-selected staff with special training in working with students with more challenging behaviors and a particular interest in helping at-risk youth succeed.

In fact, the data show that students attending alternative or special education schools are arrested at vastly higher rates than students in traditional schools [Figure 21]. Children at traditional schools were arrested at rates of 0.5 arrests per thousand students, compared to 6.5 per thousand for students in alternative/special education schools, which translates to 12.3 times greater likelihood of being arrested. While discrepancies for some age groups are driven in part by very low enrollments in alternative/special education schools (that inflate arrest rates with only a few incidents, making the statistics somewhat unreliable due to very small school size), the overall figures include enough children to have more statistical reliability and are therefore particularly troubling.

⁵¹ Though the State Department of Education does not maintain a list of alternative schools, we hand-coded school type by cross-referencing SDE enrollment records with local district websites and other sources that identify schools as serving primarily special education students or students for whom traditional education has not been working. We identified 66 schools serving 3,398 students that are tracked by and submit enrollment figures to SDE. Approximately thirty more schools that appear to be special education or alternative submitted at least one ED166 report (six with at least one student arrest) but did not have enrollment or other data available at SDE and seem not to be tracked by the department either, so we therefore excluded them from our analysis.

⁵² For example, Trailblazers and Stamford Academy are alternative charter schools. Most charter schools do not explicitly serve “at-risk” students and are therefore not considered alternative schools in this report.

Figure 21. Arrest Rates by Type of School and Age of Children Served, 2011



V. Local Variations

Arrest rates vary tremendously across school districts and even among schools within a single district. Some of this variation results from differences in the composition of the student populations. In general, high schools and middle schools have much higher arrest rates than elementary schools, creating natural variation within districts. However, age-related differences do not account for all the variance within or between districts. A number of districts with similar demographics and student populations have tenfold or greater differences in arrest rates, illustrating the significant extent to which the composition of the student body and community demographics are not an insurmountable driver of arrests. Furthermore, districts with above-average arrest rates exist throughout the state, not just in high poverty urban areas, highlighting the need for arrest reduction efforts across Connecticut. Significant variation in the responses of adults to problematic youth behaviors and in arrest rates between schools serving children of the same age in the same district highlight the importance of local leadership and the ability for all schools and districts to lower their arrest rates, regardless of their community location and socioeconomics.

A. Low Arrest Districts

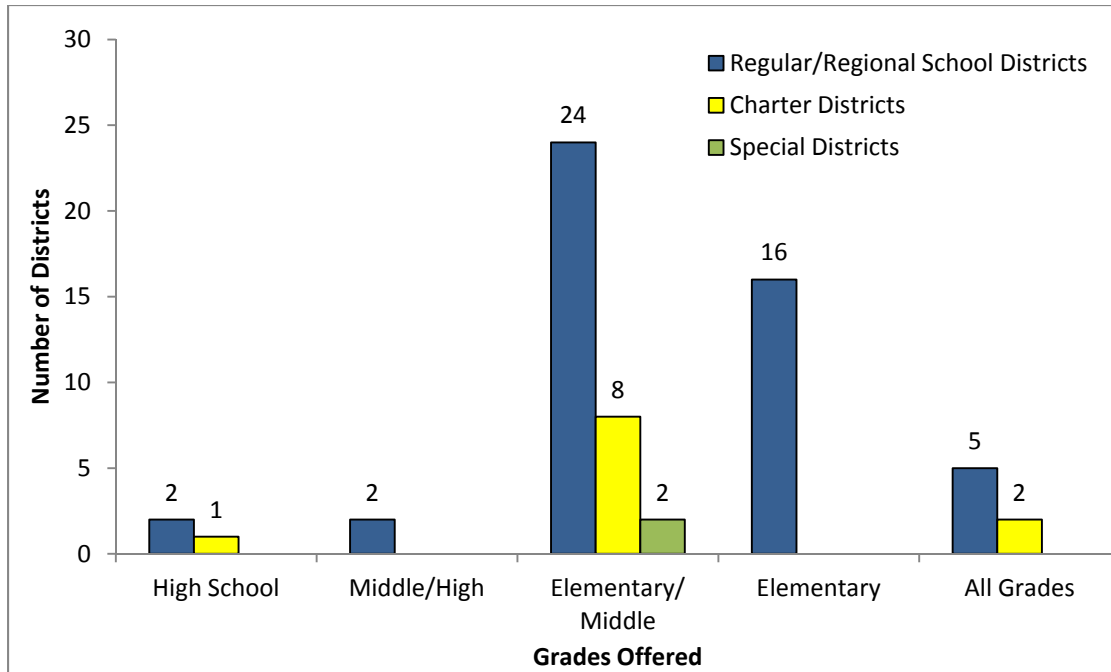
Sixty-two districts out of the 193 in the state⁵³ (32.1%) reported zero student arrests in 2011. Of those, 33 were elementary/middle school districts (without a high school) and 16 were elementary only [Figure 22]. [See Figure 27 for a listing of all districts' arrest rates by age of children served]. Eleven were charter districts (with one or more charter school). One was a special education district, and one an arts magnet school district. Only five were regular or regional districts serving children of all ages: Brookfield, East Granby, Lisbon, Madison, and Oxford.

The districts with zero arrests were concentrated in DRGs C and E.⁵⁴ However, there was at least one district with zero arrests in each of DRGs A, B, C, D, E, F, and G, and in a number of special and charter districts. [See Figure 26 for a full listing of district arrest rates by DRG. Those shown at the top of each column in blue had zero arrests in 2011].

⁵³ There are 193 districts reporting data, including 152 traditional local school districts, 17 regional school districts, the Connecticut Technical High School System, 13 charter districts, two special education services districts operated by the state, one interdistrict arts magnet school that operates as its own district, one alternative school that operates as a standalone district, and six districts that operate a mixture of magnet schools with traditional populations, special education, and alternative schools.

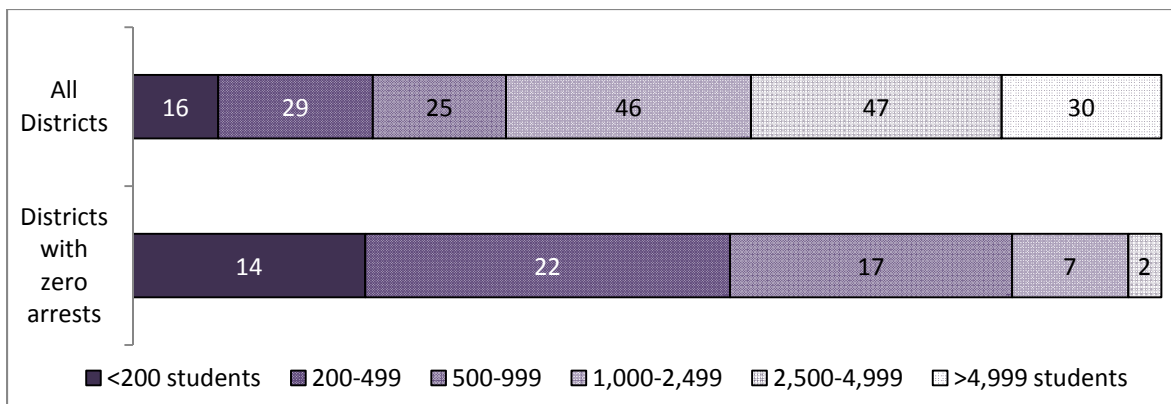
⁵⁴ DRGs C and E include rural towns with mid-level incomes and relatively few children from single parent homes and non-English speaking homes.

Figure 22. Characteristics of Districts with Zero Arrests in 2011



Smaller districts were also more likely to have very low arrest rates. Fifty-three out of the 62 districts with zero arrests enrolled fewer than 1,000 students. Only two served more than 3,000 children (Brookfield and Madison) [Figure 23]. [See Figure 28 for a listing of district arrest rates by enrollment].

Figure 23. Enrollment Characteristics of Zero Arrest Districts Compared to the State (2011)



Thirty-nine additional districts made fewer than two arrests per thousand students in the district. These districts tended to be medium-sized: 30 districts served between 1,000 and 5,000 students each, with four serving fewer than 1,000 and five serving more than 5,000 students. A number of them were regional school districts, but none was a special district or charter district. All but two districts served all ages of children. These low-arrest rate districts included schools from a range of communities, from suburban towns with very low poverty and high parental education, to higher and middle income rural communities, and suburban towns with average poverty and parental education. There were no poorer suburban or large urban districts in this low arrest rate group.

B. High Arrest Districts

Twenty districts reported in excess of 10 arrests per thousand students, 14 of which had 1,000 or more students enrolled [Figure 24].⁵⁵ Even excluding the six small single-school and non-traditional districts which tended to serve older children and children with special needs, many of the remaining mid-to-large districts shared those characteristics. Five of the fourteen high-arrest, larger districts served either exclusively older students or students identified as having special education needs: Connecticut Technical High School System and Norwich Free Academy (high school-only), Regional Districts 4 and 5 (middle- and high-only), and Area Cooperative Educational Services (ACES) (which provides services to children with severe disabilities, as well as students in inter-district magnet schools).

Districts educating older students and larger numbers of at-risk students often will have higher arrest rates, so comparing them directly to other K-12 regular education districts may be an unfair “apples to oranges” comparison. However, comparing districts that serve students of similar ages and backgrounds reveals that some of them have been able to achieve lower arrest rates while serving these more challenging populations. [See Figure 26, which shows arrest rates by DRG; Figure 27, which shows arrest rates by grades offered; and Figure 28, which shows arrest rates by size of student body].

Although all of the mid-to-large districts with high arrest rates demand attention, the greatest concern arises from the largest districts, where the combination of a high arrest rate and a large student population translates into particularly large numbers of arrests. Six of the 20 districts with arrest rates of more than 10 students arrested per thousand were educating 5,000 students or more: the Connecticut Technical High School System (147 arrests, or 13.8 per thousand students), Danbury (121), Meriden (230), New Britain (160), Waterbury (310), and West Haven (102). Together, these six districts had 1,070 arrests in 2011, more than one third of all arrests made in Connecticut.

Figure 24. Highest School Arrest Rates Among Mid-to-Large Districts, 2011

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

⁵⁵ This analysis of high arrest districts focuses on those districts with 1,000 or more students, because they have more total arrests, their arrest rates are more reliable (given their larger enrollments) and they are more like traditional school districts than the smaller “high arrest” districts, which tend to be single-school special districts (such as charter schools). The districts with high arrest rates but small student populations that were excluded from our analysis include: Stamford Academy, Explorations Charter School, The Gilbert School, Eastern Connecticut Regional Educational Service Center, Regional District #1, and Regional District #4.

Rank	District	Number of Arrests	Enrollment	Arrests Per Thousand Students
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
Total		1,444	86,820	16.6
Statewide		3,183	556,184	5.7

These fourteen large districts with notably high arrest rates generally tend to arrest students for the same reasons as the state overall [Figure 25]. Students in large districts are mostly arrested for fighting (37% of all arrests), which is a slightly higher share of arrests than the statewide average. Other major reasons for arrest in the high-arrest areas include drugs (17%), school policy violations (13%), and Physical/Verbal Confrontation/ Conduct Unbecoming (13%). In high-arrest districts, a smaller share of arrests come from drugs, personally threatening behavior, and Physical/Verbal Confrontation/Conduct Unbecoming, and weapons than the state as a whole. A higher than average share of arrests in these districts results from fighting/battery, school policy violations, and theft. This suggests that in high-arrest districts, students exhibit problematic behavior in generally similar proportions to the average student in the state, the overall rate of arrest is just higher, although students may be somewhat more likely to be arrested for more minor behaviors, such as those that fall into the “school policy violations” category.

Figure 25. Reasons for Arrest in High Arrest-Rate Districts

Reason for Arrest	Percent of Arrests in High Arrest Districts	Statewide Percent of Arrests
Drugs	17%	19%
Fighting/ Battery	37%	32%
Personally Threatening Behavior	4%	7%
Physical/ Verbal Confrontation/ Conduct Unbecoming	13%	16%
Property Damage	2%	2%
School Policy Violations	13%	11%
Sexually Related Behavior	1%	1%
Theft/ Theft Related Behaviors	6%	4%
Violent Crimes Against Persons	2%	2%
Weapons	4%	6%

Of slightly less concern than the large high-arrest districts, but still a focus for intervention, are districts with large numbers of arrests but not particularly high arrest rates (due to their very large student populations). These high incident/low rate districts include New Haven (120 arrests, but only 6.0 arrests per thousand students or just above the state average); Bridgeport (101 arrests), Hartford (97) and Stamford (76).

Overall, a relatively small number of districts account for a large share of all arrests. The 10 districts with the largest numbers of arrests account for just 25.2% of the total state student population, but nearly half (1,464 or 46%) of all student arrests [Figure 26]. If the 5 districts with the most arrests could have reduced their rates to the state average (5.7 per thousand) in 2011, 640 fewer students would have been arrested, and the number of arrests statewide would have fallen by a fifth (20.1%).

Figure 26. Districts with the Highest Number of Arrests, 2011

Rank	District	Number of Arrests	Arrests per Thousand Students
1	Waterbury	310	17.1
2	Meriden	230	27.8
3	New Britain	160	15.8
4	Connecticut Technical High School System	147	13.8
5	Danbury	121	11.7
6	New Haven	120	6.0
7	West Haven	102	16.5
8	Bridgeport	101	5.0
9	Hartford	97	4.6
10	Stamford	76	5.0
Total of Top Ten Districts		1,464	10.5
Statewide Total		3,183	5.7

C. Large Districts

Connecticut’s highest enrollment districts arrest students at tremendously different rates. Among the twenty largest districts (ranging from 6,797 to 20,931 students), student arrest rates ranged from a low of 1.1 arrests per thousand students to a high of 27.8 arrests per thousand – more than 25 times more. Eight of the twenty largest districts had above average arrest rates, while twelve made fewer student arrests than the state average. Of those twelve districts with below average rates, some were lower-poverty suburban districts, but others were higher-poverty urban districts, including Hartford, Bridgeport, Stamford, and Norwalk [Figure 27].

Figure 27. Student Arrests in Connecticut’s 20 Largest Districts, 2011

District Size Rank	District Name	Enrollment	Number of Arrests	Arrests/1,000 Kids
1	Hartford	20,931	97	4.6
2	Bridgeport	20,174	101	5.0
3	New Haven	20,067	120	5.9
4	Waterbury	18,129	310	17.2
5	Stamford	15,281	76	5.0
6	Norwalk	11,050	53	4.8
7	Connecticut Technical High School System	10,643	147	13.8

District Size Rank	District Name	Enrollment	Number of Arrests	Arrests/1,000 Kids
8	Danbury	10,343	121	11.7
9	West Hartford	10,207	45	4.4
10	Fairfield	10,153	18	1.8
11	New Britain	10,098	160	16.0
12	Greenwich	8,842	28	3.2
13	Bristol	8,591	24	2.8
14	Meriden	8,279	230	27.8
15	Stratford	7,284	42	5.8
16	East Hartford	7,098	49	6.9
17	Trumbull	6,975	8	1.1
18	Milford	6,958	27	3.9
19	Manchester	6,807	36	5.3
20	Glastonbury	6,797	13	1.9

D. Standout Districts

Across the state, some school districts stand out due to particularly low arrest rates compared to peer districts (when controlling for number of students and ages of children served).

For example, despite being located in the lowest SES communities and serving the highest need students, five districts in DRG H and I managed to keep their arrest rates below the statewide average of 5.7 arrests per thousand students enrolled: Derby, Norwalk (4.8), Stamford (5.0), Bridgeport (5.0), and Hartford (4.6) [Figure 28]. Though all five still had room for improvement (four out of the five had more than 45 arrests in 2011), these districts nonetheless can serve as models for other struggling urban districts seeking to lower their arrest rates and for the state when it attempts to design programs that will work for a variety of schools.

Similarly, among districts that operate only high schools (so might be expected to have above-average arrest rates), three districts had zero arrests in 2011: Common Ground High School, Regional District 9, and Woodstock Academy. While Common Ground High School educates fewer than 200 students, the other two schools have student populations of approximately 1,000 – a pretty typical size for a high school. An additional two districts that educated middle as well as high school students (again, a higher-likelihood population for arrest) kept their arrests to zero: Regional Districts 7 and 11. Regional Districts 8 and 19, and The Bridge Academy, which also serve only middle and high school students, all had fewer than 4 arrests per thousand [Figure 29]. These districts ought to be studied to determine what strategies have made them successful at reducing arrests of older students so the strategies might be replicated.

Among middle-income rural and suburban districts (DRGs D, E, and F) serving all ages of children, a number emerge as positive examples. Lisbon and East Granby arrested no students. East Lyme, East Hampton, Rocky Hill, Ledyard, Berlin, East Haddam, Old Saybrook, North Stonington, Westbrook, Litchfield, Lebanon, Portland, Thompson, and Regional District 6 all had fewer than 2 arrests per thousand students.

A	B	C	D	E	F	G	H	I
Easton	Brookfield	Andover	East Granby	Ashford	Canterbury	Winchester	Derby	Hartford
Redding	Madison	Barkhamsted	Berlin	Bozrah	North Canaan	Bristol	Norwalk	Bridgeport
Region 09	Orange	Bethany	East Hampton	Brooklyn	Region 11	Hamden	Stamford	New Haven
New Canaan	Woodbridge	Columbia		Canaan	Sterling	Plainfield	East Hartford	New Britain
Ridgefield	Avon	Cornwall	East Lyme	Chaplin	Voluntown	Vernon	Ansonia	New London
Weston	Fairfield	Essex	Ledyard	Chester	Thompson	Bloomfield	Danbury	Waterbury
Westport	Glastonbury	Hebron	Old Saybrook	Colebrook	Griswold	Groton	Meriden	Windham
Wilton	Granby	Marlborough		Deep River	Plainville	Killingly	Norwich	
Darien	Guilford	New Hartford	Rocky Hill	Eastford	Plymouth	Manchester	West Haven	
	New Fairfield	Oxford	Bethel	Franklin	East Windsor	Middletown		
	Region 15	Pomfret	Branford	Hampton	Enfield	Naugatuck		
	Simsbury	Region 07	Clinton	Hartland	Montville	Putnam		
	Trumbull	Sherman	Colchester	Kent	Seymour	Stratford		
	Cheshire	Bolton	Cromwell	Lisbon	Sprague	Torrington		
	Farmington	Canton	Milford	Norfolk	Stafford	East Haven		
	Greenwich	Mansfield	North Haven	Preston	Windsor Locks	Norwich Free Academy		
	Monroe	Region 13	Shelton	Salisbury	Wolcott	The Gilbert School		
	Newtown	Region 14	Southington	Scotland				
	South Windsor	Region 17	Wallingford	Sharon				
		Region 18	Windsor	Union				
	West Hartford	Somers	New Milford	Willington				
	Region 05	Suffield	Newington	Woodstock Academy				
		Tolland	Stonington	East Haddam				
		Region 08	Waterford	Lebanon				
		Region 10	Watertown	Litchfield				
		Region 12	Wethersfield	North Stonington				
		Region 19		Portland				
		Salem		Region 06				
		Ellington		Westbrook				
		Region 04		Woodstock				
				Coventry				
				North Branford				
				Region 16				
				Thomaston				
				Region 01				

Number of Arrests per Thousand Students	
0	
0.01 to 2.00	
2.01 to 5.00	
5.00 to 10.00	
More than 10.00	

Charter Schools	
Achievement First Hartford Academy	
Amistad Academy	
Common Ground High School	
Elm City College Preparatory School	
Integrated Day Charter School	
Jumoke Academy	
New Beginnings Inc. Family Academy	
Odyssey Community School	
Park City Prep Charter School	
Side By Side Community School	
Trailblazers Academy	
Bridgeport Achievement First	
The Bridge Academy	
Stamford Academy	

Other Special Districts	
Interdistrict School For Arts And Communication	
Unified School District #2	
Learn	
Capitol Region Education Council	
Cooperative Educational Services	
Education Connection	
Area Cooperative Educational Services	
CT Technical High School System	
EASTCONN	
Explorations	

Figure 28. Arrest Rates by District and DRG, 2011

Elementary School Only	Elementary/ Middle School	Middle/High School	All Grades								
Andover	Achievement First Hartford	Region 07	Amistad Academy	Brookfield	East Granby						
Barkhamsted	Ashford	Region 11	Elm City College Preparatory School	Lisbon	Madison						
Bethany	Bozrah	Region 08	Oxford	Unified School District #2	Avon						
Chaplin	Brooklyn	The Bridge Academy	Berlin	Bolton	Canton						
Chester	Canaan	Region 04	East Haddam	East Hampton	East Lyme						
Colebrook	Canterbury	Region 05	Fairfield	Glastonbury	Granby						
Deep River	Columbia	High School Only	Guilford	Lebanon	Ledyard						
Essex	Cornwall	Common Ground High School	Litchfield	New Canaan	New Fairfield						
Hampton	Eastford	Region 09	North Stonington	Old Saybrook	Portland						
Hebron	Easton	Woodstock Academy	Region 06	Region 13	Region 14						
Marlborough	Franklin	Region 19	Region 15	Region 17	Region 18						
New Hartford	Hartland	Connecticut Technical High School System	Ridgefield	Rocky Hill	Simsbury						
Norfolk	Jumoke Academy	Explorations	Somers	Suffield	Thompson						
Orange	Integrated Day Charter School	Norwich Free Academy	Tolland	Trumbull	Westbrook						
Scotland	Interdistrict School For Arts And Communication	Region 01	Weston	Westport	Wilton						
Woodbridge	Kent	Stamford Academy	Bethel	Branford	Bristol						
Education Connection	New Beginnings Inc.	The Gilbert School	Cheshire	Clinton	Colchester						
	North Canaan		Cromwell	Darien	Derby						
	Odyssey Community School		Farmington	Greenwich	Griswold						
	Park City Prep Charter School		Hamden	Hartford	Learn						
	Pomfret	<table border="1"> <thead> <tr><th>Number of Arrests per Thousand Students</th></tr> </thead> <tbody> <tr><td>0</td></tr> <tr><td>0.01 to 2.00</td></tr> <tr><td>2.01 to 5.00</td></tr> <tr><td>5.00 to 10.00</td></tr> <tr><td>More than 10.00</td></tr> </tbody> </table>	Number of Arrests per Thousand Students	0	0.01 to 2.00	2.01 to 5.00	5.00 to 10.00	More than 10.00	Milford	Monroe	Newtown
Number of Arrests per Thousand Students											
0											
0.01 to 2.00											
2.01 to 5.00											
5.00 to 10.00											
More than 10.00											
	Preston		North Haven	Norwalk	Plainfield						
	Redding		Plainville	Plymouth	Region 10						
	Salisbury		Region 12	Shelton	South Windsor						
	Sharon		Southington	Stamford	Vernon						
	Sherman		Wallingford	West Hartford	Windsor						
	Side By Side Community School		Bloomfield	Bridgeport	Capitol Region Education Council						
	Sterling		Cooperative Educational Services	Coventry	East Hartford						
	Trailblazers Academy		East Windsor	Ellington	Enfield						
	Union		Groton	Killingly	Manchester						
	Voluntown		Middletown	Montville	Naugatuck						
	Willington	New Haven	New Milford	Newington							
	Winchester	North Branford	Putnam	Region 16							
	Mansfield	Seymour	Sprague	Stafford							
	Woodstock	Stonington	Stratford	Thomaston							
	Salem	Torrington	Waterford	Watertown							
	Bridgeport	Wethersfield	Windsor Locks	Wolcott							
	Achievement First	Ansonia	Area Cooperative Educational Services	Danbury							
		East Haven	EASTCONN	Meriden							
		New Britain	New London	Norwich							
		Waterbury	West Haven	Windham							

Figure 29. Arrest Rates by District and Age of Children Served, 2011

Figure 30. District Arrest Rates by Enrollment, 2011 **

District Name	Enrollment	Number of Arrests	Arrests/1,000 Students	District Name	Enrollment	Number of Arrests	Arrests/1,000 Students
Union	81	0	0.00	Region 09	968	0	0.00
Canaan	86	0	0.00	Woodstock Academy	1,096	0	0.00
Colebrook	112	0	0.00	Easton	1,098	0	0.00
Cornwall	115	0	0.00	Hebron	1,135	0	0.00
Hampton	139	0	0.00	Region 07	1,168	0	0.00
Norfolk	141	0	0.00	Redding	1,243	0	0.00
Scotland	143	0	0.00	Orange	1,277	0	0.00
Trailblazers Academy	162	0	0.00	Oxford	2,197	0	0.00
Common Ground High School	163	0	0.00	Brookfield	2,870	0	0.00
Eastford	178	0	0.00	Madison	3,605	0	0.00
Odyssey Community School	181	0	0.00	East Lyme	3,061	6	2
Interdistrict School For Arts And	182	0	0.00	Simsbury	4,756	8	1.7
Chaplin	187	0	0.00	Ridgefield	5,419	10	1.8
Sharon	197	0	0.00	Westport	5,772	7	1.2
Unified School District #2	204	0	0.00	Glastonbury	6,797	13	1.9
Hartland	221	0	0.00	Trumbull	6,975	8	1.1
Franklin	222	0	0.00	Fairfield	10,153	18	1.8
Side By Side Community School	233	0	0.00	Plymouth	1,727	6	3.5
Bozrah	234	0	0.00	Region 08	1,765	6	3.4
Park City Prep Charter School	250	0	0.00	Griswold	2,005	7	3.5
Region 11	274	0	0.00	Clinton	2,029	7	3.4
Chester	275	0	0.00	Plainville	2,455	7	2.9
Kent	287	0	0.00	Plainfield	2,620	9	3.4
Salisbury	310	0	0.00	Region 10	2,755	13	5.1
Voluntown	312	0	0.00	Bethel	2,938	9	3.1
North Canaan	318	0	0.00	Colchester	3,069	10	3.3
Integrated Day Charter School	331	0	0.00	Branford	3,404	11	3.2
Andover	334	0	0.00	North Haven	3,576	9	2.5
Deep River	351	0	0.00	Vernon	3,598	13	3.6
New Beginnings Inc.	360	0	0.00	Windsor	3,613	10	2.8
Barkhamsted	373	0	0.00	Monroe	3,745	11	2.9
Sherman	408	0	0.00	Farmington	4,124	15	3.6
Preston	430	0	0.00	South Windsor	4,553	21	4.6
Jumoke Academy	432	0	0.00	Cheshire	4,792	13	2.7
Ashford	476	0	0.00	Darien	4,820	10	2.1
Sterling	482	0	0.00	Shelton	5,286	18	3.4
Bethany	511	0	0.00	Newtown	5,429	14	2.6
Willington	511	0	0.00	Hamden	5,971	29	4.9
Pomfret	513	0	0.00	Wallingford	6,550	16	2.4
Canterbury	524	0	0.00	Southington	6,790	33	4.9
Lisbon	534	0	0.00	Milford	6,958	27	3.9
Columbia	539	0	0.00	Bristol	8,591	24	2.8
Elm City College Preparatory School	585	0	0.00	Greenwich	8,842	28	3.2
Essex	591	0	0.00	West Hartford	10,207	45	4.4
New Hartford	608	0	0.00	Norwalk	11,050	53	4.8
Achievement First Hartford Academy	610	0	0.00	Stamford	15,281	76	5.0
Marlborough	673	0	0.00	Hartford	20,931	97	4.6
Woodbridge	723	0	0.00				
Amistad Academy	812	0	0.00				
East Granby	889	0	0.00				
Winchester	944	0	0.00				
Brooklyn	947	0	0.00				

Number of Arrests per Thousand Students
0
0.01 to 2.00
2.01 to 5.00
5.00 to 10.00
More than 10.00

Figure 30. District Arrest Rates by Enrollment, 2011 (cont.'d) **

District Name	Enrollment	Number of Arrests	Arrests/1,000 Students
Thomaston	1,121	8	7.1
Putnam	1,292	7	5.4
East Windsor	1,329	7	5.3
Windsor Locks	1,785	17	9.5
Coventry	1,830	10	5.5
Stafford	1,854	17	9.2
Bloomfield	2,196	17	7.7
North Branford	2,286	15	6.6
Seymour	2,410	15	6.2
Stonington	2,491	19	7.6
Region 16	2,536	22	8.7
Montville	2,657	14	5.3
Killingly	2,685	16	6.0
Ellington	2,726	21	7.7
Wolcott	2,738	16	5.8
Waterford	2,800	19	6.8
Watertown	3,175	20	6.3
Wethersfield	3,792	19	5.0
Newington	4,416	33	7.5
Torrington	4,507	27	6.0
Capitol Region Education Council	4,650	29	6.2
Naugatuck	4,654	32	6.9
New Milford	4,753	26	5.5
Groton	4,965	31	6.2
Middletown	5,189	34	6.6
Enfield	5,880	49	8.5
Manchester	6,807	36	5.3
East Hartford	7,098	49	6.9
Stratford	7,284	42	5.8
New Haven	20,067	120	5.9
Bridgeport	20,174	101	5.0

District Name	Enrollment	Number of Arrests	Arrests/1,000 Students
Stamford Academy	138	8	57.97
The Gilbert School	325	8	24.62
Region 01	502	8	15.94
Region 04	973	12	12.33
Area Cooperative Educational Services	1,991	54	27.12
Norwich Free Academy	2,381	28	11.76
Region 05	2,475	41	16.57
Ansonia	2,619	48	18.33
New London	3,068	71	22.82
Windham	3,375	46	13.63
East Haven	3,420	40	11.70
Norwich	3,805	46	12.09
West Haven	6,194	102	16.63
Meriden	8,279	230	27.78
New Britain	10,098	160	16.04
Danbury	10,343	121	11.70
Connecticut Technical High School System	10,643	147	13.81
Waterbury	18,129	310	17.15

Number of Arrests per Thousand Students
0
0.01 to 2.00
2.01 to 5.00
5.00 to 10.00
More than 10.00

** School districts reporting between 1-5 school arrests for the year 2011 have been omitted from Figure 30.

E. Within-District Variation

In addition to the variation in arrests and arrest rates *across* different school districts (much of which seems related to differences in community location, socioeconomic status, size of district enrollment and ages of children served), there is also wide variation in arrests *within* the same district across schools that serve the same aged children.

Illustrating this point is the following analysis of variations in arrest rates during the 2011 school year in elementary, middle, and high schools in 26 districts across the state, including 8 large regular districts, the Connecticut Technical High School System, and the 17 high schools operated by regional school districts. This analysis revealed high variation in the number and rate of arrests between schools serving children of similar ages within the same school district. [See Appendix D for graphs of the number of arrests and arrest rates for schools in each of the following districts.]

Bridgeport

- One school educating children aged preschool through grade 8 had eight arrests of children, while eight other like schools had between one and five arrests. Ten of the city's elementary/middle schools arrested no children.
- Forty-five arrests occurred at one high school, compared to 26 at another, and six at a third. When controlling for differences in the size of the student population, children at the highest arrest rate high school were 12.4 times more likely to have been arrested than at the lowest arrest rate high school, and 1.5 times more likely to have been arrested than at the middle arrest rate high school.

Hartford

- One Hartford high school had 26 arrests (or 67.9 arrests per thousand students enrolled – 4.8 times the statewide high school arrest rate). Several other Hartford high schools also had rates notably above the statewide average and a large number of arrests (five schools had five or more arrests). However, four of Hartford's high schools had no student arrests, and five more had only between 1 and five arrests (resulting in arrest rates 2 to 6 times lower than the statewide high school arrest rate average).

New Britain

- New Britain's three middle schools arrested students at very different rates. Two of them had arrests in excess of 50 students per thousand enrolled (38 and 22 arrests), while another arrested only 15 per thousand (one fewer than the state average), with only 9 arrests.

New Haven

- New Haven's 27 elementary/middle (PK-8) schools and 10 high schools had significant arrest rate variation when accounting for enrollment. Seventeen of the 27 elementary schools had no children arrested, while ten schools had between one and five children arrested.
- One high school had 56 arrests, another had 18, while 6 high schools had between one and five arrests. The highest arrest rate high schools had 76.5 and 43.4 arrests per thousand students, respectively while the four lowest arrest rate high schools had between one and five arrests per thousand students.

Norwalk

- The three high schools in Norwalk made 28, 15, and 6 arrests. This translated into 128 arrests per thousand students for the highest arrest rate school and 3.5 for the lowest rate school.

Stamford

- Stamford's high school with the most arrests had 47 arrests (26 per thousand enrolled students), compared to fewer than six arrests at the lowest arresting high school.

Waterbury

- The city's magnet middle school had fewer than six arrests, compared to 75 arrests (65.4 arrests per thousand) at the highest arrest middle school. Although the magnet school's student population was possibly quite different from traditional middle schools, the other two middle schools also had significantly fewer arrests than the highest-rate school, and differed markedly from each other, with 50 and 25 arrests (37.1 and 20.7 arrests per thousand).
- Waterbury's high schools followed a similar pattern, with fewer than six arrests at the magnet high school and 31 at the highest arrest high school (23.7 per thousand), and 19 arrests each at the other two schools (13.7 and 13.9 arrests per thousand, respectively).

West Hartford

- West Hartford's two high schools had dramatically different numbers of arrests: 36 at one (23.2 per thousand students) and fewer than six at the other.

Connecticut Technical High School System

- The state operates sixteen vocational, agricultural, and technical high schools across Connecticut that serve 9-12th grade students. Eight of these schools had arrest rates higher than the statewide average for high schools (14.1 arrests per thousand), while two had arrest rates two or more times lower than the statewide high school average.

Regional High Schools

- Connecticut has 17 regional high schools serving students in many of the state's small school districts. Three of these regional high schools had no arrests and nine had between 1 and 5 arrests. However, one high school had 41 arrests and three others had between 10 and 20 arrests.
- Accounting for variations in enrollment, four regional high schools had above state average arrest rates (24.9, 23.1, 15.9, and 15.8 arrests per thousand), while 10 schools had 5 or fewer arrests per thousand.

The fact that children of the same age who live in the same town, but happen to attend 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 resulting from differential participation in school assignment lotteries or residential segregation and 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 may be responsive to good leadership and practice at the school level, and fewer arrests are possible at schools in any district.

F. High Arrest Schools

High Numbers of Arrests

The high degree of variability among arrests and arrest rates at different schools within the same district is replicated on a broader scale at the state level. Many, many schools boast no or very few arrests, while a handful of schools produce a significant proportion of all student arrests in the state. When targeting limited resources, state and local policymakers should likely target those with the highest numbers of arrests and the highest arrest rates. Given the concentration of arrests in a small number of schools, focused arrest-reduction initiatives in a few dozen locations could produce dramatic decreases in statewide arrest figures.

Of the state's 1,116 public schools, 329 (29.5%) recorded arrests of students in 2011, while 787 schools (70.5%) had zero arrests. Only 131 schools (11.7%) had either 10 or more arrests or an arrest rate of 10 or more arrests per thousand students. Of those schools with arrests in 2011, well over half (192) had 5 or fewer arrests. ***The ten schools with the greatest number of arrests made 23% of all arrests in the state (724 arrests)*** [Figure 31]. Half of the arrests that occurred came from only 36 schools.

Figure 31. Schools with the Highest Number of Arrests, 2011

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%
11	Ansonia High School (Ansonia)	732	45	61.5	1.4%	24.2%
12	Harding High School (Bridgeport)	1,395	45	32.3	1.4%	25.6%
13	Bennie Dover Jackson Middle School (New London)	590	42	71.2	1.3%	26.9%
14	East Hartford High School (East Hartford)	1,735	42	24.2	1.3%	28.2%
15	Amity Regional High School (Regional District 5)	1,649	41	24.9	1.3%	29.5%
16	Windham High School (Windham)	811	39	48.1	1.2%	30.7%
17	Slade Middle School (New Britain)	716	38	53.1	1.2%	31.9%
18	Conard High School (West Hartford)	1,552	36	23.2	1.1%	33.1%
19	State Street School (Waterbury)	77	34	441.6	1.1%	34.1%
20	Southington High School (Southington)	2,051	33	16.1	1.0%	35.2%

High Arrest Rate Schools

The 20 schools with the highest arrest rates⁵⁶ made between 45.0 and 441.6 arrests per thousand students [Figure 32]. These schools fall into one of two categories: small non-traditional schools with a middling number of arrests; and large regular schools with a very high number of arrests.

Nine of the highest rate schools were small non-traditional schools with a modest to large number of arrests and a relatively small student population that further inflated the arrest rate. [See the schools highlighted in yellow below in Figure 32]. In some cases the actual number of arrests was quite low (three of these schools had arrested fewer than ten children), so, despite a high rate, these schools ought not be of the upmost concern as a source of arrests. However, in the other six small schools, the absolute number of arrests was actually relatively high (between 12 and 47) and is alarming in itself.

All of these small schools serve students with (often severe) disabilities and/or are alternative or transitional programs for students who have not succeeded in traditional public schools. Given that this student population is more likely to engage in challenging behaviors that might potentially rise to the level requiring law enforcement intervention, the high number of arrests is not surprising. However, the special population necessitates a highly trained staff with special skills that allow them to productively handle student misbehavior – a staff that should be able to avoid most situations leading to arrest, and therefore produce lower arrest rates than we see below.

The final group of schools with troublingly high arrest rates includes traditional schools with regularly-sized student bodies but very high numbers of arrests (in red in Figure 32 below). These eleven schools enrolled between 590 and 1,545 students, and had between 22 and 97 arrests each. Eight of these schools also appeared on the list of the top 20 schools with the most number of arrests. These schools teach a normal cohort of students (without the concentration of high need students found at alternative or special education schools) yet have particularly high numbers of arrests, and therefore should be the top priority locations for state, district, and school-driven interventions to identify and address the reasons for the over-arrest of students.

⁵⁶ Due to statistical unreliability and lack of meaningfulness of arrest rates for schools with very small enrollments (where one or two arrests would create a huge change in arrest rate), we excluded the seven schools with very high arrest rates that had fewer than 50 students enrolled.

Figure 32. Top 20 Highest Arrest Rate Schools, 2011⁵⁷

Rank	School (District)	Arrests	Enrollment	Arrests per Thousand
1	State Street School (Waterbury)	34	77	441.6
2	Enlightenment School (Waterbury)	47	150	313.3
3	Whitney High School North (ACES)	19	102	186.3
4	Briggs High School (Norwalk)	15	117	128.2
5	Thames River Academy (Norwich)	8	87	92.0
6	Orville H. Platt High School (Meriden)	97	1100	88.2
7	Riverside Education Academy (New Haven)	13	170	76.5
8	EASTCONN Special Education (Eastern Connecticut RESC)	**	67	--
9	Bennie Dover Jackson Middle School (New London)	42	590	71.2
10	Mill Road School (ACES)	12	170	70.6
11	Francis T. Maloney High School (Meriden)	84	1235	68.0
12	HPHS Nursing Academy (Hartford)	26	383	67.9
13	West Side Middle School (Waterbury)	75	1147	65.4
14	Ansonia High School (Ansonia)	45	732	61.5
15	Stamford Academy (Stamford Academy Charter District)	8	138	58.0
16	Slade Middle School (New Britain)	38	716	53.1
17	Roosevelt Middle School (New Britain)	22	429	51.3
18	Windham High School (Windham)	39	811	48.1
19	West Haven High School (West Haven)	74	1545	47.9
20	Lincoln Middle School (Meriden)	32	711	45.0

**=between 1-5

Those highlighted in yellow are small non-traditional schools with a modest to large number of arrests combined with small population. Schools highlighted in red are those with regularly-sized student bodies but very high numbers of arrests.

⁵⁷ Due to statistical unreliability and lack of meaningfulness of arrest rates for schools with very small enrollments (where one or two arrests would create a huge change in arrest rate), this chart excludes the seven schools with very high arrest rates that had fewer than 50 students enrolled.

VI. Conclusion

Arrests Common in Connecticut Schools

The use of police to enforce school rules and punish students not only negatively impacts the arrested students, but is also detrimental to other students and the school climate, as well as costly to the state. It therefore ought to be of utmost concern that large numbers of children are being arrested in Connecticut schools each year, and further concerning that this occurs without any state-level oversight. While the use of arrests as a form of school discipline has declined somewhat from the 2008 high, 2,936 of Connecticut's children (0.5%) were arrested in school in 2011, with a total of 3,183 student arrests that year. Furthermore, the decreased prevalence of arrests likely results from positive spillover from school climate and discipline policy improvements over the same period that were not focused on arrest reduction but on reducing school suspensions. This suggests that such efforts can be successful and have far-reaching impacts, and also that further improvements are possible if initiatives focus more specifically on arrests and remaining problem areas.

Many Arrests Likely Avoidable

A sizeable portion of arrests resulted from school policy violations – behaviors that are probably not criminal, such as skipping class, insubordination, and using profanity – which are typically more effectively and appropriately handled at a classroom or school level. Another one-quarter of arrests came about due to behaviors that were at best questionably criminal, and in many cases could have been handled by the school. These questionably necessary arrests were the result of physical altercations without injuries, bullying, obscene behavior, and false fire alarms.

Disproportionate Minority Impact

Beyond the direct harms generated by this volume of arrests and the questionable appropriateness of a significant proportion of them, another important concern is the uneven distribution of these arrests among students. In particular, the children most likely to be arrested are those already on the disadvantaged side of the achievement gap. Students of color are much more likely to be arrested than white students, as are students identified as having special education needs compared to their non-disabled peers. Students attending schools in poor urban communities are more likely than those in suburban or rural towns to be arrested, as are children attending alternative and special education schools (as opposed to traditional, charter, or magnet schools).

High Variability Between Schools and Districts

Arrest rates vary tremendously between districts (even those with similar student and community characteristics), and between schools within the same district. A number of districts and schools with similar demographics and student populations have tenfold or greater differences in arrest rates, illustrating the extent to which student body and community demographics are not an insurmountable driver of arrests. The fact that children of the same age who live in the same town, but happen to attend 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. 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 – even without additional resources.

A small number of districts and schools produce a very large proportion of the state's student arrests. The ten districts with the largest numbers of arrests account for nearly half (1,464 or 46%) of all arrests. The ten schools with the greatest number of arrests made 23% of all arrests in the state, and half of all arrests

statewide came from only 36 schools. These schools and districts with large numbers of arrests and high arrest rates provide an opportunity to significantly reduce arrest rates through carefully targeted programs. However, districts with many arrests and above-average arrest rates exist throughout the state, not just in high poverty urban areas, highlighting the need for broad arrest reduction efforts across Connecticut in addition to more intensive efforts in the worst-performing communities.

Student Arrest Data Availability

A thorough understanding of school- and district-level student arrest data will be critical to any school climate reform effort. Improving the access, quality, and availability of data, while recognizing the importance of protecting student privacy, would allow local districts to more effectively address their areas of weakness and decrease their arrest rates. Sharing the data with community partners would allow them to be part of the solution.

VII. Solutions

A. Prevention and Intervention

Preventing delinquent behavior is always preferable to punishing it after the fact. Further, addressing delinquent behavior with the least restrictive level of confinement possible and treating the root causes of youth misbehavior are significantly more effective and less expensive than arresting and incarcerating youth. Extensive research from over three decades suggests that community-based programs that provide counseling, treatment, and rehabilitation without confinement are as effective as – and in many cases much more effective than – traditional corrections (incarceration and training schools) at reducing recidivism and improving community ties. In addition, they do so at much lower cost.⁵⁸

These general principles of least restrictive interventions, higher levels of support, involvement of families and communities, and addressing drivers of behaviors rather than punishing the behaviors, remain relevant when considering how to appropriately and effectively address student misbehavior and school arrests. For example, an in-school suspension is less restrictive than expulsion or arrest, and would typically be preferable as a punishment for lower-level misdemeanors.

The United States Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) suggests that preventive interventions that focus on identifying and remediating problematic behaviors and child delinquency as early as preschool will be the most outcome- and cost-effective, and far more so than after-the-fact remediation or punishment. As the OJJDP notes, studies have identified dozens of risk factors and red flags in a child’s life, from the prenatal period and infancy onward, that schools and communities can use to target and tailor interventions to prevent delinquency and improve outcomes for the children and their peers. OJJDP further identifies nine components of effective interventions, which include classroom and behavior management programs, cultural competence training, conflict resolution and violence prevention initiatives, bullying prevention, mentoring, connection to community services, and more.⁵⁹ Other research has identified specific programs and general approaches of evidence-based programs that successfully prevent criminal behavior through early intervention and behavior modification. These programs include pre- and post-natal home visiting programs, pre-school programs, school-based, community, and family programs for older children, K-12 school climate improvement, bullying reduction initiatives, substance abuse prevention programs, intense family therapy, and counseling.⁶⁰

In sum, the academic and policy consensus is clear. A child’s arrest usually suggests the systemic failure of many adults and institutions that ought to have been more responsive to the child and intervened prior to the child’s actions that precipitated the arrest. Rather than arresting and punishing young people, supervising adults should identify and mitigate risk factors as early as possible, address the causes of misbehavior preventatively (rather than punishing the behaviors afterward), and address anti-social youth behavior at the lowest level of exclusion possible.

⁵⁸ James Austin, Kelly Dedel Johnson, and Ronald Weitzer. “Alternatives to the Secure Detention and Confinement of Juvenile Offenders.” *Juvenile Justice Bulletin, Office of Juvenile Justice and Delinquency Prevention* (Sept. 2005), available at: <http://www.networkofcare.org/library/alternativestoyouthdetention.pdf>

⁵⁹ Rolf Loeber, David P. Farrington, and David Petechuk. “Child Delinquency: Early Intervention and Prevention,” *Child Delinquency Bulletin Series, Office of Juvenile Justice and Delinquency Prevention* (May 2003), available at: <https://www.ncjrs.gov/pdffiles1/ojjdp/186162.pdf>

⁶⁰ For a meta analysis of the effectiveness of general strategies and specific delinquency prevention programs, see, Peter Greenwood, “Prevention and Intervention Programs for Juvenile Offenders,” *The Future of Children* 18:2 (Fall 2008): 185-210, available at: http://futureofchildren.org/futureofchildren/publications/docs/18_02_09.pdf

B. What's Working in Connecticut Already

Several Connecticut groups, 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 (JJA), 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. These efforts have included:

- Convening regularly a wide breadth of stakeholders (including court, police, and school staff, service providers, advocates, and community members) to discuss the reality of local discipline and collectively craft more effective alternatives.
- Collecting data about student arrests.
- Creating Memoranda of Agreement clarifying responsibilities between police and school staff when police are regularly stationed in schools.
- Implementing school climate improvement initiatives, such as Positive Behavioral Interventions and Support (PBIS).
- Authoring graduated response discipline policies that enumerate clear and fair consequences for student misbehavior.
- Training police officers stationed in schools in adolescent development and effective conflict de-escalation strategies.
- Increasing the use of mental health and other community services, including Emergency Mobile Psychiatric Services, to address the root causes for student misbehavior.
- Expanding the use of trauma-informed practice and access to trauma-based services for young people.
- Drawing staff attention to the presence of racial and other disproportionality in school discipline and encouraging them to consider how race may be coloring their actions implicitly or explicitly and taking actions to counteract those effects.
- Promoting the use of Juvenile Review Boards (JRBs), Youth Service Bureau (YSB) programs, and other community diversionary alternatives to arrest for low-level offenses.

Connecticut Juvenile Justice Alliance Pilot Programs

These initiatives have seen dramatic results within a short period of time. Stamford, Manchester, and Windham participated in pilot projects with the Connecticut Juvenile Justice Alliance in the 2011-2012 and 2012-2013 school years. Arrest rates began to fall beginning the first month of program implementation, and school climate and security improved as well. In Manchester, arrests fell by over 60% from 2011 to 2012 and arrests were down by 34% during the same period in Windham. (Stamford's program has not been in the active phase long enough to measure its impact). These pilot programs shared key features, including the co-leadership of the initiative by a juvenile court judge, police chief, and superintendent; use of a memorandum of agreement (MOA) between police and schools following the JJAC model; a graduated response model that spells out the disciplinary consequences for particular behaviors; and increased use of alternatives to arrest such as Juvenile Review Boards, Substance Abuse Diversion Programs, and Attendance Review Boards.⁶¹

⁶¹ For more information about the CTJJA pilot programs, see, "Adult Decisions: Connecticut Rethinks Student Arrests," *Connecticut Juvenile Justice Alliance* (January 2013), available at: <http://www.ctjja.org/resources/pdf/CTJJA-AdultDecisions-WhitePaper.pdf>

Center for Children's Advocacy Disproportionate Minority Contact (DMC) Reduction Project

Hartford and Bridgeport have been working with the Center for Children's Advocacy (CCA) and the Center for Children's Law and Policy to reduce racial and ethnic disparities in youth interaction with the justice system. After reviewing the data and finding that a significant portion of the arrests came from the schools, leaders of this initiative focused resources and attention on schools with the highest numbers of arrests, trained school staff and law enforcement personnel, negotiated agreements between police and schools on handling of disciplinary incidents, and increased the use of Juvenile Review Boards (JRBs – see section C7 below) and other alternatives to arrest. Both communities saw dramatic results, with student arrests down 40% in Bridgeport and 78% in Hartford for the spring of 2012 over the same period the previous year.⁶²

Juvenile Justice Advisory Committee Model Memorandum of Agreement

The memoranda of agreement (MOA) that have been successful in the JJA and CCA pilot communities are based on a model developed by the Juvenile Justice Advisory Committee (JJAC). Since 2011, the JJAC has been encouraging districts to adopt an MOA between schools and police⁶³ by awarding competitive grants to districts implementing strategies to reduce student arrests⁶⁴ with a requirement that they have an MOA in place. The MOA not only delineates what situations should be handled by school staff instead of police, but also includes 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. One of the strengths of the JJAC model MOA is that it does not proscribe what communities must write in the MOA. Rather it provides a framework for the conversation and construction of a document that is responsive to local needs and resources. While the JJAC's funding has served as an incentive to encourage participation, funding is not necessary for schools and police to create a clear plan of action for dealing appropriately with students in schools. Districts can access a number of resources online, including the JJAC's model MOA,⁶⁵ to facilitate and expedite conversations.

Court Support Services Division Arrest Return Policy

The Court Support Services Division of the Judicial Department (CSSD), which handles juvenile arrests, has also been working to reduce student arrests by rejecting certain inappropriate arrests in schools and the community. Beginning in the spring of 2011, the Juvenile Probation Department of CSSD realized that referrals from schools were a growing problem and they had an ability within existing statutory authority to help reduce the problem. CSSD adopted a new policy whereby they review all police summons to determine if they were appropriate arrests. If the juvenile probation supervisors deem that court action would be inappropriate because the child is age 8 or less, was arrested for "behaviors that are in keeping with normal adolescent behavior," or met another of their criteria for minor offenses better adjudicated in the community, the arrest is returned to the local police for referral to a JRB or other alternative action.⁶⁶ This groundbreaking new policy has already helped keep hundreds of young people out of court and is working to change local practices. From the policy's inception in May 2011 through November 2012, 359 arrest referrals were returned, including 62 for "disruption/hat wearing/swearing in school," 81 for "fighting at

⁶²For more information about the CCA DMC reduction pilot projects in Bridgeport and Hartford, see, "Replicating the DMC Action Network Approach and Getting Results in Connecticut." *DMC E-News* (Oct/Nov 2012), available at: http://cclp.org/documents/DMC/DMC_eNews_032.pdf

⁶³See, "Juvenile Justice and Youth Development: Programs and Grants," Juvenile Justice Advisory Committee, Office of Policy and Management (June 21, 2011), available at: <http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=471720>

⁶⁴Districts receiving grants for 2011 and 2011/12 include: Ansonia, Hamden, Manchester, New Haven, Norwalk, Norwich, Regional School District 10 (Harwinton and Burlington), and Vernon. "School/Police Grant Awards 2011 and 2011/2012," Juvenile Justice Advisory Committee, Office of Policy and Management (June 2011), available at:

<http://www.ct.gov/opm/lib/opm/cjppd/cjijyd/programschoolpolice/schoolpolicegrantawards20112011-2012.doc>

⁶⁵"Model Memorandum of Agreement between Schools and Police," Juvenile Justice Advisory Committee, Office of Policy and Management (June 6, 2011), available at: http://www.ct.gov/opm/lib/opm/cjppd/cjijyd/programschoolpolice/moa_6-11.doc

⁶⁶See, William H. Carbone, "Juvenile Services Intake Procedures," *Court Support Services Division, Judicial Department, State of Connecticut* (Effective June 15, 2011). On file at CT Voices.

school, similar age, no injuries,” 8 for “skating/biking/loitering on school grounds,” and 170 for “normal adolescent behavior.”⁶⁷

CHDI School-Based Diversion Initiative

Since 2009, the Child Health and Development Institute of Connecticut (CHDI) has led a program called the School-Based Diversion Initiative in 13 middle and high schools across 7 districts. This initiative works to reduce suspensions, expulsions, and student arrests by training school staff to recognize symptoms of mental health problems and making them aware of community resources including Emergency Mobile Psychiatric Services (EMPS); working with the schools to create a graduated response model for behavioral interventions and creating data collection and analysis systems; and improving collaboration with other community stakeholders.⁶⁸ In the first year of the program, East Hartford Middle School reduced its student arrests by 69%, Wilcox Technical High School⁶⁹ reduced its arrests by 50%, and both schools simultaneously reduced in and out of school suspensions over the same period. School utilization of EMPS services increased across 12 of 14 schools during the period of intensive intervention, and the increased usage was sustained in 80% of schools that have completed their participation.⁷⁰

C. Action Steps

Early and holistic interventions can be highly effective at reducing the behaviors leading to arrest. Such interventions include promoting nurturing early childhood environments, access to quality preschool, full access to mental health care services without cost-, location-, language-, cultural competency- and stigma-based barriers, and stronger ties between youth, families, and schools. However, there are also more targeted actions that policymakers, advocates, and school staff can take to lower arrests in their districts. Across the state, local stakeholders have been coming together to reduce arrests and improve school climates by identifying policy and practice changes that reduce problematic behaviors and more appropriately and effectively address issues as they arise. By collecting and analyzing data, districts have been able to target specific areas of weakness and track the success of their initiatives. While state-level leadership can promote more widespread adoption of best practices and facilitate peer learning, there are a number of steps that local districts and schools can – and have already – taken to significantly reduce student arrests and improve outcomes for their children. Below, we present some of the key areas for action. Following those descriptions, we provide a chart summarizing how different stakeholders might work on each initiative.

1. Defining “Student Arrest”

A major challenge to data collection and arrest reduction policy initiatives is the lack of a clear definition for “student arrest.” State officials, either the legislature or the State Department of Education (SDE), should provide a uniform definition for all districts that clearly and explicitly addresses definitional questions such as whether reportable arrests include: a) arrests for incidents that occur off-grounds and off-hours at school-sponsored events, and b) referrals to police that are diverted prior to a court hearing (such as those sent to a JRB or returned under the CSSD review policy). Such definition should conform with the federal Department of Education Office for Civil Rights definition, which states, “a school-related arrest is an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including

⁶⁷ See, “Returned Referral Data, May 2011–November 25, 2012,” *Court Support Services Division, Judicial Department, State of Connecticut*. On file at CT Voices.

⁶⁸ For more information about CHDI’s School-Based Diversion Initiative, see their website: <http://www.chdi.org/ccep-initiatives.php?type=current#i18>

⁶⁹ Wilcox Technical High School, located in Meriden, is part of the Connecticut Technical High School System.

⁷⁰ See, “SBDI Fact Sheet,” *Child Health and Development Institute of Connecticut*, (March 2012), available at: <http://www.chdi.org/admin/uploads/481964649511518cbb0ac1.pdf>

while taking school transportation), or due to a referral by any school official.”⁷¹ Once such a definition has been established, local communities must educate their staff responsible for data collection and reporting about the scope of the definition and ensure that computer systems collecting data are properly aligned.

2. Data Collection and Utilization

School- and district-level student arrest data form the backbone of any reform effort. Hard numbers are critical to determining whether there are overall high numbers or rates of arrest; whether there is disproportionality for any sub-populations to address; what types of behaviors, times of day, grade levels, locations in the building, and other characteristics seem to be related to increased likelihood of arrest; and, trends in arrest rates over time. Such information can help districts identify areas of strength and weakness, allowing them to target resources and policy changes to specific issues in each school, and evaluate the impact of those changes over time. These data, when transparent and readily available online, also enable local advocates and SDE to provide proper oversight and accountability. With recent changes to federal data collection requirements, such data will also allow Connecticut to compare the performance of its schools with schools and districts across the country. The state should mandate that schools collect, report, and publicize data on student arrests.

While a clear and well-understood definition of student arrests is a key first step towards creating useful data, it is not sufficient. SDE must also review and audit reported numbers, particularly when cursory review would flag discrepancies or obvious outliers. Furthermore, districts must ensure internal processes that generate good data – for example, Manchester requires the presence of an administrator any time a student arrest occurs. In addition to serving as a safeguard against inappropriate arrest, this practice also enables the administration to be sure they know about all arrests and to record every arrest correctly in their data system.

Data are only useful to the extent that they are reviewed regularly and deployed to suggest directions for action and evaluate effectiveness of initiatives. Schools and districts should be encouraged not just to comply with mandatory reporting, but to actively and regularly analyze their data and integrate data collection and evaluation into student arrest reduction and school climate improvement plans. Schools should also work to identify and collect information required for continuous evaluation of new policies and procedures so they can review in real time the impact of those changes and make modifications as necessary.

3. Community Collaboratives and LISTS

Student arrests often stem from the limitations of what schools can address, whether it is familial problems leading to frequent truancy, unaddressed mental health needs causing misbehavior, or community violence brought into the classrooms. Many times, arrests can be avoided by timely referral to community services before or during an incident, but school staff or police may be unaware of their options. Community members are often the first to recognize growing arrest problems, yet they frequently have no forum to raise those concerns or offer their assistance and experience in crafting solutions. Community collaboratives and Local Interagency Services Teams (LISTs) provide a solution to these problems. Such groups of stakeholders typically include representatives from the schools, police, local government, social services organizations, Youth Services Bureaus, the juvenile court system, Juvenile Review Boards, the Department of Children and Families, mental health providers, advocates, family members, and other community members.

The groups meet regularly, in most cases monthly, to review youth-related community needs regarding mental health and/or juvenile justice. Some have chosen to specifically focus on student arrests, school

⁷¹ “2011-2012 Civil Rights Data Collection, Part 1 and Part 2: Definitions,” *United States Department of Education, Office for Civil Rights*, (expires Sept. 30, 2013).

discipline, and related items. They suggest town, school, and organizational policy changes, new or expanded programs, and other solutions. They review existing services and evaluate their effectiveness. Some also do intensive case management and brainstorming of resources to handle particularly difficult student or family situations. These groups have been valuable in several cities (including Hartford and Manchester, among others) in facilitating the writing of the MOAs between police and schools, the creation of a graduated response discipline policy, data collection, and identification of community resources, as well as implementation of community-specific programming and policies identified as needed to solve particular identified problems. One of their greatest benefits is often getting diverse representatives to the table to meet for the first time and learn about what challenges each faces and what resources each can provide; LISTs and community groups are a platform for collaboration and communication between all the key stakeholders. In many communities school representatives have learned about community-based programs or services they can refer their students to that they did not before know existed.

4. Model Arrest Reduction Initiatives and Peer Learning

Cities and towns across Connecticut are working on reducing student arrests and improving discipline systems – with strong results. The first step is deciding to make a concerted effort to reduce student arrests. After that, there are many resources to assist in achieving that goal. Districts embarking on a new initiative can learn from the techniques, models and materials that have a track record of success in other communities. Whether in the form of one police chief calling another to find out how to start the MOU process, or an administrator in charge of school climate calling his counterpart in another district for recommendations on Positive Behavioral Interventions and Supports (PBIS) implementation, peer-to-peer learning can be an incredibly powerful tool. The many districts involved in pilot projects mentioned in the previous section can serve as the first round of models for other areas.

SDE can foster these connections through hosting online platforms and in-person conferences and trainings that give individuals from different parts of the state and types of involvement with youth a chance to come together and share their knowledge. It can also fund the creation of resources documenting best practices from the current pilot projects and a “curriculum” for other towns to follow in their footsteps. SDE should also provide technical assistance and guidance to assist local communities just starting out.

5. Memoranda of Agreement Between Police and Schools

Extensive research into best practices for reducing school based arrests emphasizes the critical importance of clearly delineated responsibilities and expectations, negotiated in person and confirmed in writing, between schools and police. Districts should undertake this process through authoring Memoranda of Agreement (MOAs) governing roles and responsibilities of teachers, administrators, other schools staff, and police officers stationed in the schools or in the community who respond to school incidents. This MOA will help ensure that all parties have a shared understanding about what types of behaviors should be handled at the classroom, school, and police levels, and how they should respond to incidents. A key component of the MOA is a Graduated Response Model for behavioral management, which lays out sanctions for each infraction in a thoughtful progression such that students, parents, school staff, and police have a common understanding of the consequences and responses for student misbehavior and can consistently and fairly enforce school rules. These MOAs between schools and police and/or graduated response models have been a component of all the successful arrest reduction pilot projects. Towns seeking to create MOAs can utilize the model published by the JJAC⁷² with modifications and details based on their local needs and resources, as well as completed MOAs from similar communities.⁷³ Police and schools can each initiate the process, and often find it helpful to bring in other stakeholders to participate in the crafting

⁷² Available at: http://www.ct.gov/opm/lib/opm/cjppd/cjjyd/programschoolpolice/moa_6-11.doc

⁷³ Communities with MOAs include: Ansonia, Bridgeport, Hamden, Hartford, Manchester, New Haven, Norwalk, Norwich, Region 10 (Harwinton and Burlington), Stamford, Vernon, Windham, and Windsor.

of the documents. These meetings often have similar benefits to the community collaboratives in that they bring key people to the table and create a space for information sharing and relationship-building that often does not otherwise take place. State officials can encourage or require local communities to have MOAs in place when police are stationed in schools regularly, and to include discussions of day-to-day police/school interactions into newly mandated school safety planning processes.

6. Police and Educator Training

Proper training and selection of police who work regularly with youth in schools help ensure the officers are best prepared to appropriately and effectively respond to situations that arise. First, all officers working frequently with youth should *choose* those roles and be actively interested in the special responsibilities and opportunities that come with being a School Resource Officer (SRO) or officer with significant youth interaction (such as being the “officer on call” to respond to school issues when there is not a permanent SRO in the community). School placements should never be a punishment or “dumping ground” for officers who have been unsuccessful in other roles. Second, police departments should take advantage of opportunities for special training in adolescent brain development and how to understand, anticipate, and respond to youth behaviors in a culturally-competent and age-appropriate way. Police should understand how conscious or unconscious racial and ethnic biases may impact their own responses to youth, and how to handle youth with disabilities. The Juvenile Justice Advisory Committee (JJAC) of the Office of Policy and Management (OPM) has developed a free one day patrol officer training, “Effective Police Interactions with Youth,” which is offered multiple times a year and provides instruction in understanding and responding productively to adolescent behavior.⁷⁴ Another free and less intensive option that some communities have used is brief presentations by members of the local LISTs conducted at the police station that provides an overview of community resources like JRBs and Family Resource Centers that officers can use as an alternative to arrest when appropriate.

Although teachers have more training in youth development, only those who entered teacher education programs after July 1, 2012 are required to have had instruction in classroom and behavior management.⁷⁵ Teachers who began their teacher education programs before 2012 may not have participated in any behavior management or conflict de-escalation training. The lack of these skills is unfortunate because they help teachers more appropriately handle student misbehavior, prevent recurrent incidents, and halt the progression of minor infractions or conflicts into more serious situations in which an arrest may occur. Such trainings also confer many benefits beyond student arrest reduction, including improved learning climates for the whole class and reduced usage of other exclusionary discipline practices like suspension and expulsion. Classroom management techniques are already a part of many professional development curricula, and could be incorporated into existing professional development programs offered by districts to ensure that all teachers, not just the newest ones, have a chance to gain these important skills. The State Department of Education can assist by subsidizing those trainings and recommending trainings that incorporate best practices. Additionally, the JJAC has just completed development of a new training (similar to their offering for police officers) for school staff on how to interact effectively with police and students, with a focus on de-escalation and techniques for working with students in distress.⁷⁶ These JJAC trainings are free and offered several times each year.

⁷⁴ For more information about the OPM training, visit the Juvenile Justice Advisory Committee’s website on the topic at <http://www.ct.gov/opm/cwp/view.asp?A=2974&Q=383618>.

⁷⁵ See, Cari Carson, “Connecticut Takes Promising Steps Towards Enhancing Teacher Training in Classroom Management,” *Connecticut Voices for Children* (Revised April 2010), available at: <http://www.ctja.org/resources/pdf/CTVoices-Classroom-Mgmt-Apr2010.pdf>

⁷⁶ More information on the training can be found at: <http://www.ct.gov/opm/cwp/view.asp?a=2974&Q=507648>

7. Juvenile Review Boards

Juvenile Review Boards (JRBs) are locally-run groups that offer a diversionary alternative to the court system for youth who have committed minor delinquent acts or misdemeanors. JRBs work with youth and their parents to make restitution for harms caused by the youth and to address the root causes of the problematic behaviors. Required activities can include: individual and family counseling, community service, apology or other restorative justice for the victims, securing a job, participation in substance abuse treatment programs, and referral to community-based human services for additional support. Youth in approximately half of Connecticut's cities and towns have access to a JRB currently. In communities with JRBs, school staff and police should be made aware of the opportunity for referral in lieu of an arrest (or before behaviors escalate to that level). Also, communities can review their JRB's operating requirements and procedures to determine if there are barriers to youth participation that can be eliminated, such as bans on referral for second time low-level offenders, or inadequate staff or funding that limits the caseload. In communities without access to a JRB, local stakeholders can come together to create one, and the state should provide funding and technical assistance.

8. Access to Mental Health Services

Unaddressed mental health issues should not lead to arrests in school (or in the community). School staff and police must be trained on the availability of Emergency Mobile Psychiatric Services (EMPS) and how to use EMPS when children are in crisis as an alternative to arrest. Furthermore, adults who frequently interact with children and youth in school settings should be trained to recognize signs of mental illness, trauma exposure, and other mental health issues, whether they are presenting in acute crises or ongoing challenges. Most communities already have resource guides compiled by a Youth Services Bureau, United Way, or other community providers, or can create one through a 2-1-1 search. Such lists of community programs and resources should be distributed to teachers and parents so they know what options are available for their children and families. This document can help connect staff with extra supports outside the classroom for challenging behaviors and students with greater needs than the school is equipped to handle. Community providers and LISTs can work with schools to ensure that such inventories are up-to-date and reflect the full spectrum of resources available. If there are service gaps, long waits to access services, or other barriers to interventions, LISTs, community collaboratives, local governments, Youth Service Bureaus, relevant state agencies, and community members can offer solutions to help remedy the problem.

At the state level, the legislature can continue to push for true mental health parity in health care coverage and support efforts to prevent insurers from denying needed coverage. Furthermore, the state can help ensure all children and families who are eligible for HUSKY (Connecticut's Medicaid and CHIP programs) are enrolled (and stay enrolled) in such services, that all barriers to coverage are eliminated, and that provider networks are sufficient to ensure timely access to needed health, mental health, and substance abuse treatments. For children who have already entered the child welfare and juvenile justice systems, the Department of Children and Families (DCF) has a special responsibility to ensure they have full access to needed services regardless of how and why they entered DCF care. In particular, DCF should review its policy that prevents a youth with prior juvenile justice involvement from accessing voluntary (mental health) services.

9. Compliance with Truancy and Special Education Laws

Proper enforcement of special education and truancy laws and policies already on the books would also help reduce student arrests. Children should not end up in situations where they are being arrested in the classroom because of undiagnosed or untreated special education needs, or truancy. Schools are obligated by state and federal law to complete evaluations of children exhibiting academic failure or markers of disabilities that may be interfering with their learning.⁷⁷ Once a disability has been identified, schools must

⁷⁷ CGS §10-76ff

provide appropriate services to the child and family. Likewise, schools must convene a meeting with parents of truant students within ten days to construct a plan to ensure the youth attends school. If the youth and family do not engage with the school, the school should file a “Families with Service Needs” (FWSN) petition, but truancy itself is not grounds for student arrest.⁷⁸ When children have unaddressed learning disabilities or consistent attendance problems and the school has not stepped in before the behavior escalated, that is a failure of the school and the State Department of Education, which should be providing oversight. Districts and schools should ensure that administrators and their staff are educated about their responsibilities to intervene and aware of the procedures when problems arise, and have oversight mechanisms in place to verify that such steps are occurring. They should be holding timely truancy intervention and planning and placement team meetings (PPT) and involving parents in decision-making. The state should be actively monitoring compliance with special education and truancy laws, and working with districts to improve practices where problems are identified. Additionally, the state should provide training to court personnel on disabilities and special education needs to help ensure that judges and lawyers understand how these issues can impact a child’s behavior and can properly consider it when working with children who have been arrested.

10. Review of School Climate Plans and Bullying Policies

Responding to a growing focus on bullying and negative school climates, the state has required local districts to file annual safe school climate plans with SDE that include an explanation of how the district responds to incidents of bullying.⁷⁹ Some of the tactics undertaken, including implementing programs like Positive Behavioral Interventions and Supports (PBIS), restorative justice, and peer mediation, have excellent positive results in improving climates, reducing bullying, and reducing other types of student misbehavior without the use of harsh exclusionary discipline and police involvement. However, other ways that districts have tried to comply with these state policies – such as zero tolerance policies on bullying and harsh consequences for students who break school rules – can have many negative consequences, including greater use of arrest as a punishment. To help ensure that school climate plans and bullying rules are not leading to avoidable arrests, districts and schools can review and make any necessary changes to school climate plans to increase flexibility when responding to student misbehavior. Policies should be adopted that give teachers and administrators the latitude to address the individual needs of the students involved and the particularities of the case, while also laying out clear and fair sanctions for bullying and dangerous behaviors in conjunction with a graduation response policy (see paragraph 5 above for more information). Schools can also implement programs, such as PBIS, that proactively intervene with at-risk students and promote positive behaviors in addition to fairly punishing misbehavior.

In sum, there are *many* proven interventions that schools, districts, the State Department of Education, and state legislators can take to reduce student arrests. These solutions have positive benefits not only in reducing arrest rates, but also improving school climate, addressing student needs, involving parents and communities effectively, and targeting scarce resources to be optimally effective.

⁷⁸ CGS §10-198a

⁷⁹ CGS §10-222d

D. Recommendations

	State Legislature	State Department of Education (SDE)	School Districts and Individual Schools	Community Members and Parents
1. Defining “student arrest”	Legislatively define or require SDE to define “student arrest” to clarify and standardize location, time, and event type included.	Administratively define “student arrest.” Ensure that all schools are clear on the definition for data collection purposes.	Ensure all personnel understand and correctly apply the definition, particularly when inputting data and designing data collection mechanisms.	Ask your school administrators whether they have an official definition of student arrest. Urge them to adopt one if they do not.
2. Student arrest data collection	Make mandatory for all districts, with public disclosure and auditing.	Collect from districts, audit, and publish online.	Collect and analyze data with school staff and community stakeholders.	Request data from your board of education and administrators. Convene a group or work with your local LIST/community collaborative to analyze data and make recommendations.
3. Community Collaboratives /LISTs	Fund technical assistance through SDE to convene community stakeholder groups.	Provide technical assistance to local collaboratives including meeting facilitation, connections with other communities, and access to materials and trainings based on successful models.	Participate in your local collaborative or LIST, or help convene one if a group does not already exist. Set up regular meetings to review data and suggest new practices.	Participate in your local collaborative or LIST, or help convene one if a group does not already exist. Set up regular meetings to review data and suggest new practices.
4. Arrest Reduction Initiatives and Peer Learning	Fund technical assistance for districts to implement effective arrest reduction programs.	Provide TA to districts with a focus on models that have worked in the state. Create opportunities for in-person and online peer learning and materials sharing between districts.	Reach out to other districts that have been successful in their arrest reduction efforts to ask for materials and help.	Locate community members from other districts that have been successful and learn from them. Ask them to share materials and advice.
5. MOAs Between Schools and Police	Legislatively require all districts to enact MOAs with graduated response discipline policies.	Administratively require all districts to enact MOAs. Provide models for districts based on best practices and successful Connecticut initiatives.	Work with police to initiate if not already written. Review graduated response discipline policy for alignment with best practices.	Ask district administrators to initiate the MOA process if one is not already in place. Request a copy of your district’s graduated response discipline policy and compare it to best practice models.
6. Police and Educator	Provide funding to facilitate attendance at the JJAC trainings in youth	Connect police and schools with existing training opportunities and materials.	Ask your local police department to send any officers interacting regularly	Make sure your local police department and schools know about the free training

	State Legislature	State Department of Education (SDE)	School Districts and Individual Schools	Community Members and Parents
Training	development for educators and police.		with youth to the JJAC training and facilitate training for school staff.	opportunities and encourage them to send staff who work with youth.
7. Juvenile Review Boards	Fund establishment and expansion of JRBs into areas without them.	Provide guidance to districts alerting them to the presence and role of JRBs.	Push for local creation of JRB if none currently. Ensure staff know about JRBs and are using them if available.	Push for local creation of JRB if none currently. Determine community-specific needs, such as missing programs for certain kinds of offenders.
8. Access to Mental Health Services	Help ensure the enforcement of mental health parity in health care coverage and ensure that young people are enrolled in any state coverage for which they are eligible. Fund more school-based health clinics that provide comprehensive mental health services.	Provide materials to districts on mental health resources, recognizing the signs of mental health problems, and where to turn for help with students in crisis or with ongoing issues. Ensure that all districts are training staff to call EMPS and 211 rather than the police for mental health issues.	Train school personnel to recognize and respond to signs of mental health issues in children. Compile and provide to all staff information about local mental health, EMPS, and other resources to address students in crisis and with ongoing unmet needs.	Check with your schools to see if they know what resources are available in the community and offer to compile a list if there isn't one. Ask whether staff are receiving mental health and trauma-response training, and encourage the district to provide such programs.
9. Truancy and Special Education Services	Increase reimbursement to fully cover local special education costs, reducing any disincentive for diagnosis and service provision. Require SDE to audit compliance with state truancy and special education identification laws.	Audit local districts to ensure compliance with state laws on special education evaluations and truancy interventions. Make truancy data publicly available.	Provide central office oversight to ensure adequate diagnosis and intervention for students with learning disabilities, behavioral problems, and frequent absences. Make sure all staff know their responsibilities to report and intervene.	Create resources to inform parents and activists about state and federal special education and truancy laws and your rights. Ask your school district to provide evidence of timely meetings with parents of truant students and referrals to special education evaluations.
10. Integrating Arrest Reduction with School Climate Plans and Bullying Policies	Consider amendments to the bullying statutes to provide more flexibility for districts to manage bullying incidents.	Add arrest reduction to the school climate plans districts must file. Review bullying policies to ensure flexibility in handling incidents.	Consider adding arrest reduction to the school climate plans. Assess whether application of bullying policies is contributing to arrest and propose changes if necessary.	Ask for a copy of your district's school climate and bullying policies. Determine whether they call for police involvement that could be avoided. Ask for student arrest reduction to be included in the plan.

Appendix A: Sources of Arrest Data and Technical Notes on Data Analysis

A. Technical Aspects of the Data

Reporting Requirements

Unless otherwise noted, the discipline data in this report come from ED166 – the State Department of Education (SDE)’s Student Disciplinary Offense Data Collection system. Local districts are required to collect and report annually to SDE information related to all incidents resulting in bus suspension, in-school suspension, out-of-school suspension, or expulsion, those classified as “serious,”⁸⁰ and those involving alcohol, drugs, or weapons regardless of sanction.⁸¹ SDE uses this data to satisfy various federal mandates and reporting requirements, including the Individuals with Disabilities Education Act (IDEA), the Safe and Drug Free School Report, the Gun Free Report, the No Child Left Behind: Unsafe School Choice Option, and special education reporting.

Source and Type of Data

Information collected for ED166 pursuant to each incident includes: the student’s State Assigned Student Identifier (SASID), the date of the incident, the type of incident, the name of the school district and school reporting the incident, the type and length of sanction resulting from the incident, and whether the student was arrested.⁸² The SASID is then used to pull the student’s date of birth, gender, grade, ethnicity, and race.⁸³ Connecticut Voices for Children obtained the data files through a direct request to SDE.⁸⁴

Incident Counts and Relative Rate Calculations

Arrest information is collected through the ED166 only subsequent to reporting on other school sanctions, not reported separately for each student. Schools are not required to document or report to SDE on incidents of arrests, but if the school is already filing out a discipline form because the student received a high level sanction or was engaged in one of a specific set of serious behaviors that triggers the filing of a disciplinary report, then school officials must complete the check box on the form that indicates whether the student was arrested as a result of his actions. Because arrests are not directly documented, it is difficult to get unduplicated counts of the number of students arrested each year with detailed demographic and location information. At the request of CT Voices, SDE provided an unduplicated count of all students arrested statewide, but counts were not available at the district level or with student demographic details. Therefore, all the arrest data presented in this report, except where explicitly noted in Section IIA, are incidents counts (the number of student arrests in a given year) not the number of students arrested at some point in the year. However, given the small magnitude of the difference between the number of arrests and number of students arrested (less than 8%), it is reasonable to assume that in most cases, the number of arrests made is very close to the number of students arrested.

In order to compare arrest rates between populations of different sizes, this report utilizes relative rates: the number of arrests per 1,000 children enrolled in the school or district in a given category (gender,

⁸⁰ For SDE’s guidance to districts on what constitutes “serious” incidents, see, “ED166 Serious Incidents,” *Connecticut State Department of Education* (Oct. 20, 2010), available at: <http://www.csde.state.ct.us/public/ed166/docs/SeriousIncidents.pdf>

⁸¹ See guidance on the “ED 166 Print Form,” *Connecticut State Department of Education*, (Sept. 2011), available at: <http://www.csde.state.ct.us/public/ed166/docs/ED166printform.pdf>

⁸² See, “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” *Connecticut State Department of Education*, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf [Arrested – Report whether or not the student was arrested (“Y” – Yes, “N” – No), regardless of whether the student was on or off school property at the time of arrest. This field is mandatory.]

⁸³ See, “ED 166 Print Form,” *Connecticut State Department of Education*, (Sept. 2011), available at: <http://www.csde.state.ct.us/public/ed166/docs/ED166printform.pdf>

⁸⁴ Historical data for 2006-2007 through 2009-2010 school years was obtained on December 22, 2011 (on file at CT Voices). A final 2010-2011 school year file was obtained on August 17, 2012.

race/ethnicity, special education, etc.). These rates are calculated by taking the number of arrests of students in the category in a year divided by the number of children enrolled in that category multiplied by 1,000. For example, if there were 500 female students in ABC High School and 12 female students arrested, that would yield a rate of 24 arrests per 1,000 female students. [Note: the relative rates are not the percent of students arrested, but rather the number of arrests per 1,000 students, which could be the result of multiple arrests for the same student or a single arrest for a number of students.] The enrollment data used in calculating rates come from SDE as a result of a request by CT Voices.

While the use of relative rates creates the ability to more fairly compare arrest incidence across districts and populations of different sizes, it also has some drawbacks. In particular, this method artificially inflates the rankings of districts that contain only schools with older children (middle and high or just high schools) because older children are much more likely to be arrested than elementary or preschool children. Furthermore, this method creates “districts” that include only one school, sometimes alternative or special schools with very small numbers of children and high concentrations of at-risk children. In these cases, the small size of the denominator creates arrest rates that appear very high but actually reflect only a small number of arrests, possibly related to only one or two students/incidents. Therefore relative rate comparisons between small districts or populations within districts and larger ones may not be reliable measures of differences in policies and behaviors.

Student Confidentiality

To maintain the confidentiality of student data, CT Voices followed SDE procedure, which requires the suppression of incident counts for any group containing five or fewer students. In our appendices, these figures and those derived from them (such as relative rates) are replaced with a double star. However, those incidents are included in totals for larger groups of which the small subpopulations are a part, so long as the larger group contains more than five students and reported totals within non-suppressed categories do not allow the calculation of the number of incidents in the suppressed category.

For example, a school district with four students in special education would have the number of arrests and relative rate of arrests for students in special education replaced with a star. That district would report the total arrests of students and the breakdown of those arrests by gender and race (so long as those categories were large enough), but would have the number of arrests of students in regular education replaced with a star so as not to reveal by subtraction the suppressed special education figures.

Data on Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, and multi-racial students are not presented at the DRG or town level because of the small sample size in a number of districts which creates confidentiality and statistical significance concerns. These figures are presented for the state overall.

Student Race/Ethnicity

Starting in the 2010-2011 school year, SDE modified the racial and ethnic groups they use to categorize students in order to comply with new federal guidelines. These changes resulted in a split in the category of “Asian and Pacific Islander” to form two separate groups – Asian and Native Hawaiian/Pacific Islander – and the establishment of a category for students of “two or more races.” Additionally, data on students’ race and ethnicity began to be collected through parents’ self-report in response to two separate questions rather than one question that asked them to identify a single race or ethnicity. In the new model, the first question asks whether the student is Hispanic/Latino. The second asks parents to select all applicable races from (a) American Indian or Alaskan Native, (b) Asian, (c) Black or African American, (d) Native Hawaiian or Other Pacific Islander, and (e) White.⁸⁵ In order to not to double count students when the data is presented with only one category for race/ethnicity, if a student identifies as Hispanic/Latino, he is counted as such

⁸⁵ See, Mark McQuillan, “New Student Race/Ethnicity Reporting Requirements,” *Connecticut State Department of Education* (June 1, 2009), available at: <http://www.sde.ct.gov/sde/lib/sde/pdf/circ/circ08-09/C14.pdf>

regardless of what race(s) he also selects. If a student does not identify as Hispanic/Latino, he is considered to be of the race he selects unless he selects multiple races, in which he is placed into the category of “two or more races.”⁸⁶ This change in definition of racial and ethnic categories and changes in the demographic makeup of Connecticut’s public school students make historical trend analysis of the number of arrests by race/ethnicity unreliable.

Incident Type

Data on the reasons for student arrests come from the school’s report of the student behavior as noted on the ED166 form. If there were multiple infractions leading to the arrest, the school is instructed to report only the most serious one. For example, a student who was in a fight and using profanity would only be reported for involvement in the fight.⁸⁷ Schools must select a description of the incident from among a set of prescribed sub categories such as “disorderly conduct,” “skipping class,” and “throwing objects.”⁸⁸ Our statewide data include all of the different description options reported by schools. In order to report on general types of behavior rather than over one hundred specific activities, some charts in the report aggregate many of the smaller sub categories into ten larger ones following the major incident categories defined by SDE.⁸⁹ A full list of incident sub categories, corresponding major categories, and definitions of each sub category is available in Appendix C with information copied directly from the ED166 forms.

Because the ED166 offense categories are reported by the school rather than law enforcement officials, they do not correspond directly with the crime for which the student is actually arrested. For example, a student who is reported as having been arrested for engaging in “Physical/Verbal Confrontation or Conduct Unbecoming” would have had to be charged with an actual crime like breach of peace, disorderly conduct, or creating a public disturbance, given that “conduct unbecoming” is not illegal.

Using the detailed descriptions of what each behavior entails,⁹⁰ we categorized the behaviors for which students were arrested into four groups – Likely Avoidable, Questionably Necessary, Reasonable, and Mandatory – based on whether the behavior resulted in an injury (and severity of that injury), whether there was destruction of property (and level of destruction), the apparent intention to cause harm, and the extent to which the behavior was a criminal act. Under these criteria, we categorized as “mandatory” those arrests for drugs, alcohol, and weapons, and assaults for which school districts are required by law to refer students to law enforcement. Reasonable arrests were those that caused injury, serious risk of injury, or significant destruction of property, and appeared to be criminal acts, but were not mandatory referrals to law

⁸⁶ See Mark McQuillan, “New Student Race/Ethnicity Reporting Requirements,” *Connecticut State Department of Education* (June 1, 2009) (available at <http://www.sde.ct.gov/sde/lib/sde/pdf/circ/circ08-09/C14.pdf>). See also, “Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education,” *United States Department of Education* (October 19, 2007) (available at <http://www2.ed.gov/legislation/FedRegister/other/2007-4/101907c.html>).

⁸⁷ See, “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” *Connecticut State Department of Education*, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf [“For each occurrence, report the most serious incident. If a student has one occurrence and multiple incident types he/she would have only one record reporting the most serious incident.”]

⁸⁸ See, “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” *Connecticut State Department of Education*, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf

⁸⁹ Major categories are: Drugs; Fighting/Battery; Personally Threatening Behavior; Physical/Verbal Confrontation/Conduct Unbecoming; Property Damage; School Policy Violations; Sexually Related Behavior; Theft/Theft Related Behaviors; Violent Crimes Against Persons; and Weapons. These categories were defined and aggregated by SDE.

⁹⁰ For the descriptions of each offense type, as provided by SDE to districts, see, Appendix C. Incident Types and Definitions, which is a reproduction of the data in Table C in “2010-2011 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” *Connecticut State Department of Education*, (Updated Jan. 26, 2010), available at: http://www.csde.state.ct.us/public/ed166/docs/archive/2010-2011_ED166_RecordLayout.pdf

enforcement.⁹¹ Questionably necessary arrests were those for categories of conduct that could, under some circumstances, be reasonable referrals to police, but under most circumstances would not be, and did not include any level of injury or destruction of property. For example, within the 377 incidents of physical altercation (which by definition requires that no student be injured), many were likely students shoving another student into a locker or kids pushing in the halls, but a few incidents could have been more serious and risen legitimately to the level of a breach of peace or other crime. Likely avoidable arrests were those for behaviors that were clearly below the level of criminal behavior (though it is possible that the situation had escalated to the level of the crime by the time the police became involved). These incidents were those that had no clear criminal charge associated with them, no injury or even risk of injury, and no, even minor, destruction of property.

These categories are meant to help create a picture of the level of seriousness of student behaviors leading to arrest and the number of arrests stemming from the exercise of school personnel discretion in referring to police as compared to mandatory or necessary referrals. It is not meant to suggest that every arrest in the “reasonable” category was unavoidable with better staff de-escalation or intervention or possibly better handled at the school level, nor that every arrest in the “likely avoidable” category was baseless and inappropriate. Rather, the labels reflect our best interpretation (based on the limited available descriptions of what happened) of whether the preponderance of incidents of that type would properly rise to a level necessitating arrest of the child or not.

District Reference Groups (DRGs)

Connecticut’s State Department of Education categorizes school districts into “District Reference Groups” (DRGs). Districts are grouped together on the basis of median family income, parental education, parental occupation, family structure, percentage of children receiving free or reduced-price meals, percentage of children whose families speak a language other than English at home, and the number of students enrolled within the district.⁹² Districts are classified into DRGs A through I, where districts in DRG “A” contain students generally living in families with the highest socioeconomic status indicators, while districts in DRG “I” contain students living in families with generally the lowest socioeconomic status indicators. DRGs are not linearly correlated with wealth as some are distinguished from their neighboring categories due to population density or other factors. For example, DRGs C and E are characterized by particularly small enrollment (location in a rural community). We use DRGs to indicate relative peer districts, and as a partial proxy for district socio-economic status.

Not all schools are included in DRGs. Most charter schools,⁹³ schools in the Connecticut Technical High School System, and a number of special school districts - such as Area Cooperative Educational Services (ACES) and Capitol Region Education Council (CREC) - do not have assigned DRGs and were therefore excluded from calculations at the DRG level and are noted as “special,” “charter,” or “other” districts. DRG arrest rates were calculated by taking the number of arrests reported by schools in the DRG divided by the number of students enrolled in DRG schools.

⁹¹ Because we cannot determine whether assault/battery-related arrests were for incidents involving school staff (in which case the referral to police would be mandatory if the staff member filed a report with the principal) or involving other students (in which case the referral would not be mandatory), we have categorized those 258 arrests as “Mandatory/Reasonable.”

⁹² See, “District Reference Groups, 2006” *Bureau of Research, Evaluation, and Student Assessment, Connecticut State Department of Education*, (June 2006), available at: http://sdeportal.ct.gov/Cedar/Files/Pdf/Reports/db_drg_06_2006.pdf. For more information refer to, P. Canny, “District Reference Groups (DRGs) Formerly Educational Reference Groups (ERGs),” *Connecticut Voices for Children* (June 2006), available at: <http://www.ctvoices.org/sites/default/files/ece06drgerg.pdf>

⁹³ The Gilbert School, Woodstock Academy, and Norwich Free Academy are assigned DRGs separately from the towns in which they are located but do have associated DRGs and were therefore included in DRG calculations. See, “District Reference Groups, 2006” *Bureau of Research, Evaluation, and Student Assessment, Connecticut State Department of Education*, (June 2006), available at: http://sdeportal.ct.gov/Cedar/Files/Pdf/Reports/db_drg_06_2006.pdf.

B. Defining “Student/School Arrests”

In this report, we use the terms “student arrest” and “school arrest” interchangeably as we are only counting school-based arrests of students (as opposed to arrests in the school of visitors or adult staff). Generally, “arrest” is assumed to mean taking an individual into custody in order to bring them before a court on charges of violating the law. In practice, this means that for most low-level offenses, youth are issued tickets or summons at the location of the offense then released with a requirement to appear in court at a future date. Rarely, youth are actually taken from the school building to the police station in the course of the arrest. In addition to the choice to issue a summons and release the youth, or to remove him from the school building, police and judicial department staff face several other decision points before and after an arrest. For juveniles in Connecticut, there are a number of steps between the referral to police and an appearance in court that fall into a gray area between “no intervention” and “arrest” – both legally and in terms of harm for a young person. The largest of these are: (1) police involvement without the child being officially taken into custody, (2) an arrest that is diverted to a Juvenile Review Board instead of going to court, and (3) an arrest that is rejected by the juvenile court as inappropriate.

Referrals to Police

Using his or her discretion, a police officer called in by school personnel to handle an out-of-hand situation may take a student aside or even move the child to a new location to have a serious conversation, but ultimately decline to arrest that child. In this case, there is police involvement and escalation of the situation beyond the classroom and school staff level, but without any entrance of the child into the justice system. The child may experience some of the lower-level harms like loss of learning time, alienation from the school and its staff, and lack of acknowledgment or treatment of underlying sources of misbehavior. However, the child would avoid many of the more serious consequences of arrest, such as the trauma of appearing before the court and the establishment of a criminal record. *Because of the limited harm it inflicts, the lack of direct involvement with the justice system, and because it is unlikely to be reported by schools on the ED 166 as an arrest, for the purposes of this report, this type of “referral to police” without an arrest is not included in our definition of arrest.*

Juvenile Review Boards

Juvenile Review Boards (JRBs) are locally-run groups that offer a diversionary alternative to the court system for youth under 18 who have committed minor delinquent acts or misdemeanors.⁹⁴ A criminal case may be referred to the JRB by the police instead of pursuing a judicial handling of a case.⁹⁵ The youth’s participation in the JRB process is voluntary (but if they do not participate, their cases will go before the court). The boards do not determine guilt or innocence; in order to participate, the youth must admit responsibility. The membership of the JRB usually includes community members, police, and representative of the public schools, the local Youth Services Bureau (YSB), the Department of Children and Families (DCF) and the Court Support Services Division (CSSD) of the Judicial Department (which oversees detention and probation).⁹⁶ The JRB hears the facts of the case and works with the youth and his or her parents to establish a set of required diversion activities such as community service, apology or other sorts of restorative justice for the victims, securing a job, participating in counseling, and referral to community-based human services for additional support.⁹⁷ Through successful participation in the JRB process and

⁹⁴ See, Saul Spigel, “Youth in Crisis Law and Juvenile Review Boards,” *OLR Research Report* (Dec. 27, 2004), available at: <http://www.cga.ct.gov/2004/rpt/2004-r-0941.htm>

⁹⁵ JRBs also handle non-criminal activities such as school truancy and out of control youth referred by schools and parents, as well as youth for whom a Youth in Crisis (YIC) or Families with Service Needs (FWSN) petition has been filed.

⁹⁶ See, “An Examination of Youth Service Bureaus and Juvenile Review Boards,” *Connecticut Youth Services Association* (Dec. 2011), available at: http://ctyouthservices.org/documents/JJPOCC_Presentation_2012.pdf, 13-14

⁹⁷ See, “The Connecticut Juvenile Justice System: A Guide for Youth and Families,” *Connecticut Center for Effective Practice*, available at: <http://www.chdi.org/juvenilejusticeguide>. See also, “An Examination of Youth Service Bureaus and Juvenile Review Boards,” *Connecticut Youth Services Association* (Dec. 2011), available at: http://ctyouthservices.org/documents/JJPOCC_Presentation_2012.pdf, 14.

completion of required actions, the youth avoids having a juvenile record created. If he or she does not follow through with the mandated activities, then the case can be referred to the court for judicial handling.

Not all towns have a JRB; there were approximately 61 JRBs operating in December of 2011, serving nearly 80 communities.⁹⁸ Youth are only able to participate in the JRB diversion process if they live in a community with a JRB. Many JRBs only accept first-time offenders, but some allow youth who have committed previous offenses to participate under certain conditions.

JRBs can be highly effective in connecting children and their families with needed interventions and resources in the community without getting a young person involved in the juvenile or adult justice system. It also avoids many of the harms that come from an arrest that goes to court, and – even more so – those that result in detention, such as the establishment of a juvenile or adult court record,⁹⁹ the traumas of appearing before court multiple times and being held in a secure facility, and the loss of court involvement as a threat against future misbehavior.

However, in many communities, involvement with a JRB precludes future diversion to that JRB, making a second misdemeanor an automatic court appearance. Therefore, an arrest leading to JRB diversion is still a “strike” and an action that can have a significant impact on a young person’s future. Furthermore, having an effective JRB should not obviate the responsibility for schools and communities to provide services to children and families prior to delinquent or criminal behavior and an arrest; a good JRB does not make discretionary or likely inappropriate arrests “okay.” Finally, when a school is reporting whether an incident results in an arrest, they can have no way of knowing if a student who is arrested (i.e. taken off school property in handcuffs by a police officer who has the stated intention of arresting the student) will ultimately be actually arrested (booked by the police officer, given a court file, and forced to appear in court) or diverted to a JRB by the police (possibly many days after the incident and apparent arrest). Therefore, schools are likely to report on the ED 166 as arrests incidents that later get diverted. *Because we use the schools’ reports of whether an arrest took place, our data likely include in “arrests” those police involvements ultimately resolved in a JRB, though we cannot know for sure whether this is the case.*

Court Support Services Division Arrest Return Policy

Beginning June 15, 2011, the Juvenile Probation Department of CSSD adopted a new policy utilizing pre-existing statutory authority whereby they review all police summons to determine if they were appropriate arrests. If the juvenile probation supervisors determine that court action would be inappropriate because the child is age 8 or less, was arrested for “behaviors that are in keeping with normal adolescent behavior,” or met another of their criteria for minor offenses better adjudicated in the community,¹⁰⁰ the arrest is returned to the local police for referral to a JRB or other alternative action.¹⁰¹

⁹⁸ Almost all the JRBs are supported financially and/or administratively through local YSBs, some of which serve multiple towns. For the location of JRBs and the communities they serve, see, “An Examination of Youth Service Bureaus and Juvenile Review Boards,” *Connecticut Youth Services Association* (Dec. 2011), available at: http://ctyouthservices.org/documents/JJPOCC_Presentation_2012.pdf, pg 9-11. The 2011 survey of YSBs found 57 YSBs reporting they had an active JRB. Survey results from previous years identified 4 more communities with JRBs that had not responded to the most recent poll whose websites suggested their JRBs were still operational, for a total of at least 61 JRBs in the state.

⁹⁹ JRBs offer diversion options for youth up to age 18, though youth aged 16 were treated as adults by the court until July 1, 2011, and youth aged 17 were moved into the juvenile court system on July 1, 2012. Currently, youth under 18 are treated as juveniles except for the highest level felony offenses, for which they are automatically transferred to adult court (offenses that would not be subject to JRB diversion anyway).

¹⁰⁰ For the criteria for determining whether to return an arrest, see, “Attachment A: Criteria for Summons Requiring No Further Action,” in William H. Carbone, “Juvenile Services Intake Procedures,” *Court Support Services Division, Judicial Department, State of Connecticut* (Effective June 15, 2011). On file at CT Voices.

¹⁰¹ See, William H. Carbone, “Juvenile Services Intake Procedures,” *Court Support Services Division, Judicial Department, State of Connecticut* (Effective June 15, 2011). On file at CT Voices.

Going forward, this policy may have a significant impact on the total number of arrests reaching the court.¹⁰² However, the period of time covered by this report is entirely prior to the new policy's implementation. Thus inappropriate arrests that might today be returned by CSSD were not during the period in which our data were collected, and therefore *the policy has no impact on our data*, though it would have impact on future data and historical comparisons in the out years.

“Arrest” Defined

From a public policy standpoint, the definition of school arrest ought to consider the harms to children from the various levels of involvement in the justice system, and the ability of school staff and police to de-escalate conflicts and intervene in a way that reserves system involvement only for those children who need it. Therefore, we believe that school arrests ought to include those arrests stemming from incidents occurring on school property during the school day or at school-sponsored activities taking place on or off school property, regardless of where and when the arrest takes place. However, because the state has no clear definition of school arrest nor a data system comprehensively collecting information about all arrests, this report is limited to reporting on the imperfect data that do exist.

Through the ED166 forms, SDE requires the schools to report if a serious school incident resulted in arrest, whether or not that arrest took place on school property.¹⁰³ *For the purpose of this report, “arrests” includes all incidents reported by the schools through the ED166 in which it was indicated that the incident resulted in arrest of the student.* This method of counting is likely somewhat over- and under-inclusive of actual school arrests, as discussed below, but is the only comprehensive data available on school arrests in Connecticut at this time.¹⁰⁴

C. Data Limitations

Though the ED 166 provides the best currently-available count of school-based arrests, it is an imperfect measure of those who ended up in court and with a criminal record. As noted above, the data rely on a count of the ED 166 incident report field where the school official filling out the form is required to indicate whether the incident resulted in an arrest.¹⁰⁵ The school's report may be inaccurate because in some cases the school will not know whether a student was in fact arrested. For example, a student taken out of the building in handcuffs could be taken to the police station but the officer might ultimately decide not to arrest the student, or the student might be arrested but later diverted to a JRB. In this case, the ED166 data would overestimate those students who were formally charged and appeared in court.

¹⁰² CSSD is monitoring the impact of the policy and keeping records of all arrests returned to the police under it.

¹⁰³ See, Connecticut State Department of Education, “2012-2013 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” (September 15, 2011), available at: http://www.csde.state.ct.us/public/ed166/docs/2012-2013_ED166_RecordLayout.pdf [See ED166 field: Arrested – Report whether or not the student was arrested (“Y” – Yes, “N” – No), regardless of whether the student was on or off school property at the time of arrest. MANDATORY FIELD”]

¹⁰⁴ The Office for Civil Rights at the US Department of Education conducts a biennial survey of schools that was expanded in 2009 to include a count of student arrests and referrals to law enforcement. However, the data collection does not include all districts and is only collected every other year. See, “Civil Rights Data Collection: Frequently Asked Questions” *Office for Civil Rights, US Department of Education*, (2012), available at: <http://ocrdata.ed.gov/Downloads/CRDCFAQs.docx>. For the 2011-2012 school year, CSSD conducted a voluntary hand count of school-based arrests that received court files (ie were not deferred to JRBs or returned under the new policy). This data was not available at the time of publication, but may be included in future reports.

¹⁰⁵ See, Connecticut State Department of Education, “2012-2013 ED166 Disciplinary Offense Data Submission Data Collections Record Layout,” (September 9, 2013), available at: http://www.csde.state.ct.us/public/ed166/docs/2012-2013_ED166_RecordLayout.pdf [See ED166 field: Arrested – Report whether or not the student was arrested (“Y” – Yes, “N” – No), regardless of whether the student was on or off school property at the time of arrest. MANDATORY FIELD”]

Based on SDE's guidance for completing the ED166, schools should include those arrests stemming from incidents for which students were sanctioned in school, which could include incidents that took place out of school if the student received a school sanction for them (which is allowed if the out of school incident is considered seriously disruptive of the school environment). For example, if a student were arrested on a Sunday for possession of marijuana and received an in-school suspension after the school was notified of the arrest, the school would fill out the ED166 to indicate that the student was suspended and arrested for a marijuana incident, though arrest was not the result of an incident that took place in the school. The inclusion of this type of arrest can overstate the number of arrests stemming from incidents occurring in school or at events under the supervision of school personnel. ED166 data should not include arrests that take place in school for incidents that occur in the community but did not result in a school sanction. This correctly excludes arrests over which schools had no control. However, this un-reported set of arrests can be problematic if police routinely go to schools to arrest kids for community incidents because it can discourage kids from attending school.

Using the ED166 to count school arrests also underestimates arrests because it only includes those arrests for which a form was filed. In the – albeit unlikely – event that a school arrest resulted from an incident not considered serious enough or resulting in a high enough level of sanction to have a report filed, it would not be counted. Also, the school is supposed to indicate that an arrest occurred even if the arrest took place off of school property, but in some cases school personnel may not know that a student was subsequently arrested outside of school for an incident that took place in school, and therefore may not correctly complete the field.

Another significant source of error stems from confusion on the part of school personnel about how to properly complete the form. Because the police are only required to send a written report to the school of felony and class A misdemeanor arrests, some school districts may only be checking off the “arrest” box on the form for those high-level arrests, not all arrests that occur. Anecdotal evidence suggests that this may produce as much as a three or four fold undercount of arrests. This confidentiality law help ensures that students are not doubly punished by receiving school sanctions or having a “target” placed on their backs in school for unrelated minor out-of-school arrests, which is why we do not advocate changing the laws governing police disclosure of arrests to schools. However, there are other ways to achieve the necessary data sharing to ensure accurate student arrest counts. For example, some districts have implemented policies whereby school administrators must be present every time a student arrest occurs, which ensures that the school is aware of all arrests and can correctly count them, and also provides an additional safeguard against inappropriate arrests.

Finally, data problems at the State Department of Education may also contribute to inaccuracies. Over the course of work on this report, Connecticut Voices for Children was given multiple data files that contained errors such as hundreds of suspensions, expulsions, and arrests listed for students in grades not served by the schools in which the data file indicated the students were enrolled. Eventually, Connecticut Voices obtained a data file without the grade-level errors, but which also changed the numbers and demographic information of many other arrested students whose grade levels had not been affected. The lack of a clear explanation for the source of the original error or the discrepancies in the corrected files calls into question what other errors may exist, undetected and undetectable from outside SDE. Without audit procedures of either the district-provided data or SDE's internal processing of that data, it is impossible to know the veracity of reported data.

Appendix B: Data Tables

Figure B1. Arrest Numbers and Rates by District, 2011

District Name	Enrollment	Number of Arrests	Arrests/Thousand Kids
Achievement First Hartford Academy	610	0	0.0
Amistad Academy	812	0	0.0
Andover	334	0	0.0
Ansonia	2619	48	18.3
Area Cooperative Educational Services	1991	54	27.1
Ashford	476	0	0.0
Avon	3545	**	**
Barkhamsted	373	0	0.0
Berlin	3116	**	**
Bethany	511	0	0.0
Bethel	2938	9	3.1
Bloomfield	2196	17	7.7
Bolton	897	**	**
Bozrah	234	0	0.0
Branford	3404	11	3.2
Bridgeport	20174	101	5.0
Bridgeport Achievement First	409	**	**
Bristol	8591	24	2.8
Brookfield	2870	0	0.0
Brooklyn	947	0	0.0
Canaan	86	0	0.0
Canterbury	524	0	0.0
Canton	1777	**	**
Capitol Region Education Council	4650	29	6.2
Chaplin	187	0	0.0
Cheshire	4792	13	2.7
Chester	275	0	0.0
Clinton	2029	7	3.4
Colchester	3069	10	3.3
Colebrook	112	0	0.0
Columbia	539	0	0.0
Common Ground High School	163	0	0.0
Connecticut Technical High School System	10643	147	13.8
Cooperative Educational Services	787	**	**
Cornwall	115	0	0.0
Coventry	1830	10	5.5
Cromwell	2016	**	**

District Name	Enrollment	Number of Arrests	Arrests/Thousand Kids
Danbury	10343	121	11.7
Darien	4820	10	2.1
Deep River	351	0	0.0
Derby	1463	**	**
East Granby	889	0	0.0
East Haddam	1335	**	**
East Hampton	1965	**	**
East Hartford	7098	49	6.9
East Haven	3420	40	11.7
East Lyme	3061	6	2.0
East Windsor	1329	7	5.3
EASTCONN	284	**	**
Eastford	178	0	0.0
Easton	1098	0	0.0
Education Connection	217	**	**
Ellington	2726	21	7.7
Elm City College Preparatory School	585	0	0.0
Enfield	5880	49	8.5
Essex	591	0	0.0
Explorations	80	**	**
Fairfield	10153	18	1.8
Farmington	4124	15	3.6
Franklin	222	0	0.0
Glastonbury	6797	13	1.9
Granby	2235	**	**
Greenwich	8842	28	3.2
Griswold	2005	7	3.5
Groton	4965	31	6.2
Guilford	3678	**	**
Hamden	5971	29	4.9
Hampton	139	0	0.0
Hartford	20931	97	4.6
Hartland	221	0	0.0
Hebron	1135	0	0.0
Integrated Day Charter School	331	0	0.0
Interdistrict School For Arts And Communication	182	0	0.0
Jumoke Academy	432	0	0.0
Kent	287	0	0.0
Killingly	2685	16	6.0
Learn	1295	**	**

District Name	Enrollment	Number of Arrests	Arrests/Thousand Kids
Lebanon	1403	**	**
Ledyard	2612	**	**
Lisbon	534	0	0.0
Litchfield	1169	**	**
Madison	3605	0	0.0
Manchester	6807	36	5.3
Mansfield	1326	**	**
Marlborough	673	0	0.0
Meriden	8279	230	27.8
Middletown	5189	34	6.6
Milford	6958	27	3.9
Monroe	3745	11	2.9
Montville	2657	14	5.3
Naugatuck	4654	32	6.9
New Beginnings Inc.	360	0	0.0
New Britain	10098	160	16.0
New Canaan	4123	**	**
New Fairfield	2919	**	**
New Hartford	608	0	0.0
New Haven	20067	120	5.9
New London	3068	71	22.8
New Milford	4753	26	5.5
Newington	4416	33	7.5
Newtown	5429	14	2.6
Norfolk	141	0	0.0
North Branford	2286	15	6.6
North Canaan	318	0	0.0
North Haven	3576	9	2.5
North Stonington	796	**	**
Norwalk	11050	53	4.8
Norwich	3805	46	12.1
Norwich Free Academy	2381	28	11.8
Odyssey Community School	181	0	0.0
Old Saybrook	1569	**	**
Orange	1277	0	0.0
Oxford	2197	0	0.0
Park City Prep Charter School	250	0	0.0
Plainfield	2620	9	3.4
Plainville	2455	7	2.9
Plymouth	1727	6	3.5

District Name	Enrollment	Number of Arrests	Arrests/Thousand Kids
Pomfret	513	0	0.0
Portland	1404	**	**
Preston	430	0	0.0
Putnam	1292	7	5.4
Redding	1243	0	0.0
Region 01	502	8	15.9
Region 04	973	12	12.3
Region 05	2475	41	16.6
Region 06	1042	**	**
Region 07	1168	0	0.0
Region 08	1765	6	3.4
Region 09	968	0	0.0
Region 10	2755	13	5.1
Region 11	274	0	0.0
Region 12	930	**	**
Region 13	2036	**	**
Region 14	2081	**	**
Region 15	4417	**	**
Region 16	2536	22	8.7
Region 17	2473	**	**
Region 18	1493	**	**
Region 19	1189	**	**
Ridgefield	5419	10	1.8
Rocky Hill	2576	**	**
Salem	461	**	**
Salisbury	310	0	0.0
Scotland	143	0	0.0
Seymour	2410	15	6.2
Sharon	197	0	0.0
Shelton	5286	18	3.4
Sherman	408	0	0.0
Side By Side Community School	233	0	0.0
Simsbury	4756	8	1.7
Somers	1630	**	**
South Windsor	4553	21	4.6
Southington	6790	33	4.9
Sprague	371	**	**
Stafford	1854	17	9.2
Stamford	15281	76	5.0
Stamford Academy	138	8	58.0

District Name	Enrollment	Number of Arrests	Arrests/Thousand Kids
Sterling	482	0	0.0
Stonington	2491	19	7.6
Stratford	7284	42	5.8
Suffield	2499	**	**
The Bridge Academy	271	**	**
The Gilbert School	325	8	24.6
Thomaston	1121	8	7.1
Thompson	1263	**	**
Tolland	3046	**	**
Torrington	4507	27	6.0
Trailblazers Academy	162	0	0.0
Trumbull	6975	8	1.1
Unified School District #2	204	0	0.0
Union	81	0	0.0
Vernon	3598	13	3.6
Voluntown	312	0	0.0
Wallingford	6550	16	2.4
Waterbury	18129	310	17.2
Waterford	2800	19	6.8
Watertown	3175	20	6.3
West Hartford	10207	45	4.4
West Haven	6194	102	16.6
Westbrook	946	**	**
Weston	2521	**	**
Westport	5772	7	1.2
Wethersfield	3792	19	5.0
Willington	511	0	0.0
Wilton	4315	**	**
Winchester	944	0	0.0
Windham	3375	46	13.6
Windsor	3613	10	2.8
Windsor Locks	1785	17	9.5
Wolcott	2738	16	5.8
Woodbridge	723	0	0.0
Woodstock	925	**	**
Woodstock Academy	1096	0	0.0

**=between 1 and 5 arrests

Figure B3. Reasons for Arrest by Category of Incident, 2011

Type of Incidents	Sub-Category of Incident Leading to Arrest	Total Number of Arrests
Likely Avoidable (Behaviors that appear to be below the level of criminal behavior. These incidents were those that had no obvious criminal charge associated with them, no injury or risk of injury, and no, even minor, destruction of property.)	Attendance Policy	6
	Behavioral referrals	**
	Camera	**
	Cell phone	8
	Cheating	**
	Disorderly Conduct	45
	Disruption/Disruptive Behavior	43
	Dress Code Violation	**
	Electronic music device	**
	Failure to Attend Detention or ISS	20
	Failure to comply with agreement/behavior plan	**
	False information/Lying	**
	Forgery	**
	Inappropriate behavior	14
	Insubordination/ Disrespect	51
	Leaving class without permission	**
	Leaving Grounds	16
	Motor vehicle	**
	Obscene Language/Profanity	26
	Obscene Written Messages	**
	Refusal to identify	**
	Skipping Class	41
	Spitting	**
	Tardiness	**
Teasing	**	
Throwing objects (such as a paper airplane or rubber band)	**	
Truancy	**	
Unauthorized use of computers	**	
Verbal Altercation	42	
Total	342	
Questionably Necessary (Behaviors that could, under some circumstances, prompt reasonable referrals to police, but under most circumstances would not. Must not include any level of injury or destruction of property.)	Accessory to Fight	**
	Breach of Peace	52
	Bullying	14
	Crank or harassing phone calls	**
	False fire alarm	17
	Harassment (Non-Sexual)	7
	Harassment-Sexual	15
	Obscene Behavior	8
	Physical Altercation	377
	Safety code violations	**

	Serious Disorderly Conduct	73
	Suspicion of stealing	**
	Threat/Intimidation/ Verbal Harassment	142
	Physical Intimidation	**
	Risk of Injury	7
	Total	724
Reasonable (Behaviors that caused injury, serious risk of injury, or significant destruction of property, and appeared to be criminal acts, but were not mandatory referrals to law enforcement under state or federal law)	Arson	9
	Burglary / Breaking and entering	9
	Destruction of personal property	8
	Fighting/Altercation/ Physical Aggression	672
	Foreign substance (feces; urine, bodily secretions)	**
	Foreign substance (Illegal drugs)	22
	Foreign substance (prescription medications)	**
	Gang Related Behavior	**
	Inciting a Fight/Riot	24
	Intentionally endangering an individual or individuals	19
	Possession of stolen property	10
	Racial Slurs/Hate crimes	**
	Reckless burning	**
	Robbery	10
	Sale or Intent to sell stolen property	**
	School Threat/Bomb Threat	25
	Sexual Battery	**
	Sexual Offense	18
	Stabbing	**
	Theft/Stealing	99
Threats of Bodily harm	51	
Throwing an object (resulting in injury)	**	
Trespassing	14	
Vandalism	47	
	Total	1062
Mandatory (Behaviors for which school districts are required by law to refer students to law enforcement)	Battery/Assault	258
	Drugs/Alcohol/Tobacco	598
	Weapons	199
	Total	1055

Figure B4. Numbers of Arrests by Incident Category by DRG, 2011

DRG	Enrollment	Total Arrests	Drugs	Fighting/Battery	Personally Threatening Behavior	Physical/Verbal Confrontation/Conduct Unbecoming	Property Damage	School Policy Violations	Sexually Related Behavior	Theft/Theft Related Behaviors	Violent Crimes Against Persons	Weapons
A	30279	31	16	0	**	**	**	**	0	**	**	**
B	98117	247	127	51	7	14	0	16	**	16	**	8
C	39222	79	31	6	**	**	**	21	0	**	**	10
D	83444	308	72	99	**	22	11	39	**	14	11	20
E	24453	73	25	13	6	9	**	**	**	**	**	**
F	28384	159	36	39	13	15	**	32	**	9	6	6
G	67429	393	85	151	29	47	9	31	**	15	**	21
H	66132	729	90	160	55	196	10	111	13	28	17	49
I	95842	905	74	381	83	143	22	66	8	28	25	75
State	559914	3183	598	1003	222	503	69	349	36	131	73	199

Figure B5. Percent of Arrests by Incident Category by DRG, 2011

DRG	Drugs	Fighting/Battery	Personally Threatening Behavior	Physical/Verbal Confrontation/Conduct Unbecoming	Property Damage	School Policy Violations	Sexually Related Behavior	Theft/Theft Related Behaviors	Violent Crimes Against Persons	Weapons
A	52%	0%	**	**	**	**	0%	**	**	**
B	51%	21%	3%	6%	0%	6%	**	6%	**	3%
C	39%	8%	**	**	**	27%	0%	**	**	13%
D	23%	32%	**	7%	4%	13%	**	5%	4%	6%
E	34%	18%	8%	12%	**	**	**	**	**	**
F	23%	25%	8%	9%	**	20%	**	6%	4%	4%
G	22%	38%	7%	12%	2%	8%	**	4%	**	5%
H	12%	22%	8%	27%	1%	15%	2%	4%	2%	7%
I	8%	42%	9%	16%	2%	7%	1%	3%	3%	8%
State	19%	32%	7%	16%	2%	11%	1%	4%	2%	6%

Figure B6. Number of Arrests per Thousand Children Enrolled by DRG, 2011

DRG	Total	Drugs	Fighting/ Battery	Personally Threatening Behavior	Physical/ Verbal Confrontation/ Conduct Unbecoming	Property Damage	School Policy Violations	Sexually Related Behavior	Theft/ Theft Related Behaviors	Violent Crimes Against Persons	Weapons
A	1.02	0.53	0.00	**	**	**	**	0.00	**	**	**
B	2.52	1.29	0.52	0.07	0.14	0.00	0.16	**	0.16	**	0.08
C	2.01	0.79	0.15	**	**	**	0.54	0.00	**	**	0.25
D	3.69	0.86	1.19	**	0.26	0.13	0.47	**	0.17	0.13	0.24
E	2.99	1.02	0.53	0.25	0.37	**	**	**	**	**	**
F	5.60	1.27	1.37	0.46	0.53	**	1.13	**	0.32	0.21	0.21
G	5.83	1.26	2.24	0.43	0.70	0.13	0.46	**	0.22	**	0.31
H	11.02	1.36	2.42	0.83	2.96	0.15	1.68	0.20	0.42	0.26	0.74
I	9.44	0.77	3.98	0.87	1.49	0.23	0.69	0.08	0.29	0.26	0.78
State	5.68	1.07	1.79	0.40	0.90	0.12	0.62	0.06	0.23	0.13	0.36

Appendix C. Incident Types and Definitions

(Definitions and Major/Sub Categories replicated from the ED166 2010-2011 Record Layout)

Major Category	Number of Arrests	Sub Category	Definition
Drugs	598	Drugs/Alcohol/ Tobacco	Details of incident coded separately in Drugs/ Alcohol/ Tobacco Table (data not available for this report).
Fighting/ Battery	258	Battery/Assault	Touching or striking of another person with the intent of causing serious bodily harm to the individual. For example, another person physically attacks a person whether provoked or not, resulting in an injury requiring medical attention. Biting a person breaking the skin requiring any level of medical attention.
	672	Fighting/Altercation/ Physical Aggression	Participation in an incident involving physical confrontation in which one or all participants receive at least some type of minor physical injury (e.g., black eye, bloody nose or lip, bruises, etc.). This category also includes the situation in which one person strikes another causing minor injuries but the “fight” is broken up prior to the other participant retaliating.
	73	Serious Disorderly Conduct	Security/Police are called and/or involved and there may be a level of injury involved that disrupts the educational process.
Personally Threatening Behavior	14	Bullying	Repeated negative behaviors intended to frighten or cause discomfort. For example, verbal or written threats of physical harm.
	7	Harassment (Non- Sexual)	Repeatedly annoying or attacking a student or group of students or other personnel, creating an intimidating or hostile educational or work environment.
	**	Physical Intimidation	Subjecting the victim(s) to some type of physical intimidation, e.g., cutting a person’s hair, striking a match or lighter near a person’s with or without intent to do harm, etc.

	**	Racial Slurs/Hate crimes	An incident involving some characteristics or perceived characteristics of the victim including race, gender, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, social or family background, linguistic preference, or disability.
	**	Teasing	The act of harassing someone or maliciously (especially by ridicule);
	142	Threat/Intimidation/ Verbal Harassment	Physical, verbal, written, or electronic action, which immediately creates fear of harm, without displaying a weapon and without subjecting the victim to actual physical attack.
Personally Threatening Behavior (cont.'d)	51	Threats of Bodily harm	See Incident Type 1810, however, police are notified due to severity of threat and there may or may not be a weapon involved. Use if a student threatened to kill another student or staff member.
Physical/ Verbal Confrontation/ Conduct Unbecoming	**	Accessory to Fight	Aiding in the fight i.e., being a look-out; filming the incident; failing to attempt to inform administration of the fight.
	52	Breach of Peace	Any act of molesting, interrupting, hindering, agitating, or arousing from a state of repose or otherwise depriving inhabitants of the peace and quiet to which they are entitled.
	**	Gang Related Behavior	Gang related behavior/issues.
	24	Inciting a Fight/Riot	
	377	Physical Altercation	Participation in an incident involving a confrontation, tussle, or some type of physical aggression in which no injury occurred. This category also includes the situation in which one person strikes another causing no injuries but the altercation is broken up prior to the other participant retaliating.
	**	Throwing an object	Use this category if there is a victim with any level of injury. Indicate the type of object thrown in either the notes or weapons category.
	42	Verbal Altercation	Participation in an incident involving a verbal confrontation (i.e., shouting match, yelling etc.). This can also be the prelude to a more serious issue.

Property Damage	9	Arson	Arson (Sec. 53a-111, 112, & 113) is defined for the purpose of this report as the reckless destruction or damage to a building or other school property by intentionally starting a fire or causing an explosion. When fireworks or other incendiary devices are a contributing factor, then the weapon type used must be reported.
	5	Reckless burning	Reckless burning (See Sec. 53a-114.) A person is guilty of reckless burning when he intentionally starts a fire or causes an explosion, and thereby recklessly places a building in danger of destruction or damage. Lighting paper on fire, a garbage can fire, setting a person's personal property on fire etc.
	8	Destruction of personal property	The destruction of personal property such as clothing; book bag, etc.
	47	Vandalism	Willful destruction or defacement of school property (i.e., destroying school records, carving on a desk, spray painting walls, damaging vehicles).
School Policy Violations	6	Attendance Policy	Violation of state, school or district policy related to attendance.
	**	Behavioral referrals	In accordance with school policy.
	**	Camera	Violation of technology policy: Possession/use of camera.
School Policy Violations (cont.'d)	8	Cell phone	Violation of technology policy: Possession/use of cell phone.
	**	Cheating	As related to test taking, homework or other educational situations.
	**	Crank or harassing phone calls	In accordance with school policy.
	45	Disorderly Conduct	Any behavior or act that seriously disrupts the orderly conduct of a school function or which substantially disrupts the orderly learning environment. For Disruptive Behavior see incident code 3628. For breach of peace, see code 1760.
	43	Disruption/Disruptive Behavior	Disruption of class, hallway, cafeteria or other school areas.
	**	Dress Code	In accordance with school policy.

		Violation	
	**	Electronic music device	Violation of technology policy: Possession/use of Electronic music device (MP3 players, etc).
	20	Failure to Attend Detention or ISS	In accordance with school policy.
	**	Failure to comply with agreement/behavior plan	In accordance with school policy.
	17	False fire alarm	In accordance with school policy.
	**	False information/ Lying	In accordance with school policy.
	**	Forgery	As related to parent notes calling in for absent student, etc.
	14	Inappropriate behavior	Horse play, play fighting, playing cards or attend non gambling games
	51	insubordination/ Disrespect	Unwillingness to submit to authority, refusal to respond to a reasonable request, or other situation in which a student is disobedient.
	**	Leaving class without permission	In accordance with school policy.
	16	Leaving Grounds	In accordance with school policy.
	**	Motor vehicle	Violation of school/district motor vehicle rules
	8	Obscene Behavior	All other behavior in violation of community or school standards not listed below. For example, lewd behavior, indecent exposure, mooning, "pantsing" etc.
	26	Obscene Language/Profanity	Language or actions, written, oral, physical, or electronic.
	**	Obscene Written Messages	Includes written and electronic communication. Includes posting to a blog. This includes but is not limited to FaceBook and MySpace.
	**	Refusal to identify	Refusal to provide student identification/ID badge.
School Policy Violations	7	Risk of Injury	Behavior that potentially could result in injury; pranks.

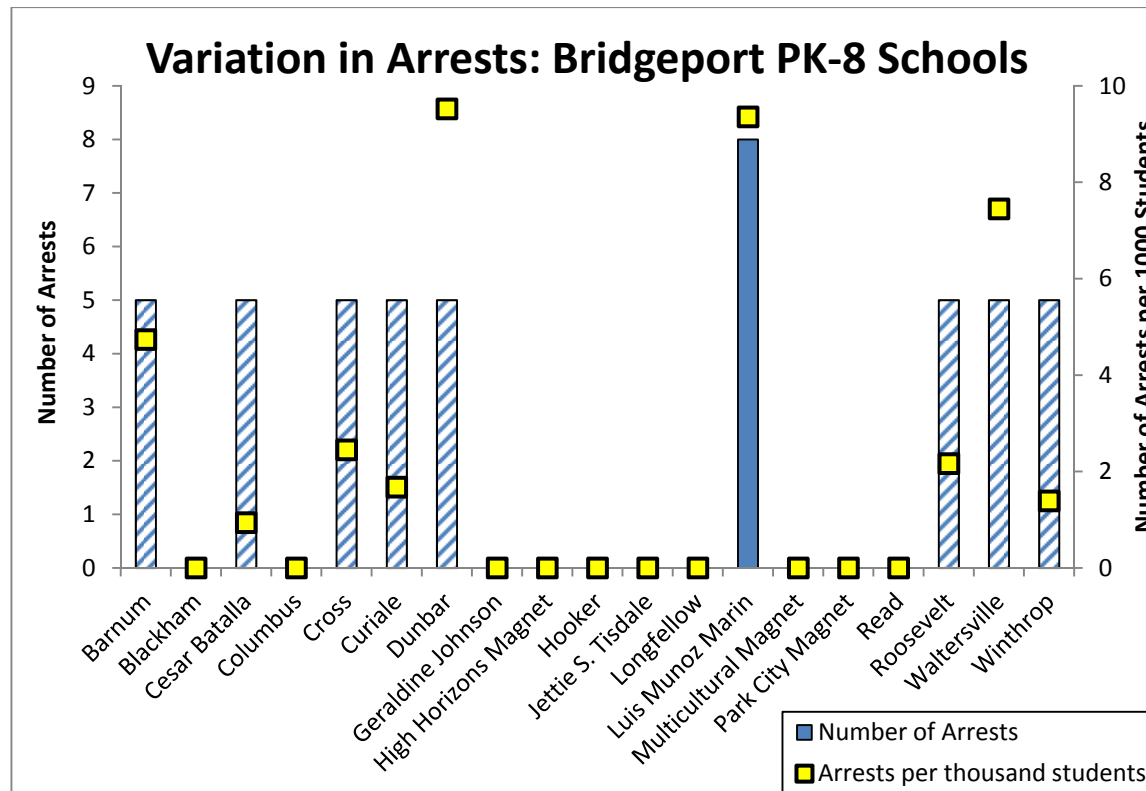
(cont.'d)	**	Safety code violations	In accordance with school policy.
	41	Skipping Class	In accordance with school policy.
	**	Spitting	In accordance with school policy.
	**	Tardiness	In accordance with school policy.
	**	Throwing objects	Victimless incident in which student projects a rubber band, or a wad of paper, or throws a paper airplane, etc.
	14	Trespassing	In accordance with school policy.
	**	Truancy	In accordance with school policy.
	**	Unauthorized use of computers	Violation of technology policy: unauthorized use of computers.
Sexually Related Behavior	**	Harassment-Sexual	Inappropriate and unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct, or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment. For example, leering, pinching, grabbing, suggestive comments, gestures, or jokes; or pressure to engage in sexual activity.
	**	Sexual Battery	Oral, anal, or vaginal penetration forcibly or against the will of a person or where the victim is incapable of giving consent. Sexual contact forcibly and/or against the will of a person or where the victim is incapable of giving consents because of his/her youth and/or mental incapacity. For example, rape, fondling, indecent liberties, child molestation, sodomy, or statutory rape.
	18	Sexual Offense	Sexual intercourse, sexual contact, or other behavior intended to result in mutual sexual gratification. There is no force or the threat of force. Fondling or oral sexual contact are examples.
Theft/ Theft Related Behaviors	9	Burglary / Breaking and entering	Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime. For example, the offender breaks a school window, crawls through the window, and steals a laptop.

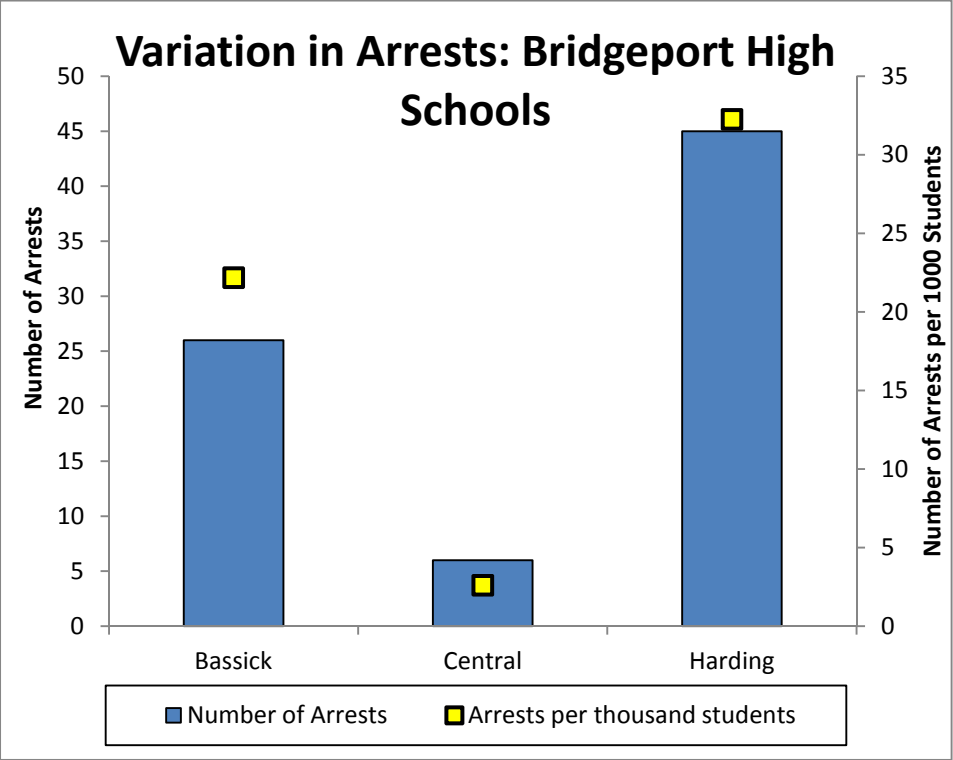
	10	Possession of stolen property	Possession of stolen property
	10	Robbery	The taking or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances using force, fear or the threat of violence. For example, threatening to beat up a student if he does not give up his lunch money. Note: The difference between robbery and theft is that in a robbery, the victim is present and there is either the threat of or actual physical harm.
Theft/ Theft Related Behaviors (cont.'d)	**	Sale or Intent to sell stolen property	Sale or intent to sell stolen property
	**	Suspicion of stealing	
	99	Theft/Stealing	The unlawful taking of property belonging to another person without threat of bodily harm or violence. For example, electronic theft or taking a pocket organizer from another student's open locker. Note: The difference between theft and burglary is that theft does not involve breaking and entering and no victim is present.
Violent Crimes Against Persons	**	Foreign substance (feces; urine, bodily secretions)	Intentionally placing foreign substance in a person's food or drink that could seriously harm the individual.
	22	Foreign substance (Illegal drugs)	Intentionally placing foreign substance in a person's food or drink that could seriously harm the individual.
	**	Foreign substance (prescription medications)	Intentionally placing foreign substance in a person's food or drink that could seriously harm the individual.
	19	Intentionally endangering an individual or individuals	The intentional cause of immediate danger to persons or person such as placing them in contact with a caustic substance (latex gloves or peanuts to those who are allergic, etc.).

	25	School Threat/Bomb Threat	Any threat (verbal, written or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building, property or harm to students and/or staff (e.g., bomb threat, chemical/biological threat, terrorist threat). The police/security personnel must be involved
	**	Stabbing	The intentional puncturing of the skin using some type of sharp instrument. The type of weapon used (e.g., knife, pencil/pen) must be indicated.
Weapons	199	Weapons	Details of incident coded separately in Weapons Table (data not available for this report).

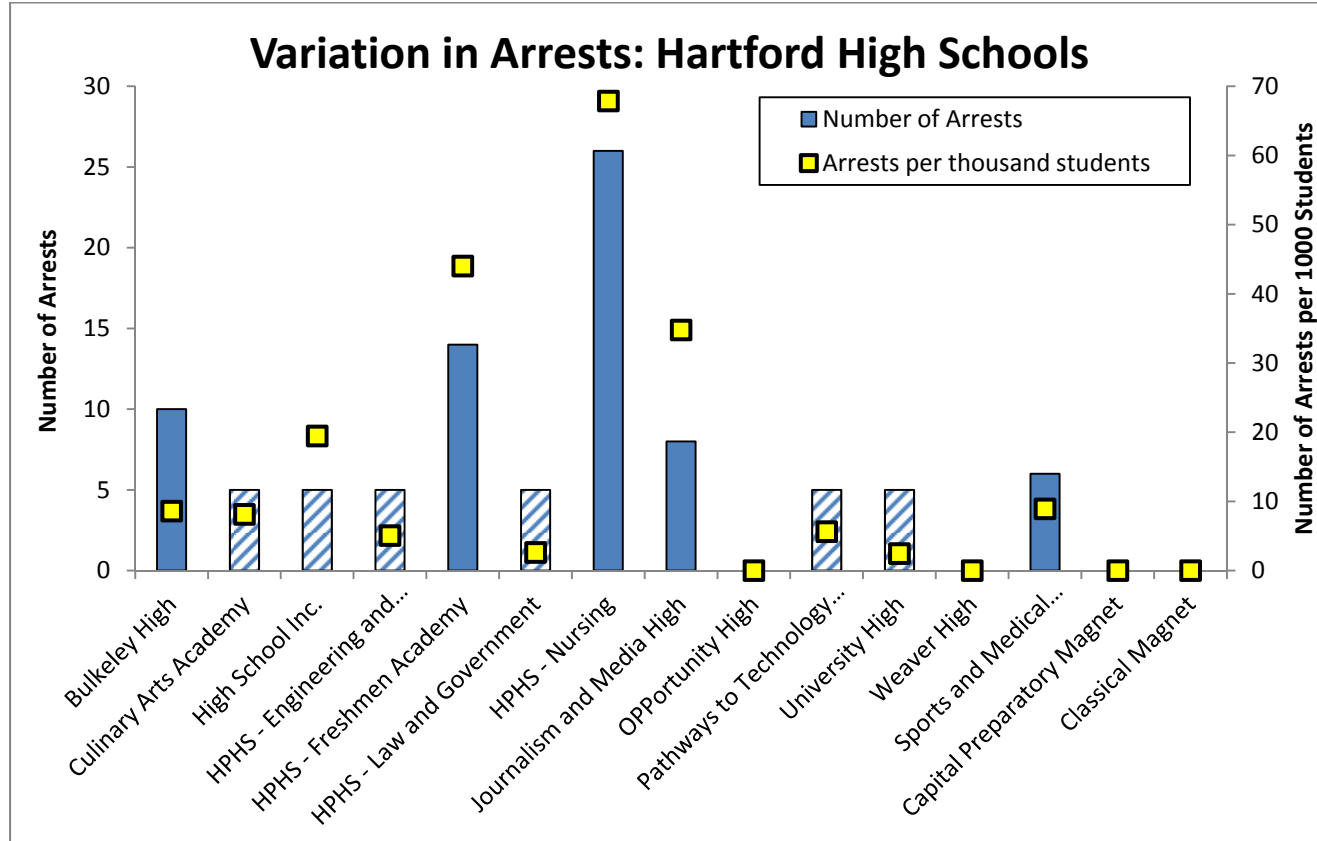
Appendix D. District-Level Variations in Arrests

Bridgeport

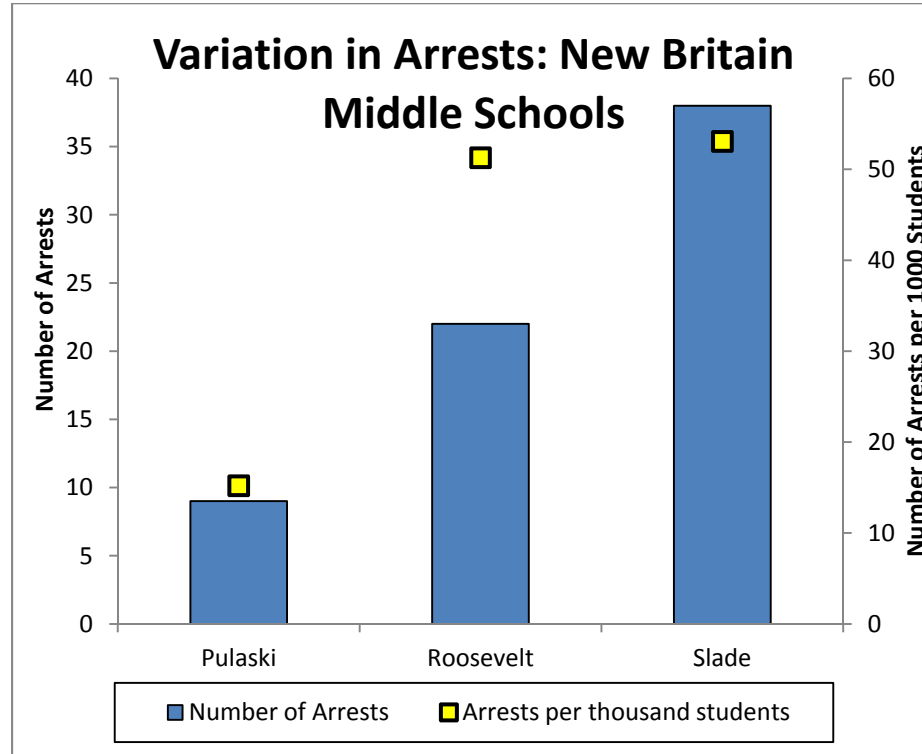




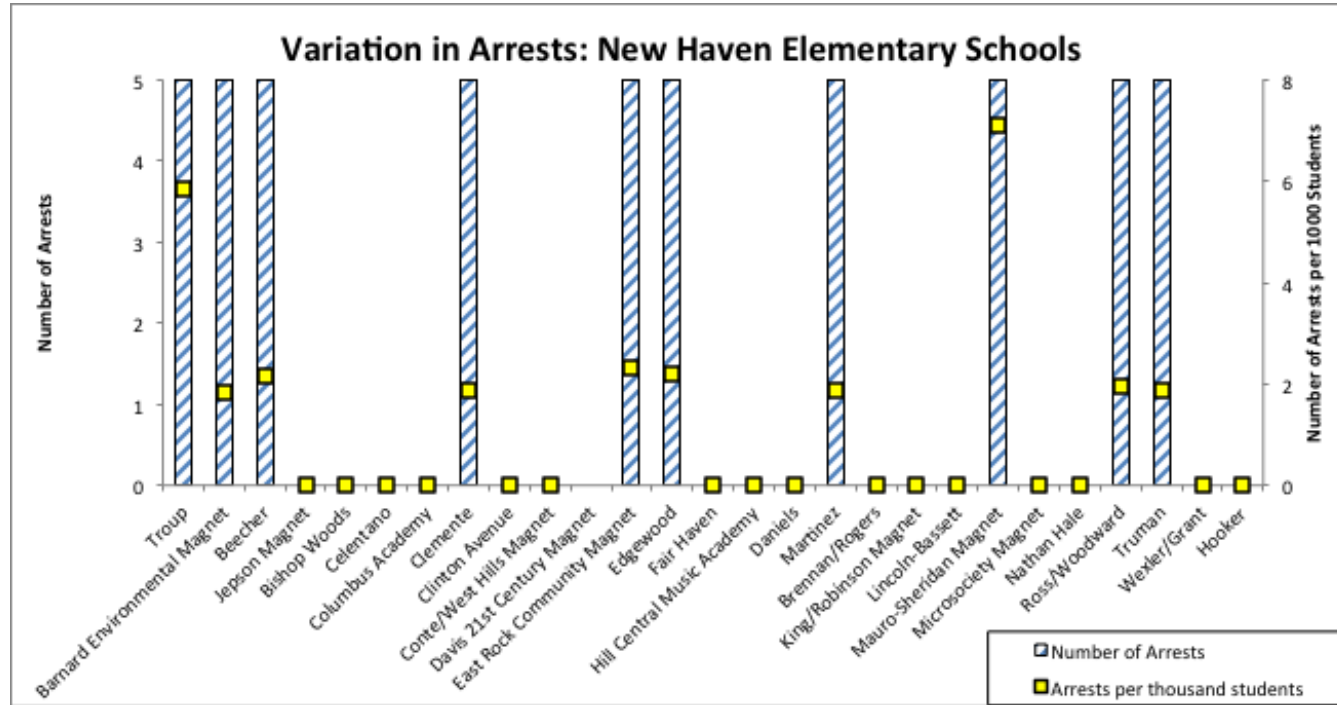
Hartford

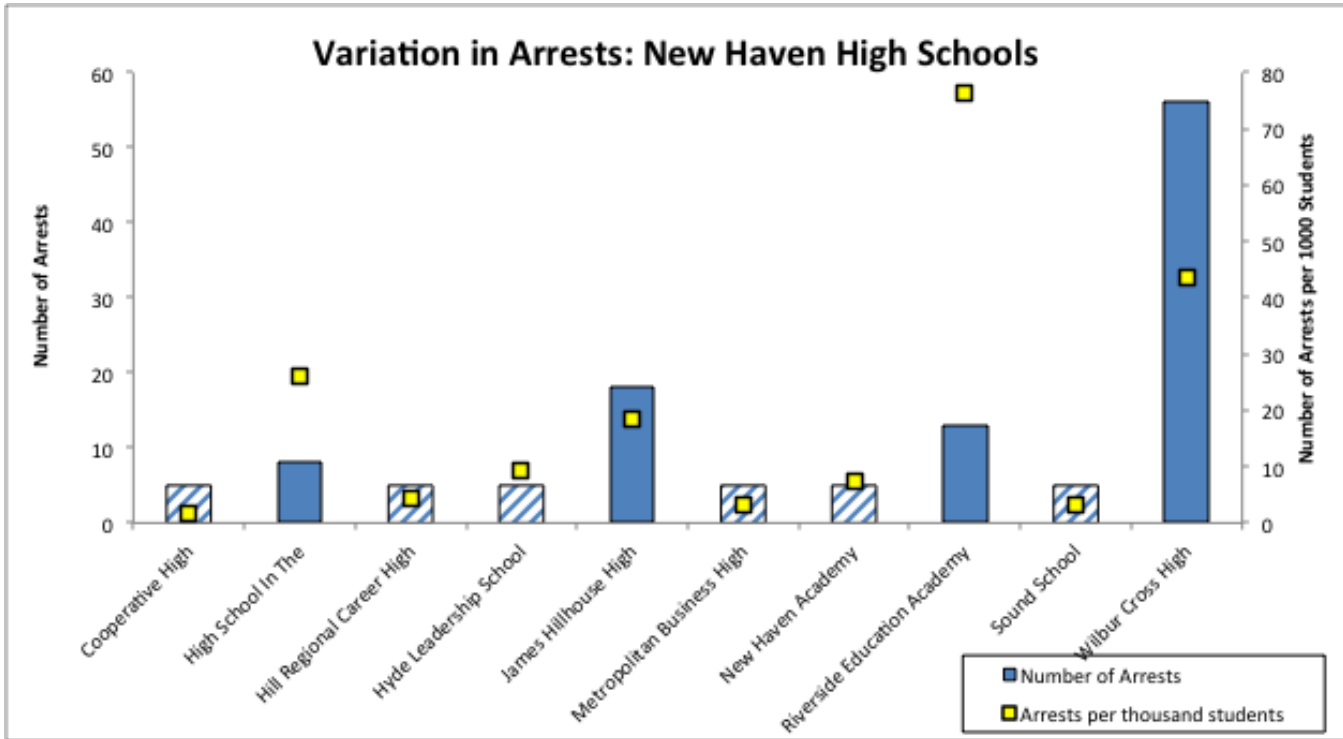


New Britain

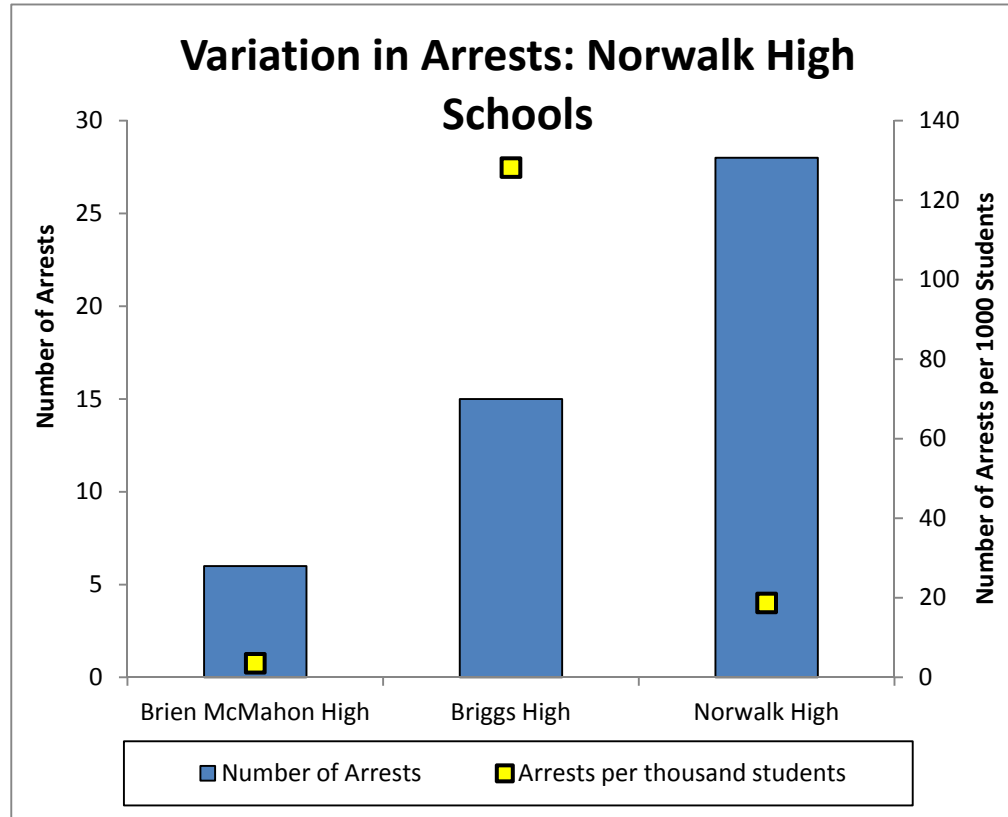


New Haven

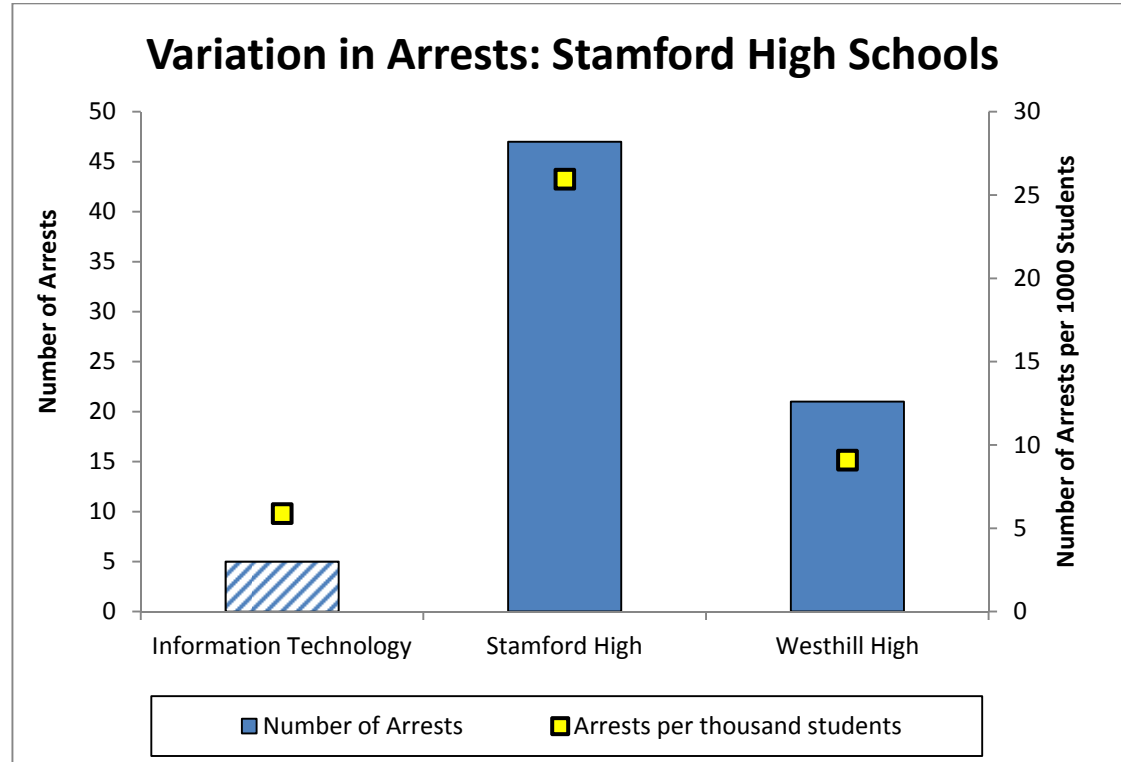


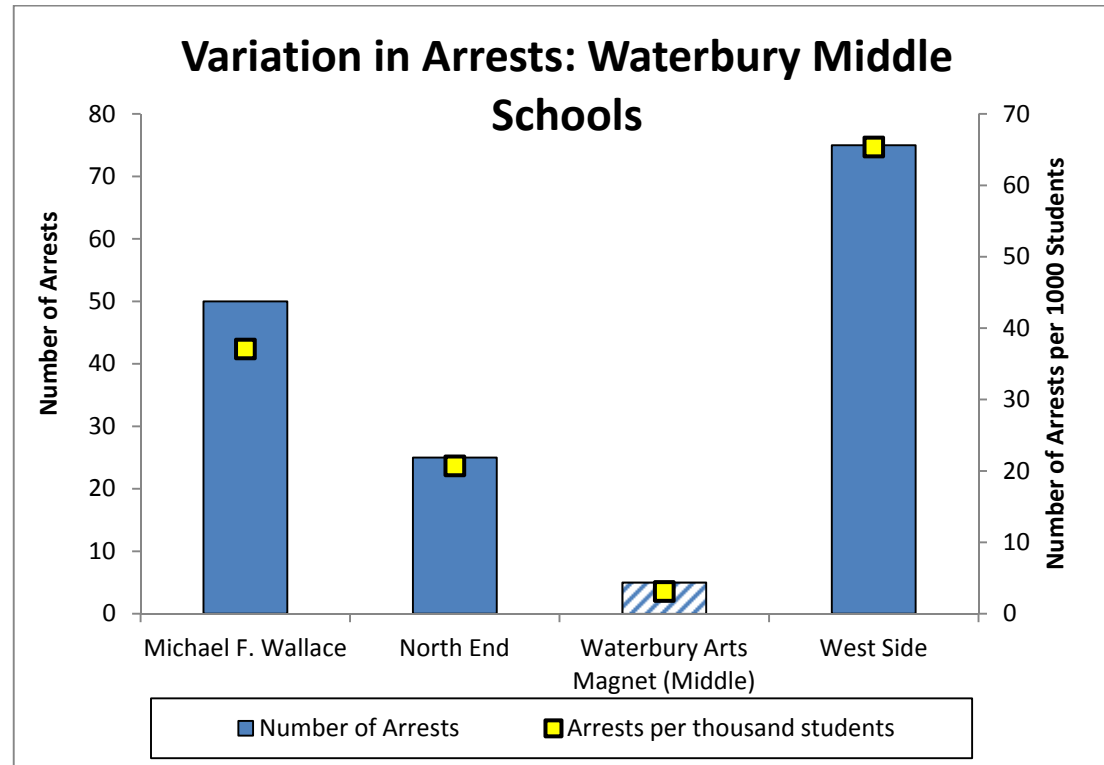


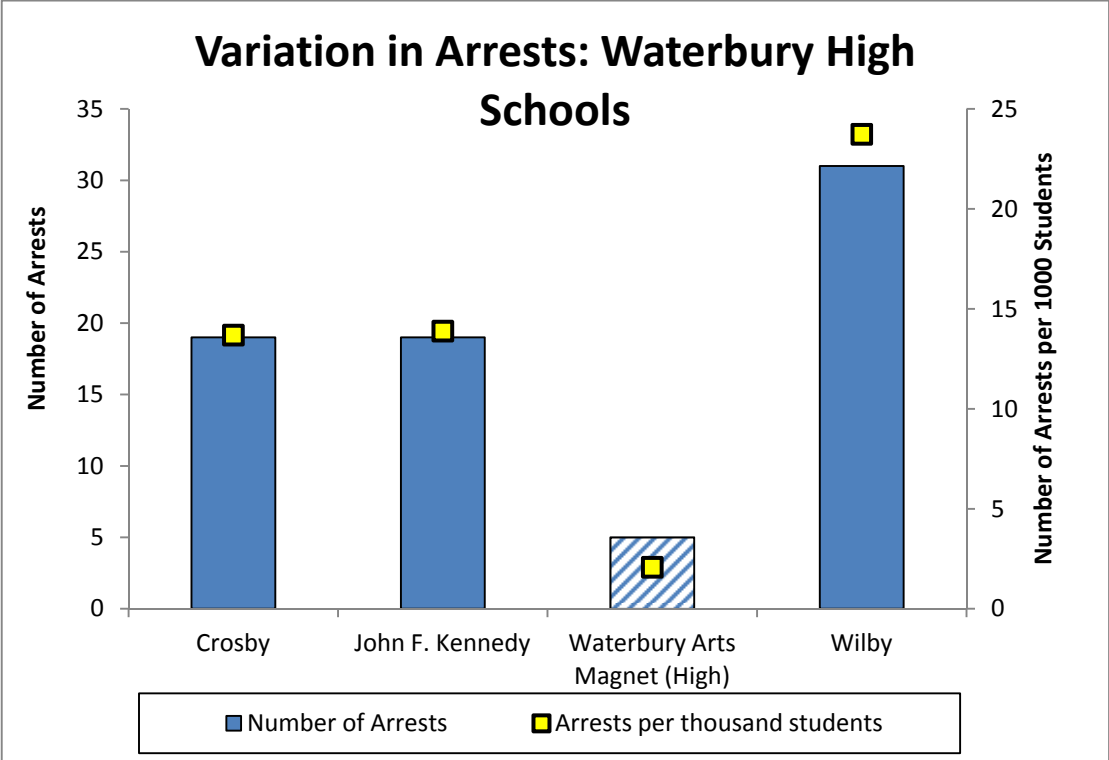
Norwalk



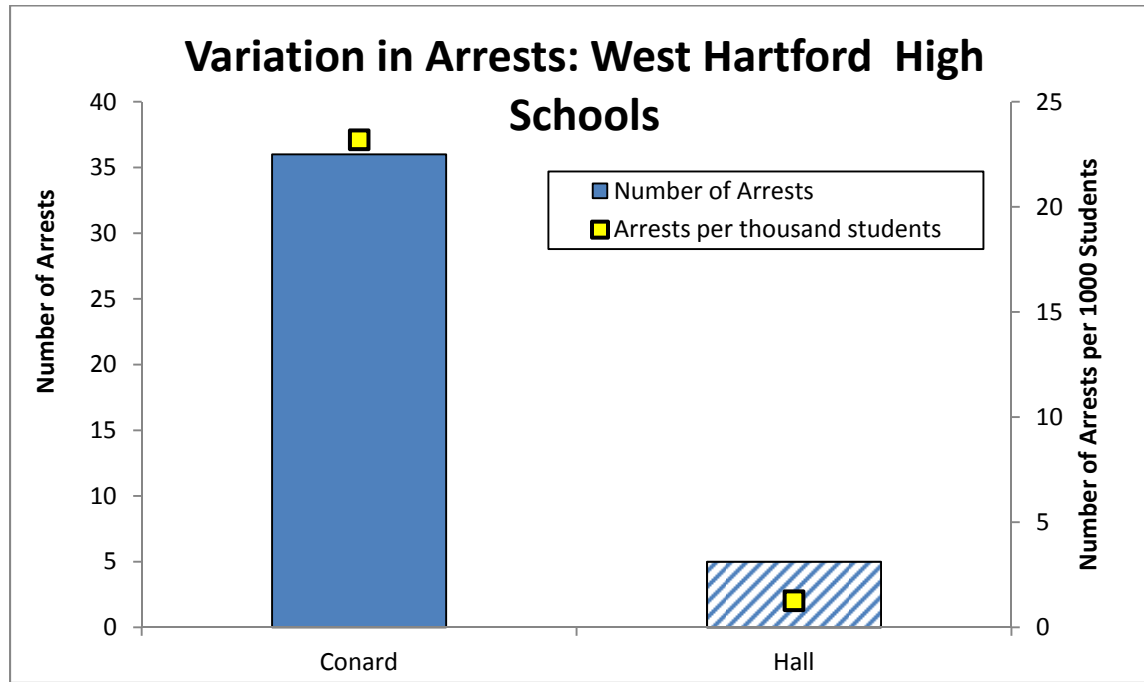
Stamford

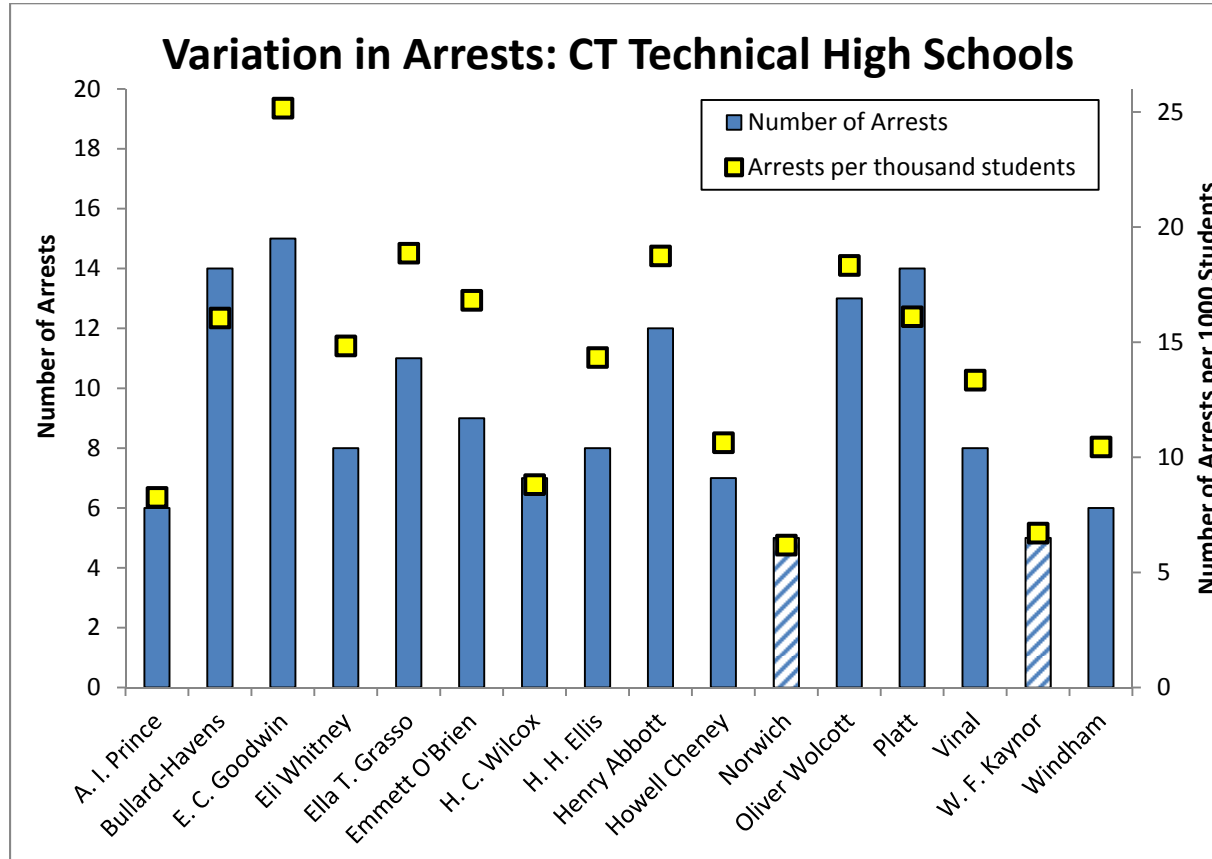




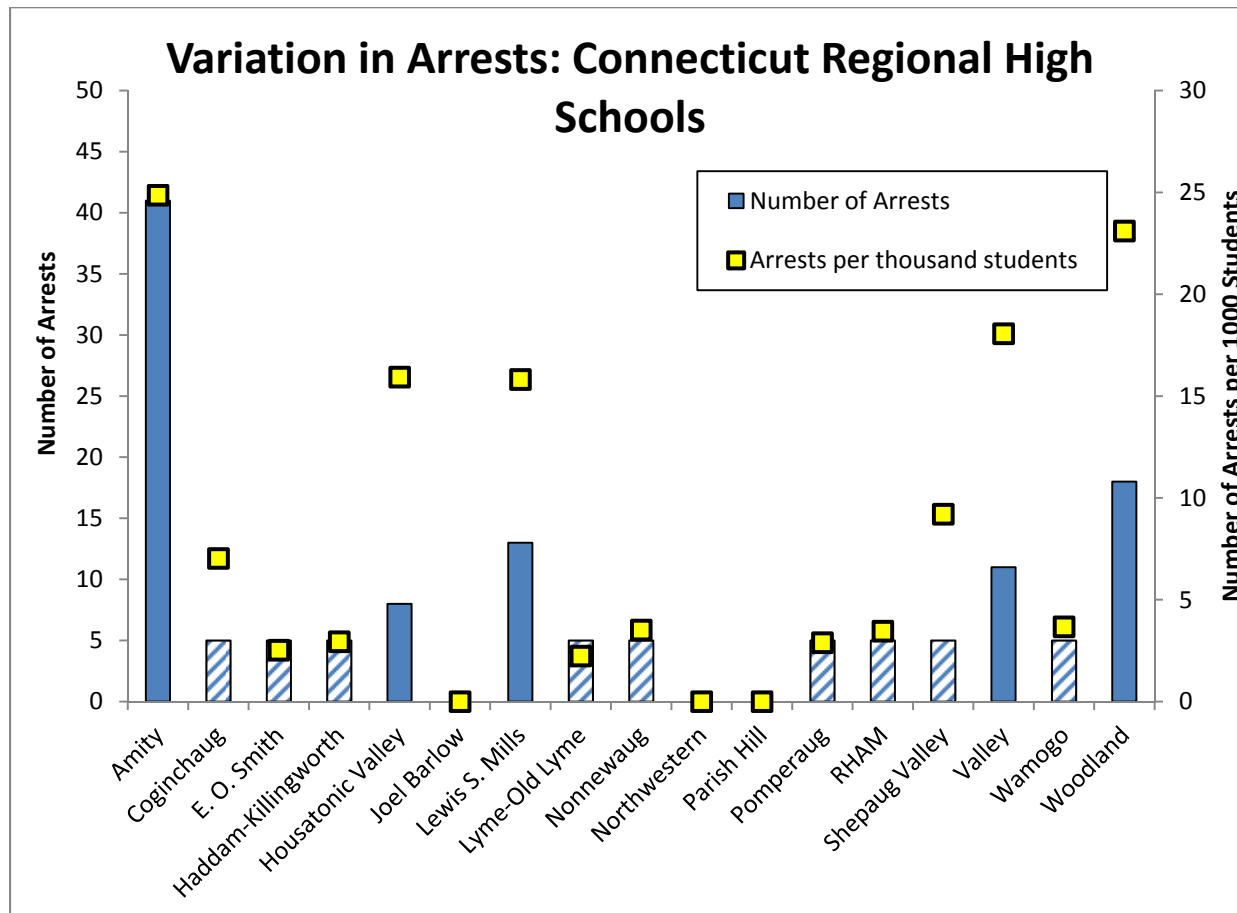


West Hartford





Regional High Schools



Bridgeport PK-9	Bridgeport High Schools	Hartford High Schools	New Britain High Schools	New Haven PK-8 Schools	New Haven High Schools	Norwalk High Schools	Stamford High Schools	Waterbury 6-8	Waterbury High Schools	West Hartford High Schools	Regional High Schools	Technical High Schools
Columbus	Central	Weaver High	Pulaski	Davis 21st Century Magnet	Cooperative High	Brien McMahon High	Information Technology	Waterbury Arts Magnet (Middle)	Waterbury Arts Magnet (High)	Hall	Northwestern	Norwich
Blackham	Bassick	Capital Preparatory Magnet	Roosevelt	Jepson Magnet	Sound School	Norwalk High	Westhill High	North End	Crosby	Conard	Joel Barlow	W. F. Kaynor
Geraldine Johnson	Harding	Classical Magnet	Slade	Bishop Woods	Metropolitan Business High	Briggs High	Stamford High	Michael F. Wallace	John F. Kennedy		Parish Hill	A. I. Prince
High Horizons Magnet		OPPortunity High		Celentano	Hill Regional Career High			West Side	Wilby		Lyme-Old Lyme	H. C. Wilcox
Hooker		University High		Columbus Academy	New Haven Academy						E. O. Smith	Windham
Jettie S. Tisdale		HPHS - Law and Government		Clinton Avenue	Hyde Leadership School						Pomperaug	Howell Cheney
Longfellow		HPHS - Engineering and Green Tech		Conte/West Hills Magnet	James Hillhouse High						Haddam-Killingworth	Vinal
Multicultural Magnet		Pathways to Technology Magnet		Fair Haven	High School In The Community						RHAM	H. H. Ellis
Park City Magnet		Culinary Arts Academy		Hill Central Music Academy	Wilbur Cross High						Nonnewaug	Elk Whitney
Read		Bulkeley High		Daniels	Riverside Education Academy						Wamogo	Bullard-Havens
Cesar Batalla		Sports and Medical Sciences Academy		Brennan/Rogers							Coginchaug	Platt
Winthrop		High School Inc		King/Robinson Magnet							Shepaug Valley	Emmett O'Brien
Cuniale		Journalism and Media High		Lincoln-Bassett							Lewis S. Mills	Oliver Wolcott
Roosevelt		HPHS - Freshmen Academy		Microsociety Magnet							Housatonic Valley	Henry Abbott
Cross		HPHS - Nursing		Nathan Hale							Valley	Ella T. Grasso
Barnum				Wexler/Grant							Woodland	E. C. Goodwin
Waltersville				Hooker							Amity	
Luis Munoz Marin				Barnard Environmental Magnet								
Dunbar				Clemente								
				Martinez								
				Truman								
				Ross/Woodward								
				Beecher								
				Edgewood								
				East Rock Community Magnet								
				Troup								
				Manro-Sheridan Magnet								

Appendix D: Arrest Rate Variation Within Districts

Number of Arrests per 1000 Students
0
.01 - 2.00
2.01 - 5.00
5.01 - 10.00
More than 10.00