

TESTIMONY TO THE PRESIDENT’S TASK FORCE ON 21<sup>ST</sup> CENTURY POLICING

Kevin Bethel,  
Deputy Commissioner of Patrol Operations  
Philadelphia Police Department  
**Subject: Program to address the School-to-prison pipeline**

February 13, 2015

Commissioner Ramsey, Professor Robinson, and members of the Task Force on 21st Century Policing, first let me thank you for giving me the opportunity to testify today on the work we are doing centered around what we’ve come to know as the School to Prison Pipeline in the City of Philadelphia. We all agree that safety in and around our schools across the country is paramount, however, zero-tolerance that results in children being arrested for minor offenses does not contribute to maintaining a safe environment. It does contribute to the disparity in arrests (disproportionate numbers of students of color are arrested), and unnecessarily exposing students to the trauma of arrest. Lastly, the collateral consequences of arrest stay with the student into adulthood potentially effecting future employment and causing numerous other negative hurdles.

To derail any school-to-prison pipeline, the Philadelphia Police Department, collaborated with the critical stakeholders surrounding this critical issue. The Philadelphia Police Department, Philadelphia Department of Human Services (DHS), the School District, the District Attorney’s Office, Philadelphia Family Court, and other stakeholders implemented a responsible and innovative Police Diversion Program. Philadelphia Police and schools are changing the management of students who have committed delinquent acts on or near Philadelphia school premises. Stakeholders agree that it is in the best interest of students and community members that certain summary and misdemeanor delinquent acts be handled by the school system, in conjunction with supportive services, without the filing of a delinquency complaint with the Court. By linking youth with community-based services, police are able to divert appropriate low-risk youth from

arrest and formal delinquency processing while connecting youth and families with necessary services.

Youth are referred to the nearest community-based DHS Intensive Prevention Services (IPS) program. IPS programs provide comprehensive, intensive early intervention programming for youth exhibiting high risk or at-risk behaviors. The community-based IPS programs core components include:

- Academic Support
- Social & Emotional Competency Building
- Mentoring
- Recreation
- Work Ready Programming
- Community Service/Engagement
- Parental Involvement

The School District currently enrolls approximately 142,000 students in grades pre K-12 with an overwhelming majority of students coming from low-income families (more than 87% qualify for free or reduced price lunch) and historically underserved racial minorities (more than 71% are African American or Latino). In the 2013-2014 school year, there were 7,569 serious incidents that resulted in 33,041 suspensions and 1,555 arrests. The five most common violations were fighting (1,628), assaulting another student (1,231), disorderly conduct resulting in injury (1,009), disrupting class (963) and verbal threats (477).

The Philadelphia Police Department developed the School Diversion Program after discerning that too many youth were unnecessarily arrested and referred to the Court system for low level acts. In cases where school principals and other administrators turn to the police department to use arrest and juvenile justice referral as a disciplinary action, the negative consequences for students can be significant. Although the School District removed its zero tolerance policies in 2012, we have continued to work with the District and its officials to use the School Diversion Program as a means of keeping

students out of the juvenile justice system, and away from any negative consequences that could arise from contact with the system.

How does the Police School Diversion process work? When a delinquent act occurs in school, School Police first contact the Philadelphia Police Department. The responding PPD officer reviews school records, and conducts interviews with the involved individuals, the child's teacher and counselor or advisor. Based on the information gathered, the PPD officer calls the Diversion Intake Center (staffed by Police and DHS Social Workers) who determines whether or not the student is eligible for diversion. Youth are eligible for the Delinquency Diversion program if they are over the age of 10, have no previous juvenile record (previous not guilty or withdrawn offenses included) and have committed certain offenses for which diversion is appropriate.

Within 72 hours of the alleged delinquent act, a DHS Diversion Social Worker makes a visit to the student's home and assesses the student with regards to risk factors such as alienation, rebelliousness, association with peers who engage in delinquency, bullying behavior, parental incarceration, and a favorable attitude towards delinquent behavior; and alcohol and/or drug abuse. The DHS worker then speaks with the child and the parent/caregiver to identify any physical, psychological, emotional, familial, social and/or educational issues that may exist within the home and develops interventions to address them. Youth are then referred to one of six (6) community-based Intensive Prevention Services (IPS) program. Families that fail to participate are visited by police personnel to explain the purpose of the program and the importance of the family and student participating.

Since the start of the school year on September 9, 2014, 267 students have been diverted under the School Diversion Program. A total of 332 students have been diverted since we rolled out in all of the program's 214 schools in May, 2014. The racial breakdown is as follows: African American (74%), Hispanic (16%), White (9%), Asian (1%). Moreover, the School District under the direction of

Superintendent Dr. William Hite has fully embraced the program. Through our combined efforts the arrest for the school year to date is down -57 percent from **846 arrests last year to 363** arrests as of January 31, 2015.

Recently, the Department with the support of our Family Court applied for and was awarded a School Justice Collaboration Program grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) titled, *“Keeping Kids in School and out of Court”* grant. This award allows us to further enhance the program by providing Communication and Conflict Resolution for all the sworn/non-sworn school police officers and principals. Good Shepherd Mediation who will conduct this training are also on retainer in order to provide mediation services, as needed, to youth and teachers. The final component of the grant enabled us to expand the analysis of the School Diversion program. Dr. Naomi E. Goldstein and her research team from the Department of Psychology at Drexel University (Philadelphia) will examine the effectiveness of the program and its impact within individual schools and for Individual youth.

In closing, there has already been testimony at these sessions about procedural justice (at times called procedural fairness). How fair can it be that prior to instituting our program, a ten year old child who walked into our school with a pair of scissors in his book bag would be arrested, taken to a processing location, fingerprinted and photographed. How fair can it be that a teenager caught with marijuana and self medicating herself due to a traumatic event is arrested and processed in the same manner. Law enforcement can no longer be an extension of discipline; zero-tolerance can no longer be our charge when dealing with many of our young people in our schools. We can no longer ignore the fact that arrests in our schools across the nation are disproportionate, affecting students of color at a significantly higher rate. Many of these students come from impoverished communities and bring with them the trauma and difficulties these environments create. If we are to gain true legitimacy in communities across the country and put procedural justice into action, I submit that joining in

collaboration with local, state and federal partners to attack the school to prison pipeline must be one of our top priorities. Thank you for again for the honor of speaking to you today. I am happy to answer any questions you may have.