

## JUVENILE JUSTICE OVERSIGHT COUNCIL

August 16, 2016  
Capitol Annex, Room 171

**Members Present:** Senator Whitney Westerfield; Representative Darryl Owens; Acting Commissioner Wendy Morris, Department for Behavioral Health, Developmental and Intellectual Disabilities, Cabinet for Health and Family Services (CHFS); Commissioner Adria Johnson, Department for Community Based Services, CHFS; Acting Commissioner LaDonna Koebel, Department for Juvenile Justice (DJJ), JPSC; Laurie Dudgeon, Director, Administrative Office of the Courts (AOC); Todd Allen for Christina Weeter, Department of Education; Ed Monahan, Department of Public Advocacy (DPA); Major Shara Parks, Louisville Metro Police Department; Steven Gold, Henderson County Attorney; Paula Stafford, Montgomery County Schools; and Dr. John Sivley, LifeSkills, Inc.

**Members Absent:** Secretary John Tilley and Judge Lisa Jones

**Staff Present:** Marlene Mundine

### **I. Welcome/Call to Order and Approval of Minutes**

The meeting was called to order by Senator Westerfield who welcomed members and guests and called for a motion to approve the July 19<sup>th</sup> meeting minutes. Minutes were approved as submitted.

### **II. Use of School Resource Officers by School Administrators**

Wayne Young, Executive Director and General Counsel for the Kentucky Association of School Administrators (KASA), gave an overview of the use of school resource officers (SRO's) by school administrators. Mr. Young has been with KASA for over 30 years. KASA is a voluntary professional association with over 3000 members. Over 1000 of those members are principals and assistant principals who are on the front lines dealing with school discipline issues. Mr. Young commented that often the nature of problems seen in schools are a reflection of what is happening in society at large and changes over time. He stated that SRO's are a valuable asset, as school administrators are not trained to deal with more complex issues such as criminal behavior. He commented on mandatory reporting by school administrators of certain criminal behavior. He also noted issues surrounding the use of social media. Mr. Young stated that SRO's have a deterrent effect by their presence in schools and also serve as student confidantes resulting in prevention as well. In closing, he stated his experience has been that principals and SRO's work hard to stay within their roles and perform their duties properly.

In response to Mr. Monahan's inquiry regarding policy recommendations, Mr. Young expressed the importance of making clear the roles of each and when one must act independently of another. Mr. Monahan commented on SB 200 drafts prior to its introduction that addressed protocol and inquired if KASA supports more specific parameters regarding SRO training. Mr. Young expressed willingness to discuss the specific training SRO's should receive. Mr. Monahan inquired about suggestions to address disproportionate minority contact. Mr. Young

responded that awareness is the first step, along with showing the data and providing training. Ms. Dudgeon stated there is a significant amount of data regarding this issue and the majority of cases do come from the school system. She expressed a desire to meet with KASA and the Kentucky Association of School Resource Officers regarding the data. In fiscal year 2016, there were over 4,000 cases from the school system with 92% of those coming from SRO's. She commented on the need for training and looking at model policies developed by the national association. Mr. Young welcomed the opportunity to work together on this issue. Mr. Gold expressed his agreement with the need for clear protocols and a clear separation of roles. Representative Owens inquired about the benefit of having clearly defined lines regarding responsibility and accountability. Mr. Young noted that clarity is desirable. However, there are situations where some issues are not clear on the front end. Senator Westerfield inquired about the percentage of SRO's employed directly by schools and the total number of SRO's in Kentucky. Ms. Dudgeon responded that Mr. Akers would have that information.

### **III. Overview of School Resource Officers in Kentucky**

John Akers, Executive Director, and Lee Ann Morrison, School Safety Research Fellow, Kentucky Center for School Safety, provided an overview of school resource officers in Kentucky. Ms. Morrison began by responding to Senator Westerfield's inquiry. She stated there are 275 SRO's in 108 districts. Eleven districts have special law enforcement officers (SLEO's) employed by the school districts. She noted that 232 of the total are fulltime SRO's. Senator Westerfield inquired about the eleven districts with SLEO's. Ms. Morrison responded that those are indicated in the data distributed. A brief video was shown which provided an overview of SRO's. Ms. Morrison noted that the Center for School Safety began in 1998 and was given the charge of supporting SRO's. The Center maintains a database of all SRO's and a biannual survey is conducted regarding roles and responsibilities. She noted the majority of SRO's are trained through the Department of Criminal Justice Training (DOCJT). Some are trained through the National Association of School Resource Officers (NASRO), which it can be cost prohibitive for smaller agencies. Ms. Morrison provided additional data regarding race, gender and education levels of SRO's. She also provided information on the school levels served by SRO's. Senator Westerfield inquired about the training requirements for working in different school levels. Ms. Morrison responded that the Center highly recommends the basic and advanced training but it is not mandatory by statute. Ms. Morrison provided information on three types of law enforcement in schools: SRO's as defined by KRS158.441, SLEO's, and law enforcement responding to schools.

Mr. Akers presented data provided by the Kentucky Department of Education regarding law violations by student population and grade level. Senator Westerfield inquired about the nature of the two Pre-K violations as well as the 38 Kindergarten violations and asked Todd Allen to look into those violations. Ms. Morrison commented that she believed most of those were terroristic threatening violations due to the child being out of control in the classroom. Representative Owens commented that it would be more appropriate to speak with parents rather than charge the child. Senator Westerfield agreed.

Mr. Akers also presented information regarding violators by socio-economic status. He commented regarding poverty's impact on disproportionality. Senator Westerfield extended an open invitation to present any policy recommendations that should be adopted regarding disproportionate minority contact. Mr. Akers commented on the impact of a person's

background and the need for greater awareness and training of teachers and principals. Ms. Dudgeon encouraged the Center for School Safety and KASA to attend future meetings to work toward addressing these issues. Representative Owens commented that the issue has been known for years and the need for training has been discussed but nothing has happened. Mr. Akers presented data on specific violations from the Safe Schools Data Report as well as violations per student by race and gender. He also presented data regarding law enforcement contacts by race, gender and grade level. Senator Westerfield inquired about the grade 14 data included. Mr. Akers stated that would refer to alternative education and/or special education programs. Mr. Akers made additional comments regarding best practices and provided handouts with additional data by district. Mr. Monahan encouraged Mr. Akers to provide specific recommendations for statutory changes to address disproportionate minority contact. Mr. Akers commented on the need for specific sensitivity and diversity training for teachers and administrators. Senator Westerfield inquired about data regarding special education status of students. Mr. Akers stated the information could be provided.

#### **IV. Training for School Resource Officers**

Lt. Jamey Schwab, SRO Coordinator, Louisville Metro Police Department (LMPD), gave an overview of the SRO program for Jefferson County Public Schools (JCPS) noting it is the largest program in Kentucky. The program includes seventeen SRO's assigned to schools based on needs determined by the school system in coordination with LMPD. He noted that five are funded through federal funding (COPS grant). Lt. Schwab provided an overview of the training provided to all LMPD officers and an overview of the SRO selection criteria. Once selected, SRO's receive 16 hours of training prior to appointment, which includes training on lockdown procedures, identifying child abuse and internal investigations. They also attend DOCJT SRO Basic, which is a 40-hour training. Additionally, SRO's receive a four-hour block of specialized training provided by JCPS each month. Senator Westerfield asked if human trafficking is addressed in the child abuse overview. Sgt. Jeff Artman, SRO Supervisor, LMPD, stated the child abuse overview does address human trafficking. Lt. Schwab noted SRO's receive an annual 24 hours of SRO specific training during the summer. LMPD also offered the SRO Intermediate Course (40 hours) this year, which included some of the aspects of the advanced course offered by DOCJT.

Lt. Schwab stated that SRO's wear video cameras and all legal interactions that take place within schools are recorded. Senator Westerfield asked Lt. Schwab to provide information regarding the system of handling the data, security, storage and costs associated within the SRO program. Lt. Schwab noted that better training and the use of de-escalation techniques have reduced the number of arrests in schools. He also commented on the new philosophy of resolving issues through positive interactions with students. Senator Westerfield asked if the changes made in SB 200 have helped or hurt the efforts of SRO's and inquired about recommended changes to improve it. Lt. Schwab responded that LMPD was already working to put into place some of the changes that were included in SB 200. Lt. Schwab also provided data regarding juvenile citations at JCPS addresses with and without SRO's.

Mr. Allen inquired about the presence of an officer in the school having the potential to cause some students anxiety, which may detract from the learning environment, and what has the experience been in dealing with that issue. Sgt. Artman responded that their presence creates a positive relationship and noted that several SRO's coach in the schools.

Lawrence Weathers, Director of Law Enforcement, Fayette County Public Schools, commented that, as a result of the selection process, SRO's go into schools prepared to interact with students in a open and accessible way. Mr. Weathers has 27 years of experience with the Lexington Police Department prior to his recent position with Fayette County Public Schools. Mr. Weathers and Sgt. Artman both expressed the importance of the building relationships with students. Sgt. Artman commented on the efforts to handle misdemeanor offenses at the school level rather than charging. Representative Owens asked if there have been an occurrence where the SRO has decided not to proceed criminally against a student but the principal wants the student charged. Lt. Schwab stated that there must be a team effort. He noted there have been instances where an SRO and administrator had different viewpoints and the best solution has been to move the SRO to another location. He commented on the different roles of each but the need to work together. Mr. Weathers noted that part of the team includes the county attorney who also has input in those decisions. Lt. Schwab also noted the importance of training administrators regarding the role of SRO's.

Mr. Weathers noted that SRO's in Fayette County Public Schools are SLEO's with limited jurisdiction, which requires a close relationship with Lexington Police Department and the sheriff's department. The SLEO's train with these agencies. Mr. Monahan inquired about implicit bias and how it adversely affects what is done by SRO's. Mr. Weathers noted the importance of recognizing that it exists and training to address it.

Jim McKinney, Lead Instructor for SRO Training, DOCJT, provided information regarding SRO Basic and Advanced training and gave an overview of the courses included. In addition, Mr. McKinney provided information regarding courses dealing with behavioral issues such as child abuse. Dr. Sivley inquired about these types of training and if officers feel they have the community resources available to refer students and families. Lt. Schwab responded that they do have resources available and they make sure their officers are aware of those resources to refer families. Mr. Monahan asked who is required to take the DOCJT SRO training. Mr. McKinney responded that there is no requirement for the training. He noted that officers are required to have 40 hours of in-service training per year. He stated that most SRO's have been thru the training. Senator Westerfield inquired about any objection to mandating training for SRO's. Mr. McKinney stated that he highly recommends the training. Senator Westerfield inquired about the turnover rate for SRO's. Ms. Morrison noted that initially it was 1-2 years but is now up to 5-11 years.

## **V. Agency Updates**

The Administrative Office of the Courts and CHFS Department for Behavioral Health, Developmental and Intellectual Disabilities provided written updates.

## **VI. Adjourn**

The next meeting will be held on Monday, September 19<sup>th</sup> at 1PM. With no other business to discuss, the meeting was adjourned.