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## The Delicate Balance: Police in Our Schools

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**The Delicate Balance: Police in Our Schools**

by

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### **Dedications**

This capstone is dedicated to my wife and children, for their notable sacrifice in time that could have been spent together. The progression of this capstone paper took place in an unbelievably turbulent period of our lives, and only through their patience and understanding could this task have been completed.

### **Abstract**

School resource officers (SROs) face the arduous task of balancing expectations from both police and school administrations. This paper will serve to provide an overarching view of the circumstances surrounding SROs and the job they are tasked to complete. Administrative stakeholders will be identified, unique considerations for the duality of administrations within the SRO position will be considered, and administrative strategies to mitigate the potential for conflict will be explained. A formulated action plan will analyze the impact of ethical principles within work as an SRO through the lens of fellow officers, the school district community, students, parents of students, and others involved in the criminal justice system. Sustaining measures that will support long-term ethical accountability will be explored, and the details of the action plan will be compared to the tenets of the Concordia Saint Paul Stewardship Principles. Concerns regarding the actions of SROs and the potential for litigation will be explored. Existing case law will be applied to probable situations that SROs are likely to encounter and strategies to reduce the risk for negative legal outcomes of workplace interactions will be offered. Lastly, resolutions will be offered that, if implemented, may help bridge some of the common disconnects between SROs and the school administrators and students they serve.

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## Chapter 1: Introduction

Bad things are going to happen in schools. No amount of planning and preparation can entirely root out the potential for catastrophic events and violent crimes to take place within our educational walls. Politicians and school officials have recognized this reality, and for roughly the last 70 years they have worked to embed police officers within schools to counteract and mitigate the potential for wrong to happen. The logic and reasoning behind this decision have changed, but a common thread is that by placing police officers in schools the hope is to reduce incidents of violent crime and provide a conduit for positive interactions between juveniles in their formative years and the concept and construct of law enforcement (May & Higgins, 2011).

As early as 2009, broad trends regarding arrest patterns amongst SROs had been analyzed and determined to contribute to what could be viewed as unnecessary criminalization of student behavior (Theriot, 2009). Since the police shooting of Michael Brown in 2015, increased scrutiny has been placed on law enforcement legitimacy in all facets of the field. Work as an SRO is no exception. Many school districts have reevaluated their relationship with local police in recent years and reconsidered whether employing an SRO within their district is the best choice for student safety.

So, what should the role of police officers in schools entail? When does criminal prosecution of students result in more harm than good? How can police and school administrators work to reshape the position into a truly positive role that completes its stated goal of ensuring public safety in schools and performing outreach to students without unnecessarily criminalizing behavior that might be handled with school discipline? These are tough questions to answer, but it has become increasingly clear in recent months that public demands for

accountability on behalf of law enforcement are on the rise and SROs must recognize this fact and reevaluate their purpose and mission.

## **Background**

SROs saw their genesis in Flint, Michigan in the 1950s to provide a police presence with the stated goal of reducing gun violence and other violent crime within the school district (Ryan et al., 2017). The true breakout of school districts choosing to implement SRO programs took place in the 1990s. In 1994, the Community Oriented Policing Services (COPS) office at the United States Department of Justice was created, and in 1998 COPS grant funding was specifically allocated for the hiring of SROs in the wake of the mass shooting at Columbine High School (Weisburst, 2019). A general ramping up in staffing occurred, and additional high-profile school shootings over the next twenty years such as those in Sandy Hook Elementary School and Stoneman Douglas High School intensified the belief of many that additional police presence was needed within schools. Even President Obama was prompted to ramp up additional COPS grant funding for SROs (Scott et al., 2015). The consensus in society was that additional police were a viable part of a solution to stem the perceived proliferation of violent mass shootings taking place within schools.

Occurring alongside this violent streak within our schools was an intensifying academic concern regarding the pipeline to prison. A growing body of research continued to show that SROs were increasingly being used to criminalize minor student behavior unnecessarily and this trend negatively affected graduation rates, saw several students begin a life of involvement within the criminal justice system, and resulted in lower levels of achievement within the educational system. A prime example of this abuse was that schools with SROs experienced arrest rates for disorderly conduct at a rate five times higher than those without SROs (Petteruti,



2011). Some research, however, concludes that SROs contribute little to the pipeline to prison as their arrests account for only 2.8% of juvenile referrals in rural areas and 3.5% in urban areas (May et al., 2016). The argument here is that SRO arrests make up only a small portion of overall juvenile prosecution.

Move ahead to May 25, 2020, the day George Floyd died while in the custody of Minneapolis police officers. Just eight days later, in the fallout of mass protests occurring in the wake of his death, the school board of Minneapolis Public Schools unanimously voted to terminate its contract with the Minneapolis Police Department that had previously allocated \$1.1 million of school district funding to the hiring of police officers for their schools (Faircloth, 2020). In the days that followed, school boards in Denver, Oakland, and Seattle made similar decisions to either end, phase out, or suspend their working relationships with their police departments (Balingit et al., 2020).

### **Statement of the Problem**

Presently, police in schools is a sensitive issue. It is universally accepted that some sort of safety mechanism must exist within public schools, but there is growing sentiment that the answer to the problem may not lie with local police. Support from the federal government to further expand the prevalence of SROs has crumbled in the wake of mounting criticism surrounding the greater criminal justice system. Democratic members of Congress even went as far as introducing a bill in July 2020 that would prohibit any allocation of federal funds for the hiring, recruitment, and placement of police officers on school campuses (U.S. Congresswoman Ayanna Pressley, 2020). Clearly, the role of SROs stands on the precipice of change. There remains strong support for the position within many communities and school districts, but the future is clouded and uncertain, nonetheless. A lack of consensus as to what constitutes duties

and expectations of the position creates a murky environment that has complicated the ability of SROs to work effectively within their role. Without proper identification and resolution of this problem, SROs face the significant risk of being eliminated from many schools throughout the country, casting aside valuable community outreach efforts to the nation's youth and one of the few chances of the law enforcement community to present police officers as a positive change agent.

### **Conclusion**

The story of SROs within schools is rooted in shifting political winds surrounding perceptions of students' safety. For decades, the position has been viewed as a solution to the problem of violent crime and a means for education and engagement to school-age youth. A gradual expansion of the proliferation of SROs that widely broke out in the late 1990s and early 2000s is now being called into question. There is serious concern regarding police in our schools, and there are genuinely difficult questions that must be answered. These problems must be solved should SROs be allowed to continue to work toward positive outcomes within their school buildings.

## **Chapter 2: Review of the Literature**

### **Ethical Application of School Resource Officers**

Working as a police officer will expose a person to a myriad of ethical dilemmas. The simple nature of the position involves interacting with people involved in sometimes violent, immoral, salacious, or otherwise deviant behavior. The implications of this truth are that police officers will sometimes themselves fall victim to engaging in such behavior. There are, however, ethical principles that can ground a police officer's moral fortitude and assist greatly in ensuring that they do not compromise their ethical integrity.

Within this analysis of ethical applications, an action plan will be formulated to make such assurances specifically to the role of school resource officers (SRO), who work in an extremely sensitive environment and are tasked with policing our nation's youth in school settings. Ethical principles will apply to the duties of the position and their implications analyzed via multiple stakeholders within the school systems such as the SROs themselves, school employees, students, and parent of students. Additional considerations will be made regarding the role of ethical principles in the work of SROs and the impact those principles can have on the greater criminal justice system. Means through which long-term accountability can be attained will be examined, and the concepts of the ethical analysis will be compared to the tenets of the Concordia Saint Paul Stewardship Principles.

#### ***Specific Application to the School Resource Officer***

There are countless ethical dilemmas to take into consideration regarding the work of SROs. Perhaps most concerning amongst these is the propensity for over-criminalization within the position. It is the view of many that SROs are used as a conduit for school staff to criminalize behavior that, in most other settings, would not be addressed through the criminal justice system

(Ryan et al., 2017). Coupled alongside this concern is that such overcriminalization is routinely conducted most frequently against students who are racial minorities or come from socioeconomic disadvantage (Lynch et al., 2016). The ethical question posed to the SRO is whether criminalization of the conduct observed will help the student change their behavior for the better, or if it will set them down a path of repeated misdemeanor-level offenses that eventually spiral into a complete criminal downfall leading to more serious offenses and a life of involvement within the criminal justice system.

Rooted within this ethical dilemma of over-criminalization is a battle between teleological and deontological ethical systems. Deontological systems look only at the inherent good or bad nature of the action in question while teleological systems concern themselves with the consequences and long-term ramifications of the action (Pollock, 2019). Taking these systems and applying them to the enforcement action of the SRO called into action offers a unique perspective on the dilemma itself.

On one hand, the officer can address the actions they have encountered on the part of the student and determine whether or not a criminal offense took place. Handled deontologically, appropriate action would be to criminally charge the student involved, as the legal system would surmise that a criminal act has been committed and the ethical recourse would be to bring about a criminal punishment for such action. On the other hand, the criminal act can be viewed teleologically. To do so, an officer must consider the long-term consequences of what may take place should the student be criminally charged for their behavior.

Consider a student who has struck another student in the face and is charged with misdemeanor assault. A conviction for this offense could prevent the student from obtaining a job while in high school, which could subsequently lead to additional time spent with others who

do not provide a positive influence in that student's life. Suddenly, because of the criminal conviction for misdemeanor assault, the student finds themselves roped into a life of crime, as it seems the only viable option for their time. The SRO must ask themselves if choosing to forgo criminal prosecution for the misdemeanor assault would have led to a better outcome.

This is clearly a simplistic view of a very complex issue. There is undoubtedly a need for accountability, even amongst young students who are only just beginning to learn their way in the adult world. Yet there is also an argument to be made for leniency and forgiveness. Through alternative methods such as restorative justice, a student might avoid involvement in the criminal justice system, receive lessons and guidance to develop skills for better problem-solving behaviors, and in turn achieve better and more positive outcomes as they continue to learn how to handle conflict and strife in their life.

The obvious answer is that teleological systems stand to better serve the needs of students. SROs and school administrators must collaborate and together consider which course of action will likely yield the best long-term results for the student involved. Where administrators push heavily for criminal prosecution, SROs must be prepared to educate on the dangers of over-criminalization and the long-term effects that can be born out of such a path. There can, in teleological systems, still reach a point where criminal prosecution of a student may yield the best potential outcome. Think of a scenario in which a student has terrorized their peers on numerous occasions through a wide array of criminal offenses that have not been prosecuted, in favor instead of restorative processes. The student continues to engage in such conduct, despite the SRO and the school's best efforts to reform their ways. In such an instance, there is a logical point at which criminal prosecution becomes the best option. By resorting to criminal prosecution, the SRO would employ utilitarianism, which is to say they recognize the

point at which criminally charging the student would produce the greatest good for all students of the school (Pollock, 2019).

There is also the possibility that SROs will take part in ethically questionable behavior themselves during the course of their duties. There have been instances in which SROs have been criminally charged for carrying on inappropriate sexual relationships with students (Sepic, 2020). This is not a frequent occurrence, but the potential always exists for such an incident to take place. In a position where outreach and engagement are hallmark provisions of the job description, SROs must know how to foster friendships and positive relationships with students while simultaneously knowing that there are definitive lines that cannot be crossed.

### ***Perception of Parents and the Community as a Whole***

Another ethical dilemma to consider involves the simple presence of SROs within schools. A core tenet of the SRO position involves engagement with students in an effort to serve as a positive influence in their lives and show them that members of the law enforcement community can be approachable, and even help counsel them through some of the difficulties of their adolescence. In their 2018 study of the Minnesota Student Survey, Pentek and Eisenberg found that positive perceptions of SROs led to decreased levels of school discipline (Pentek & Eisenberg, 2018). Although difficult to discern causation versus correlation, the argument could be formed that SROs who engage with their students and prove to be a positive influence in their lives can assist in deterring unacceptable behavior or even criminal behavior.

There are many, however, who view the presence of police officers within schools as an unnecessary imposition born out of fear in the wake of school shootings in the 1990s (Weiler & Cray, 2011). Especially in the wake of the killing of George Floyd in Minneapolis in May 2020, increasing calls have been heard to remove police from schools altogether and instead use that

funding for causes such as ethnic studies, counseling, and restorative justice (Goldstein, 2020). Several cities, Minneapolis included, have already seen their SRO contracts canceled by local school boards (Faircloth, 2020).

The call to remove police from schools is heard, especially in diverse communities of racial and ethnic minorities. American Indian, Black, Hispanic, and mixed-race students tend to have fewer positive perceptions of SROs (Pentek & Eisenberg, 2018). In Chicago, even the local teachers' union has made calls to cancel the police contract (Masterson, 2020). As the cultural tides shift in the wake of high-profile police killings, the ethical question of whether police belong in schools continues to garner more and more interest and attention.

### ***Ethical Considerations for the Greater Criminal Justice Community***

SROs have a unique set of experiences that typically affords them an ability to effectively serve as a conduit between school entities and the greater criminal justice community. As with any workgroup, there are colloquialisms and vernacular specific to those communities that are often only understood within the communities themselves. SROs are positioned well to metaphorically translate between the two sides, and in doing so they see to it that ethical boundaries are not crossed. This concept is perhaps best described as a construct of cultural relativism. In cultural relativism, there are accepted values and behaviors that differ from culture to culture, and right and wrong are essentially rooted in the unique experiences of that culture (Pollock, 2019).

Applying the principle to the school setting versus the greater criminal justice system, there are undoubtedly situations in which school officials will view the actions of a student through a different lens than the criminal justice system. The value in the SRO position is seen in the ability to navigate these different cultural beliefs of what constitutes right or wrong,

effectively communicating the differences between the cultures to stakeholders involved, and negotiating a common understanding between the two sides so that an amicable solution can be quickly and efficiently reached.

### ***The Action Plan***

**Ethical Considerations.** Recapping much of what was previously mentioned in this paper, there are several ethical considerations to consider when formulating an ethical action plan pertaining to the role of school resources officers. Primary amongst these is a firm understanding of the concept of overcriminalization. Emerging research strongly shows that school administrators have fallen into a pattern of using their SROs to deal with the minor criminal problems of their schools, and this habit has led to extensive overcriminalization in some places (Mallett, 2016). Researchers have dubbed this trend the school-to-prison pipeline. Any police officer preparing to step into the role of SRO needs to firmly understand the dire implications of such a trend and recognize the moments where criminal prosecution is appropriate and when a more restorative approach would better serve both the student and the school.

Police officers preparing to become SROs must also realize that there is growing sentiment and a desire for them to no longer be embedded within the schools they serve, particularly in urban cities with diverse populations. Although this may not be the case for every officer preparing to step into the role, there must be a recognition by the officer that they are stepping into a whole new politically divisive arena, and their greatest weapon to combat the political forces at play will be their ability to outreach and connect with students and staff. From the moment they set foot in the school, they need to work towards establishing positive relationships and building the foundation of trust with the students in their building. Perceptions



within communities are quickly rooted, and should a negative initial impression be made, it can take extensive work to reverse course and build those vital links between the officer, staff, and students.

SROs must realize that they are effectively serving two administrations. They are first and foremost beholden to the leaders of their police agency. Secondly, however, they are also responsible to report to their school administrators, and an expectation of effective communication and accountability is a reasonable ethical standard. More importantly, SROs must recognize that they are often the link between these two administrations, and how they communicate the desires and interests of the two sides will shape the landscape of the ongoing relationship that exists between them.

**The Selection Process.** When police administrators are preparing to select an officer to fill the role of SRO, they must be very intentional in how they do so. There are obvious limitations in smaller police departments, but in larger agencies, there needs to be a concerted effort to draw forth the greatest applicant pool of interested officers. This can be done through tangible benefits such as a take-home squad car, promotion of the family-friendly schedule, heralding the value in summer vacation flexibility, and pointing the position as a stepping stone for future promotions. In addition to all these benefits, administrators should try to impress upon officers the value within the position that cannot be realized until the job is experienced. The role is unlike anything else within police work, in that it allows for officers to help shape and mold the perceptions of law enforcement among the youth of their community. The potential for long-lasting, valuable relationships is very real and present within the position.

Once the applicant pool is established, the process for selection must involve both the police department and school district stakeholders. This should not only include administrators,

but also those most likely to be involved with the day-to-day duties of the SRO. This means social workers, special education professionals, and perhaps even lead volunteers of parent-teacher organizations should have a seat at the interview. Each stakeholder should be allowed to voice what factors and qualities are most important to them so that a consensus can be drawn as to what type of candidate is most suitable for the role. As interviews take place, a collaborative roundtable discussion should be born out of the process so that input from everyone involved is offered up and considered before a selection is made.

**Promoting Ethical Accountability.** After a candidate has been selected and they begin their work as an SRO, there are several ways to ensure ongoing ethical accountability. First and foremost among these is to maintain a clear chain of command and understanding of the supervisory roles within the position. SROs are to report to their direct police supervisors and are expected to be receptive to the suggestions of their school administrators. These school administrators also should have a clear line of communication with the SRO's police supervisor in case important conversations between these administrators needs to take place. This structure of power ensures that the SRO is not lost in supervisory purgatory between their police supervisors and school administrators.

Frequent pre-planned meetings between police supervisors and school administrators can and should take place. In larger districts with multiple SROs, there is perhaps a director of school district security that could meet with the sergeant in charge of the SRO unit. In small districts and police agencies, this may entail a high school principal checking in with a police sergeant regularly to simply talk about the functioning of the SRO program and discuss any concerns whether they be ethical or otherwise.

Concerning training and ongoing education, police departments would be served well to send their SROs to specific juvenile investigator training courses. In some agencies, this may even include special training to interview victims of sexual assault. Unfortunately, there is no national standardized training regimen for SROs (Ryan et al., 2017). It is incumbent upon both police and school administrations to recognize areas for increased growth within the SRO position, identify courses that could provide opportunities for such growth, and willingly send their SROs to such training.

### ***The Concordia Saint Paul Stewardship Principles***

Applying the ethical framework of the Concordia Saint Paul Stewardship Principles to matters of ethicality within the position of SRO, it is important to first consider accountability and effectiveness in using resources. There is obviously a large amount of autonomy in the day-to-day routine of the SRO. It would be inefficient to suggest that the SRO have a supervisor who can constantly watch over them and ensure they are always acting ethically. A responsible use of resources would be to effectively use channels of communication between the school district and police department so that any concerns can be easily reported to one side or the other. Coupled with a rigorous application process and examination of the character of the officer to be appointed, certain assurances can be made without excessive resource drain that the SRO is a wise steward of their own time and resources and is effectively completing the job tasked to them. Additionally, technological means for assuring accountability such as a strict body-worn camera policy can ensure that ethical lines are not crossed.

Next, it is prudent to examine the SRO's role in nurturing talent and treating people with respect. This tenet of the stewardship principles is most certainly realized within the SRO position. Every day will provide a litany of opportunities for any SRO to engage with students,

foster and nurture the development of their character, and afford them the respect and dignity that they deserve. Even in trying moments of criminal wrongdoing on the part of a student, the SRO has a lasting responsibility to treat that student with respect and help them understand the severity of their actions, and assist them in developing skills to reduce or eliminate the likelihood of future criminal behavior.

Lastly, consider the SRO's responsibility to be aware of intended and unintended consequences on a variety of stakeholders. Working in a school will expose the SRO to students from all backgrounds and walks of life. In each decision they make, SROs must be aware of the gravity of their decisions and acutely recognize the potential for long-lasting impact. This is especially true in matters involving the consideration of criminal prosecution. Collective input and decision-making from others involved will often lead to the most responsible decision being made. Whether this input is gathered from other police officers or school employees, there is value in thoughtfully and intentionally considering the consequences of choices.

### ***Ethical Application Summary***

Working as a police officer in a school setting is a delicate balance of recognizing the potential to create the greatest amount of good for the students served while also knowing that a concern for public safety is simultaneously paramount in importance. Ethical dilemmas will certainly present themselves in the role, but with proper communication skills, an adept understanding of the two systems in play, and knowledge of the historical misgivings of the position an SRO can properly navigate the politically sensitive landscape at play. Administrators of police agencies and school districts can employ specific strategies to select the proper person for the job and ensure that proper oversight is in place to keep their SROs ethically grounded.

## **Administrative Application of School Resource Officers**

It is rare that an employee faces the distinct challenge of serving dual sets of separate administrations within their line of work. Even rarer is for those two sets of administrations to work within entirely different fields of work. Police officers who work as school resource officers (SROs) find themselves in just such a position. In this role, the SRO is beholden to their police department administration, as well as their school district administration. Balancing the sometimes-conflicting desires of each administration is no small feat, but it is entirely possible. The communicative process of the administrators will determine much of the SRO's success in doing so in particularly trying times. This paper will serve as an analysis of the administrative stakeholders that work around the SRO, as well as a roadmap for those administrators to successfully navigate the duality of supervision within the SRO position in a way that allows for effective communication in moments of crisis.

More today than ever, it is crucially important for SROs to be aware of the challenges they face within their role. Serving as a conduit between police and the youth of our nation, SROs are uniquely positioned to simultaneously provide police protection and criminal law enforcement to the students within their assigned schools while also outreaching to those same students, humanizing the person behind the role, and bridging the growing gap between police and the citizens they serve during a critical formative period in young people's lives.

In the 1950s police officers in Flint, Michigan were assigned to work full-time within schools to curb violent crime, particularly gun violence (Ryan et al., 2017). Since this inception, the prevalence of SROs within schools has steadily grown in scope and direction. High-profile school shooting incidents at the turn of the century such as those at Columbine High School and Sandy Hook Elementary School created a nationwide call for more police officers within

schools. On their website, the National Association of School Resource Officers (NASRO) estimates today that there are between 14,000 and 20,000 SROs currently working in schools within the United States.

The growth and expansion of this position can be attributed to multiple other factors as well. A national emphasis on drug enforcement and education led to many SROs being used as educators through the Drug Abuse Resistance Education (DARE) program. Simultaneously, an emphasis on mentorship and engagement was implemented as SROs began to reach out and mentor students and advise teachers and administrators on matters pertaining to law enforcement (Counts et al., 2018). Slowly but surely the position became more multi-faceted than ever, and the very nature of the job today is far different from its past iterations.

Despite the original intent of SROs to reduce violent crime, a steady transition took place which saw police officers being used to assist in school disciplinary matters that were not always criminal. This change has created a harmful environment that sometimes has led to the over-criminalization of some student behaviors (Lynch et al., 2016). At times school administrators have developed a habit of relying on their SROs to make arrests for incidents of minor assaults and disorderly conduct that were previously handled solely by the school staff. This tendency is greater felt in schools with large populations of students of color (Pentek & Eisenberg, 2018).

All these different factors have brought the position to a crossroads. Wearing multiple hats is difficult in any line of work, but the circumstances are exacerbated when peoples' freedoms and liberties are at stake. Factor in that the people involved are juveniles within their school environments and the stage is set for a delicate balancing act that must be carefully conducted.

The strengths and weaknesses of the current approaches to work as an SRO are strikingly similar in nature, and it is largely the perception of each individual that shapes whether they view each factor as a strength or a weakness. Many have the opinion that police officers in schools enforcing laws and addressing criminal justice concerns contributes to a vital component of operational safety, and that the outreach they conduct during the role only further legitimizes its existence. These same roles and responsibilities, viewed from the eyes of others, only further serves to delegitimize the position and contribute to the belief that SROs over criminalize student behavior and contribute to the pipeline-to-prison (Mallett, 2016).

As previously mentioned, recent trends have seen larger school districts canceling their SRO contracts in the wake of the death of George Floyd (Faircloth, 2020). As public opinion of police has seen significant erosion since May 25, 2020, police department administrators have found themselves now in the position of defending and justifying the reasoning for their SRO positions to exist. If ever a time has come for the position to be reinvented and reimaged, it is now.

### ***Twin Administrations***

The newly assigned SRO will find themselves in a unique position. They almost certainly are already familiar with their police administrators. This likely includes a direct supervisor such as a sergeant to whom they report, as well the potential for an array of command staff such as lieutenants, captains, commanders, and eventually deputy chiefs and chiefs. SROs are familiar with their police chain of command and typically operate in firmly established communicative channels and protocols. Alongside this already-known branch of command structure now also exists the need to appease and report to the school district administration. Within school districts, SROs must expect to report to assistant principals, principals, or perhaps district security

directors or even superintendents. The expectations of these two very different administrations vary widely, and it is incumbent upon the SRO to learn to navigate their intertwined relationship.

**Police Administration.** The role of police administration in the work of the SRO begins with the selection process, which will be detailed later in this paper. Once the proper candidate has been selected, it then becomes the role of the police administrator to make sure that the SRO stays on task and completes all of their assigned objectives in a lawfully. An SRO who lacks the proper knowledge and oversight can lead to violation of students' constitutional rights as school district administrators often lack procedural knowledge of the law and can sometimes pressure or even coerce their SRO to engage in conduct that is not constitutionally grounded (Weiler & Cray, 2011).

There are two primary mechanisms by which police administrators can properly prepare their new SROs for the procedural challenges they face ahead. The first is to send their SROs to training specifically designed to educate police officers on the transition that takes place when becoming an SRO and how to handle some of the constitutional gray areas that will inevitably be encountered. NASRO is a consistent provider of such courses all around the nation. The second mechanism is to ensure that the new SRO has a firm understanding of the well-written memorandum of understanding between the police department and school district that will properly lay out what is expected of the SRO and what would constitute a line being crossed as far as police involvement and interaction in school affairs (Police Foundation, n.d.). Police administrators negotiate and keep tabs on these documents and ensure that they stay up to date with current best practices. A thorough review each school year to look for any new glaring omissions or needed changes will help ensure that the terms under which the SRO must operate are clearly stated and understood by the school district.



Ultimately it is the duty of the police administration to defend their SROs and shield them from the political games that can sometimes take place between the two administrations. Regular meetings between police administrators and school district administrators can help ensure that expectations are being met and that there is a firm understanding of what the role of the SRO is and continues to be. Later in this paper, crisis planning will be explored and the benefits of thorough planning for worst-case scenarios will be detailed.

**School Administration.** School district administrators face external pressure when deciding how to use of SROs within their districts. The use of SROs is highly polarizing, and there are different perceptions amongst the public as to whether or not they are a necessary presence within schools. Superintendents must weigh the perception of the population within their district, gather a sense of whether or not there is support for SROs, and then agree to take part in a program accordingly.

Another vital consideration for school district administrators, however, is the perception of safety from those who work within the school. Principals have regularly reported that the presence of an SRO gives them an increased sense of overall safety within their buildings. This perception is further enhanced with increasing frequency of communication between the SRO and the school principals (Scott et al., 2015). A review of the Minnesota Student Survey showed students had a similarly increased perception of safety given the presence of an SRO within their school, but that this sense of safety was diminished for students of color (Pentek & Eisenberg, 2018).

Each school will present with its own unique set of circumstances and perceptions that will need to be analyzed by school district administrators as they determine whether to employ the use of SROs, and how those SROs will be expected to operate within their buildings. The

needs for an SRO in a poverty-stricken student body with a large portion of students of color will be entirely different from a wealthy suburban school with a mostly white student body. Through effective communication, particularly in moments of crisis, school district administrators can also use their SROs to create the most positive outcomes.

### *Selecting the Right Candidate*

Police officers working as SROs must be trustworthy and capable of operating with little direct supervision. The reasoning for this truth is that SROs will find themselves working within their schools for the majority of their time at work and during that time they will typically be the only police officer within their given building. Exceptions can obviously exist for particularly troubled schools where an additional presence is needed, but traditionally there is only one officer assigned to a school, and quite often each SRO will have multiple schools assigned to them.

Given this fact, police administrators must be intentional and thoughtful in their selection of who amongst their police officers will work as an SRO. During the selection process, police administrators must consider whether the candidate has previously shown that they are largely capable of operating autonomously. Self-motivation and the ability to recognize a need for work and to fulfill that need are traits that should additionally be sought.

SROs should be selected in a process that includes an interview with both police department and school district representatives. Together, the administrators must work together to flesh out what they believe to be the lynchpins to succeed within the position, and only collaboration between both administrations will make this possible (Police Foundation, n.d.). Police officers seeking to become SROs must be able to reconcile the fact that enforcement will

not always be their primary goal. Instead, the solution that leads to the greatest likelihood of success for the student must be considered first and foremost (Police Foundation, n.d.).

### *Crisis Communication Strategy*

History has a way of showing that one event within police work that does not go entirely as planned can easily tear down years' worth of trust and community-building efforts. This truth is especially evident within the relationships between schools and their SROs. To mitigate the potential for disaster, new police administrators tasked with overseeing their agency's SRO program must immediately work to establish trust and build in-roads with the school district administrators. Once introductions have been made, it would be prudent for the new police administrator to immediately begin work on a crisis communication strategy.

**Pre-Crisis Planning and Communication.** The first step to be undertaken would be pre-crisis planning. Possibilities for emergencies to take place within school buildings are endless, but there are several scenarios such as large-scale fights, incidences of criminal sexual conduct, or even the dreaded potential for a mass shooting that warrant ongoing thought and consideration. Police administrators should take the initiative to set up meetings with school district administrators and their SROs to begin to talk through expectations regarding response to such incidents. These discussions can include common practices for the dissemination of information between the two administrations, agreements regarding the need for additional law enforcement response within school buildings outside of the SRO, and perhaps most importantly drawing clear lines that differentiate the roles and responsibilities that fall respectively to either the police department or school district.

Such planning may seem unnecessary or burdensome, but it cannot be denied that when a critical incident takes place there is often confusion and misinformation that is quickly spread

and causes a breakdown in working relationships. Through pre-crisis planning, there will be measures put into place so that when emergencies happen the leaders and stakeholders involved will simply fall into their already-understood roles and complete the tasks put before them. This process also reduces the potential for surprises in the fragile relationship between police departments and school districts. If a school district knows and understands what the SRO or police department as a whole is capable of doing in a given incident, then when such an incident takes place there will be no hurt feelings or misunderstandings.

**Crisis Response.** If a crisis does take place within a school, police administrators must know that their SROs are well-equipped to address what is taking place and make appropriate decisions. This can mean conducting a thorough initial investigation and passing along pertinent information to investigators, or it can mean something as serious as confronting an active shooter within a school building and addressing the threat themselves while simultaneously using a police radio to inform incoming police officers of what is taking place. The SRO, in any event, will be the first line of communication to the police administrator regarding what is taking place within the school building.

Pre-crisis planning will prove its value in such moments, as systems should already be in place to address what is taking place. Say, for instance, that a large-scale fight has broken out inside the cafeteria of a large high school. In pre-crisis planning meetings, it had already been decided between police administrators and school district administrators that additional police officers should immediately respond to the scene to support the SRO and school staff in their efforts to restore order to the school. Additionally, it was pre-planned that those responding officers would respond to a specific door and that designated school staff would wait at the door to allow them inside and guide them to the area where they are needed most. Police

administrators will also immediately be in contact with school district administrators to discuss the details of the large-scale fight and work to mutually determine what the best course of action would be moving forward. In this fictional example, the fruits of pre-crisis planning are fully realized.

Within crisis response, communication will be an integral component of operational success. Concise decision-making on the part of police administrators with input from school district administrators will aid in reducing confusion and assist in putting forth the collaborative vision that all employees of the police department and school district hope to see as a result of their working partnership. The SRO will provide great value in such moments of crisis as they are a tool to be used to navigate any organizational differences or philosophical misunderstandings that may arise. It is expected that the SRO be a master communicator, capable of establishing an understanding and operating as a true liaison between the dual administrations they serve.

Continuing to expand on the importance of communication in moments of crisis within schools, police administrators must be certain to coordinate with school district administrators regarding the information that is released to the public. There are likely different data practice laws that apply to the police department and the school district, so proper communication between both administrations will help ensure that a united message is put forth to the greater community. In instances that attract media attention and perhaps even a press conference, administrators from the police department and school district can appear together in a show of unity and collective work to overcome the crisis.

**Post-Crisis.** Debriefings must take place following a crisis event within a school building, with representatives from both the police department and school district. The SRO

must once again bear the burden of operating as the primary go-between for both organizations, adeptly communicating the feelings and reasonings for decisions that were made during the crisis and doing everything possible to gain the greatest level of understanding amongst everyone involved. Analysis of what went well and what could be improved upon should take place, and lessons learned can be applied to future pre-crisis planning operations.

### ***Administrative Application Summary***

The business of conducting police work within school buildings can be difficult to navigate and highly political. Effective communication between the SROs embedded in the schools and their police administrators will aid in ensuring the highest-quality police service. The thoughtful and intentional selection of the police officers designated to serve as SROs will increase the likelihood of operational success, and collaboration between police administrators and school district administrators is vital to making sure the proper individual is chosen. In moments of crisis, ample and careful planning for such events will assist in addressing problems and overcoming challenging incidents. It is the responsibility of the police administrator to coordinate and quarterback this planning and keep positive relationships with the stakeholders involved. If they fail to do so, the propensity for a public safety crisis within a school building to go terribly wrong is exponentially increased.

### **Legal/Legislative Issues of School Resource Officers**

The simple nature of work within law enforcement involves a risk of legal action and the potential for civil litigation. For school resource officers (SROs) who work within our nation's schools, this is no different. There is an even an enhanced layer of risk present due to the nature of working with juveniles in a school environment where they are away from their parents but subsequently bound to the rules and regulations of the given school. A myriad of circumstances

has already played out within our nation's schools involving legal and legislative issues surrounding the work of SROs. Much case law exists in this arena and serves to guide the hand of SROs as they work to fulfill the duties of their position fairly and lawfully. This paper will serve to analyze and summarize the legal and legislative climate of work as an SRO and offer suggestions to avoid future conflict and potential for legal issues.

### ***The Open Door to Legal and Legislative Issues***

Change is inevitable, and within the workplace, it is especially important for people to recognize the need for change and adapt accordingly. Applying this principle to the work of SROs, it can certainly be recognized that the job today is starkly different from its inception in the 1950s in Flint, Michigan. Originally designed as a mechanism for allowing a police presence within schools to outreach to students in an effort to deter violence and gun-related incidents, the duties assigned to the job have steadily grown and expanded as additional needs have been recognized by both school district and police department administrations (Ryan et al., 2017).

Today, the SRO often will find themselves tasked with addressing all incidences of criminal behavior within school buildings. This means that the SRO will be placed in a position to investigate crime as it happens. Searches of students will sometimes need to take place. Searches of lockers will need to take place. Students may need to be interviewed regarding their involvement in criminal activity. The expansion and realization of these tasks assigned to the job have resulted in greater potential for unconstitutional actions on the part of the SRO and by extension a greater propensity for civil liability.

### ***Balancing the Desires of School Officials with What is Constitutional***

Envision a scenario in which a school administrator has received anonymous information that a student is possessing a controlled substance of some sort within their backpack. Innocently

looking to go about the investigation of this information, the administrator turns to their SRO and asks for a search of the backpack to be conducted. The subsequent search takes place, and illegal controlled substances are indeed located within the backpack. A police report is written, but no charges are filed as it is clear and obvious that the search of the student's backpack based on anonymous information alone does not meet the requirements for a constitutional search. This SRO has opened the door to potential civil litigation for violating the constitutional rights of the student.

Now envision another scenario with the same set of circumstances, but instead of requesting the SRO to search the backpack, the administrator asks the SRO to stand by as a school district employee searches the backpack. The same controlled substances are found, but this time the search was lawfully conducted by a school district employee. United States Supreme Court case law has established that school district officials are subject to the fourth amendment's prohibition on unreasonable search and seizure, but warrantless searches can be conducted under the standard of objective reasonableness, not the probable cause standard to which law enforcement officers are beholden (*New Jersey v. TLO*, 1985).

These two similar scenarios with starkly different outcomes showcase the need for SROs to be fully aware of the constitutional rights and existing case law precedent surrounding the tasks they will potentially be asked to perform as they conduct their duties in the role. Oftentimes school district administrators will lack legal and legislative knowledge and hold false impressions regarding what their SROs can lawfully do within their school buildings. It is the SRO, however, who will be left liable for the wrongdoing if they fail to recognize that their actions have no legal standing.

### ***Implications for Searches***



As previously mentioned, the United States Supreme Court decision in *New Jersey v. TLO* firmly holds that school district officials can conduct lawful searches of students and their property under the standard of objective reasonableness. SROs, on the other hand, must establish probable cause prior to conducting any lawful search or seizure. There are also some additional considerations to take regarding whether or not a search is reasonable and constitutional. For example, a United States District Court held that a strip search conducted in front of other students was unconstitutional (*D.H. v. Clayton County School District*, 2012).

Taking these facts into consideration, SROs must analyze each situation they are presented with and use the existing legal framework to decide whether a search or seizure is constitutionally lawful. This is no different from how a police officer working a patrol assignment would operate, but there is the added layer of complexity and compelling public interest that the events are taking place within a public-school building. This simple fact alone allows for increased public scrutiny of any search and seizure but also presents a paramount level of importance in assuring that the students and staff inside the building are safe. An SRO with firm legal knowledge can inform the school staff working adjacent to them of the legal limitations to their search and seizure abilities. With effective communication and a good working relationship, existing case law has allowed for a combination of the SRO and school staff to effectively perform searches and seizures when necessary while simultaneously protecting the rights of the students in question.

### ***Considerations for the Use of Force***

The developing brains of school-aged juveniles can be rife with conflict and disagreement, and there are moments where this manifests in physical altercations. For police officers working as SROs, there will almost undoubtedly be situations encountered within the

position where the use of force is necessary to keep other students and staff safe, to affect an arrest of a violent criminal offender, or to prevent a student from harming themselves. This is an unfortunate but undeniable truth, and once again it is incumbent upon the SRO to recognize the boundaries and make themselves aware of the legal limitations placed upon their abilities to use such force safely and lawfully.

Existing case law points to the SRO's lawful ability to use the minimal amount of force necessary to safely control a situation. In an incident involving the arrest of a nine-year-old in which the SRO wrapped his arms around the student in a twist-lock technique and slammed him up against a wall before handcuffing him, the United States Court of Appeals held that the actions of the SRO were constitutional (*Hawker v. Sandy City Corporation*, 2014). The court pointed to the threat that the student had created and how the SRO had perceived it in their affirmation that his actions did not constitute a violation of the fourth amendment. The court specifically noted that younger students should typically require lower amounts of force to effectively control, that if the only violation present is a petty misdemeanor or school conduct policy violation then the use of force should be reduced, and that increasing the amount of force used is justified when the student escalates a tense situation (*Hawker v. Sandy City Corporation*, 2014).

In an incident showcasing excessive use of force, the United States Court of Appeals held that the actions of an SRO were unreasonable when he pushed a student against a wall of lockers and held her arms behind her back after she had torn down some posters in a hallway and spoken disrespectfully to the SRO and staff (*Williams v. Morgan*, 2016). Video surveillance footage showed that the SRO had spoken into the student's ear while pinning her against the locker for approximately 15 seconds, and according to the student the SRO had been making threatening

comments. The student was briefly lifted off the ground while pinned against the locker, and a subsequent medical evaluation after the event revealed that she had suffered a broken arm (*Williams v. Morgan*, 2016). In this instance, it is clear and obvious that the amount of force used was not proportionate to the threat level posed by the student and that as a consequence the SRO should not be granted qualified immunity for his actions pursuant to the allegation of excessive force.

These examples illustrate that when using force SROs will benefit most by remaining calm, analyzing and determining the threat at hand based on the student's behavior, and only interjecting themselves physically when absolutely necessary. Once the decision to use force has been made, the SRO must be cognizant of the ever-changing situation and be aware that their actions have to remain in line with the perceived threat level posed by the student. Procedural knowledge of what courts have previously deemed to be reasonable and what they have deemed unreasonable will certainly assist the SRO in their decision-making process about whether to use force and how much force to use in specific situations.

### ***Awareness for Interview and Interrogation***

In the 2015-2016 school year, there were 1.1 million incidents of serious offenses that were reported in public schools (Chan et al., 2019). Inevitably, because of these offenses there will be resulting criminal investigations. These investigations will sometimes require students to be interviewed in school buildings. Put simply, the same set of rules that apply to interviewing and interrogating juveniles outside the school also apply inside the school. The primary questions to be asked when determining if the questioning is lawful are whether the juvenile is free to leave and whether or not coercion has played any part in the student speaking with the SRO (Chan et al., 2019). Each instance will be influenced by its own set of circumstances in determining the

answer to these questions, and there are a litany of factors that can sway whether or not a student is taking part in custodial interrogation or not.

Another murky reality within the realm of SROs interviewing students pertains to issues that only involve school-level discipline and will not result in criminal prosecution. In these instances, it is always important to consider that situations can evolve and change quickly. What begins as an issue of school-level discipline can rapidly transform into a full-scale criminal investigation as new facts come to light. In these moments, it would be wise for the SRO to determine whether or not custodial interrogation is taking place and proceed accordingly.

Proper administration of the Miranda warning pursuant to *Miranda v. Arizona* (1966) allows for lawful custodial interrogation of juveniles. This is no different in a school setting. Should a student be the subject of a criminal investigation, their custodial interrogation is entirely lawful as long as the student has been advised of their rights per Miranda and the statement obtained is free from coercion on the part of the SRO. It is also worth noting that school district officials are not subject to the Miranda requirement. They can freely question students without advising them of their rights, and any information gathered from this questioning would be admissible in court. The sheer presence of an SRO during the questioning, however, can alter this reality. Once again, the nuance of additional requirements for police interrogation versus school district official interrogation can cause confusion and lead to unlawful acts if not carefully watched and guarded. Just as with search, seizure, and use of force issues, SROs should be well-educated and inform the school district officials with whom they work should that procedural knowledge be lacking.

***Working with Students with Disabilities***

Students with disabilities constitute only 12% of the student population but account for 71% of all restraint holds (Chan et al., 2019). This statistic alone points to the volatile and sensitive nature of working with disabled students as an SRO. There exists a constant battle about what is right and what is wrong when balancing the best interest of the disabled student with the need to maintain safety for both the student in crisis and other students in the school. Decisions made in these moments will almost always face scrutiny and potential judgment, and there will undoubtedly be those who feel wronged. Case law exists from parents who have sued school districts and SROs as a result of the force used against students with disabilities.

In a case involving an 11-year-old boy with cognitive and behavioral disabilities who was throwing rocks on a playground and then attempted to strike a school security guard and SRO, the United States Court of Appeals held that the SRO's action to secure one of his arms was the minimum amount of force reasonably necessary to ensure the safety of the child and other children on the playground (*E.C. v. County of Suffolk*, 2012). In another case involving an 11-year-old girl who was identified as being in a class for children with special needs, an SRO was sued for simply handcuffing the girl and transporting her to a juvenile detention center on the grounds that he had violated her rights pursuant to the fourth amendment, fourteenth amendment, and the Americans with Disabilities Act (*J.H. ex rel. J.P. v. Nation*, 2015). The case was dismissed in lower courts, and the dismissal was appealed but upheld by the United States Court of Appeals.

All moments in which SROs must restrain, handcuff, or use force against students with disabilities are extraordinarily delicate and unfortunate. Existing case law shows, however, that if the minimum reasonable amount of force necessary to safely bring the situation under control or affect an arrest is used then the SROs involved should be shielded from legal action. Remaining

aware of the sensitivities to these situations and always considering the consequences of the force to be used will serve the SRO well in making sound decisions that can reduce or eliminate any likelihood of wrongdoing.

### ***Strategies to Avoid Unlawful Action by the SRO***

A common theme emerging in this paper is that SROs are often forced to intervene in difficult situations. There sometimes will be no right answer, and regardless of the action taken there will be persons who perceive wrong or take great offense to the choice or action. Inevitably, this reality leads to a position that is prone to litigation. The review of several examples herein has shown that the courts have often been kind and ruled in favor of school resource officers so long as they are acting within the constructs of existing case law and using the minimum amount of force that is reasonably necessary to physically control a situation.

The key consideration to make when strategizing how to avoid unlawful conduct by the SRO is to first ensure that the SRO themselves has extensive legal knowledge regarding what they can reasonably do and what they should not do within their role. Attending training specifically geared for SROs that focuses on case law examples and stirs the mind with thoughtful and intentional conversation is a good place to lay the foundation for such knowledge. Unfortunately, only 11 states have established standardized training regimens for their SROs (Ryan et al., 2017). Other states should look to their example to formalize necessary training and take steps to ensure that all SROs are equipped with the information they need to handle the difficult situations they are bound to encounter. At the individual agency level, administrators should recognize the need for their SROs to be well-versed in the law. In the candidate selection process, procedural knowledge and practical application exercises involving hypothetical scenarios can help determine who amongst the applicants is best suited to handle what lies ahead.

Another means of mitigating the potential for civil litigation or claims of constitutional violations is to incorporate the use of body cameras into SRO programs. A good rule of thumb is whenever an SRO is dealing with an enforcement situation, whether it be school discipline only or a criminal investigation, they should activate their body camera. Another valuable idea is that whenever an SRO is alone with a student, regardless of circumstances, their body camera should be activated. This additional measure of accountability will provide audio and video evidence of every encounter the SRO has which could likely result in litigation. In situations where the student or staff's version of events varies from that of the SRO, having body camera footage can be the deciding factor in determining who to believe.

Regarding searches, it is vital that the reality of what the SRO can lawfully search and what they cannot search must be thoroughly explained to school officials. Confronting these realities prior to an incident taking place will set the tone for what can lawfully be done and what cannot and reduce the likelihood that school officials will ask for a search that is not lawful. The same applies to interviews and interrogations. Even a loose understanding of Miranda rights by school officials will help ensure that criminal investigations are not compromised through unlawful custodial interrogation. A united, informed front consisting of both the SRO and school officials will lead to the best potential outcomes.

Pertaining especially to students with disabilities, SROs should regularly collaborate with the staff that works with these students each day. Often these staff members are highly trained and have unique tactics and protocols that they follow for the use of restraint holds in moments when a disabled student becomes out of control. The SRO can learn the nuances of these tactics and protocols and know when it is proper to interject and how to go about their interjection. There can even become a team effort to control these situations on the part of both staff and the

SRO if they learn each other's expectations for how physical encounters will be handled. If the conversations have taken place beforehand and pre-planning has been an active part of deciding how to physically restrain a student, then the actual act of doing so will likely be much more streamlined and less likely to result in accusations of excessive force.

### ***Legal/Legislative Issues Summary***

As time marches on there will be new encounters between students and SROs that are brought to light in court and litigated regarding what is right and what is wrong. The courts' rulings mostly in favor of the SRO have shown that there is a general judicial acceptance of just how difficult the job can be. As public perception of police has swayed in recent years, it can perhaps be expected that SROs be held to an even higher standard as they interact with our nation's youth. As police conduct is increasingly called into question, let us hope that those officers working as SROs will continue to use their power solely for good and aid in the mission of reaching out to students and making meaningful connections while simultaneously enforcing the law and preserving public safety within the vulnerable spaces that are our schools.

### **Conclusion**

The combination of analysis amongst the administrative application, ethical application, and legal/legislative issues surrounding work as an SRO showcases the diverse and extensive range of problems that police officers within the position are forced to confront. It also points to the wide range of stakeholders in play and the breadth of just how difficult it can be to exact any actual change. Politics on a national scale factor into the equation, but the trenches of actual change lie mostly with police department administrations and local school boards. In a position that is so public and forward-facing, it is eminently critical that all these issues being raised, coupled with the greater conversation surrounding law enforcement, be carefully considered.



Viabile solutions are attainable and within reach, but it will take considerable effort on the part of everyone involved to achieve the greatest degree of success in ensuring SROs are administratively well-supported, ethically sound, and legally grounded.

### **Chapter 3: Implications, Recommendations, and Conclusions**

SROs face the difficulty of serving both their police department and school district administrations. In a position that is so ethically sensitive, it is crucial that SROs conduct their duties with the utmost respect for the weight of the task set before them. This is especially true given the intricate nature of the legal and legislative issues that surround the reality of conducting police work in a school setting, dealing primarily with juveniles.

#### **Practical Applications**

Some steps can be taken amongst law enforcement agencies to bolster public support for their SROs. Foremost is the adoption of training that specifically addresses systemic issues within law enforcement that have hindered the fair and equitable application of the law for generations. It is crucially important that community members know and recognize that their SROs are specially trained to understand that racism and poverty are often derivative of social constructs and that we all have implicit biases that affect our thoughts and actions and contribute to these inequities.

Many states have implemented procedural justice training requirements for their police officers, and this is a good first step (Ryan et al., 2017). Moving the bar even higher, SROs should be expected to attend additional training, and even attend community meetings within the greater school district communities so that they can showcase their knowledge of these longstanding issues and work toward establishing common ground and an understanding that the position exists to outreach and repair as much as it does to protect and enforce.

Communication will be the key to accomplishing the goal of gaining public support for SROs. This broad statement applies to communication with students, teachers, school administrators, parents, and even community members. All too often SROs are viewed solely as

their badge, and little is done to get to know the person behind the badge. If proper candidate selection is made and the right person for the job is chosen, the result could be a proliferation of SROs who are sensitive to their community's needs, embrace the chance to work toward repairing broken relationships, and educate the masses about the nature of law enforcement and why the job can sometimes result in incidents that break down public trust.

The position of SRO affords a police officer an incredible opportunity to connect with their community in a way like no other. Most of the time the position will allow for outreach to community members, give the ability to connect with youth and their parents, and grant the ability to lay a foundation for trust and accountability with respect to the relationship between citizens and law enforcement. If the SRO can use these moments to have difficult but necessary conversations about why police officers must take specific actions, then perhaps the tide of public opinion will slowly sway back to a greater understanding of the need for police in our schools.

This is not to disregard the fact that police have been used in school systems to perpetuate racial stereotypes and affect unnecessary arrests against minorities and students with disabilities. That fact will never change, and it must be addressed by every police officer working as an SRO. With each encounter an SRO faces, they must ask themselves what enforcement action will lead to the most positive outcome for the student. Yes, there will be times when arresting a student is the only viable option to effectively handle a given situation. Certain crimes committed in schools are so violent and heinous that they unquestionably demand a criminal law enforcement investigation. Yet there are also so many instances in which minor offenses are placed on the shoulders of SROs who are asked by exasperated school administrators to proceed with criminal prosecution. It is in these moments that we fail our youth. These are complex issues, and the

answers are not simple, but overcriminalization is a real and present problem that has been shown time and time again to decrease the likelihood of success in that student's life.

It is colloquially said within law enforcement that most problematic behaviors start within the home. This is to say that negative attributes are often instilled in our youth by their parents and the environment that is presented to them in their home lives. When a student arrives at school with a predisposition to criminal conduct, it should be the onus of the SRO to recognize this fact and work as hard as possible to overcome it. There will be instances in which a student has been told by their parents that police are bad, that talking to a police officer is not okay, and that police only exist to demonize and criminalize people. The challenge facing SROs is to overcome this obstacle, to use their superior communicative skills to break down those barriers slowly and steadily, and to gradually establish inroads by which a positive connection with the student can be made. Setbacks will occur, and a student who appears to be on a positive path will make mistakes and return to criminal conduct, but if the SRO is persistent and tenacious in their outreach efforts, breakthroughs will take place and impactful change will happen.

The fabric of society is woven with trust and accountability that in turn establishes peace and goodwill. Law enforcement plays a large role in shielding society from the moments in which that trust and accountability are violated. Sometimes, however, it is the men and women in law enforcement themselves who commit the violation. When this happens, the entire balance of this delicate system is jeopardized and public safety protocol and procedure as we know it are called into question. SROs comprise a minuscule portion of law enforcement as a whole, but they are uniquely positioned to lay the firm foundation upon which that trust and accountability are based.

When a student sees their parent arrested for domestic assault, it is the SRO who can have the difficult conversation with them about what comes next. When a student is caught with controlled substances at a young age and faces the tipping point in their life to either turn back to lawful conduct or proceed with a life of crime, it is the SRO who can plead the importance of refraining from making the wrong choice in the future. Positioning these police officers in the school is an organic and natural means to encourage such conversations. The majority of police officers working in patrol response would struggle to make these connections, but SROs are uniquely positioned to see these students each day and engage them in these life-altering conversations.

At the heart of tackling these issues is addressing problems that have been previously discussed, particularly the school-to-prison pipeline, and considering the overall lack of standardized training for SROs. The continued practice of using SROs in disciplinary matters that should be handled solely by school staff has perpetuated racial tensions and led to the overcriminalization of students, especially minorities and students with disabilities (Police Executive Research Forum, 2018). A collaborative effort between police departments and school district administrations must be undertaken to develop strategies and policies that address this trend and find alternative methods for handling the discipline of these students. Should the practice of overcriminalization continue, there is no doubt that the relationships between SROs and these students will continue to deteriorate.

If change is to truly take form, SROs themselves must also buy-in to fixing the systemic problems at hand and take stock of what they can do to help make things better. In interviews with 12 North Carolina SROs, a recent study showed that they find value in their position and

see a need for their presence within schools (Barnes, 2016). This value was perceived both in the enforcement aspect of the position as well as the engagement aspect.

### **Recommendations for Further Research**

There is a noticeable lack of research regarding the actual day-to-day interactions that SROs have with the students in their schools. Limited studies with extremely small sample sizes have gathered the views and feelings of the SROs themselves, and information from students regarding their SROs is often gleaned from statewide student surveys. There would be great value in widespread meaningful conversations with both SROs and students regarding what works within the position and where there is room for improvement. Such an undertaking would certainly prove daunting, but the nuances of this topic are such that only through long-form conversation can a full and complete understanding of peoples' thoughts and opinions be gathered.

Additionally, research surrounding the types of training that SROs receive across the country could provide valuable insight into what works and what does not work. Recommendations from information gathered could perpetuate strategies that are proven effective while calling out those that do not yield great results and identifying them as important to avoid. Such research could greatly assist states as they work to create new or revamp current standardized policies and training requirements.

### **Conclusion**

It is impossible to know what the future holds. For the work of SROs, the willingness to accept and implement change will largely determine the future. Society moves forward at a relentless pace, and with that pace comes shifting views and perceptions of the value of many things. Often heralded as a beacon of safety within vulnerable institutions of learning,

SROs now must undertake thoughtful consideration of how their interactions with students can impact lives and outcomes. The reality of over-criminalization is known and quantified. We must now employ strategies to assess each police interaction within the school based on a variety of factors. This will ensure that the mission of SROs to engage, educate, and enforce is truly accomplished to the greatest extent possible.

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