

Testimony
given by
Chief Charles A. Brawner
Spring Branch ISD Police Department
October 30, 2012

1. Introduction & Thank You to Committee Chairman
2. Research of Class C Citations issued between 2006-2011
2395 Total Class C Citations issued during the last 5 school years
Total Samplings – 307 (25%)
3. Reductions of Class C Citations from 731 in the 2006-2007 school year to 353 in the 2010-2011 school year
48% overall Percent of Reduction
4. Class Citations were divided into 2 Categories (*see exhibits*)
5. Overall, between the 2 Class C Citation Categories, 71% of the students had **NO** subsequent arrests.
6. Exhibit V reflects that only 12% of students went on to have Class B/ Felony arrests in the 5 years following receipt of a Class C Citation.
7. Summation:
 - a. AOJJD Title II Data shows that, over the last 4 years (2007-2010),
 - i. Juvenile Population has increased by 7%
 - ii. Juvenile Arrests have decreased by 14%
 - iii. Juvenile Arrest rate has declined by 20%
 - b.
8. Recommendation for next session regarding Chapter 37.081 of the Texas Education Code:
 - a. Change the supervision of the Police Chief to the ISD Superintendent
 - b. Remove administrative duties of a school district Police Officer
 - c. HB 359 Allen restricts disorderly conduct citations to students in the 6th grade (12 years old).

Consider change to existing law to the age rather than grade .

JOINT HEARING
SENATE COMMITTEE ON EDUCATION
&
SENATE COMMITTEE ON CRIMINAL JUSTICE

**STATISTICS OF JUVENILE ARRESTS
Of Spring Branch ISD Students
October, 2012**

INTRODUCTION

In light of recent reports such as the *Schools to Prison Pipeline* published by Texas Appleseed, regarding the number of citations issued to students for criminal offenses that occur on school grounds, this Statistical Study of Juvenile Arrests of Spring Branch ISD Students dispels many of the assumptions made in the Texas Appleseed report.

The Spring Branch ISD Police Department was formed in the mid '80s and joined with approximately 35 other school district police departments in the State of Texas. Its purpose was to better provide for the safety and security of students and staff of school districts which could not easily be serviced by local municipal law enforcement agencies.

With over 25 years of service to the Spring Branch School District along with its networking with all other Texas ISD police agencies, the SBISD Police Department has historical data to support this Statistical Study related to the effects of juvenile arrests on its campuses.

This study focuses on SBISD students who were issued Class C citations on school campuses and the effect that citations might have played towards a future criminal lifestyle, if any, for these students over the last five year period. It also offers insight into the effectiveness of Class C citations in helping to maintain a safe environment on campuses for teachers to teach and students to learn.

METHODOLOGY

DATA RANGES:

- Total Class C citations issued to SBISD students issued during the school years of 2006-2007 through 2010-2011.
 - Only students who would have reached the age of 17 years or older as of March 1, 2012 are included in this study to reflect on future criminal activity as the student left the public school system and entered into society.

- Class C citations issued during the 5 year period were randomly selected from this data range for an in-depth review of the arrest data available in the Harris County Justice Information Management System.

- The correlation between the student's original Class C offense and subsequent arrests for other types of crimes committed by the student on or off school grounds.

- The length of time from the original Class C citation being issued until a subsequent arrest was made for a crime of Class B offense through all felony categories excluding DWI and Traffic offenses.

Exhibit I

Exhibit I reflects the total Class C citations issued by the SBISD Police Department over the last 5 school years of 2006-2007 through 2010-2011.

It indicates a dramatic decrease in the number of citations issued by the Spring Branch ISD Police Department to students on SBISD campuses. The decrease is in part a reflection of the continuing efforts of the SBISD Superintendent's staff along with the SBISD Police Department to educate school administrators in the difference of student misconduct and criminal activity and by ensuring that SBISD Peace Officers, in the commission of their duties, make the determination of whether criminal charges are warranted.

School Years	Class C Totals
2006-2007	731
2007-2008	546
2008-2009	405
2009-2010	360
2010-2011	353
Total	<hr/> 2,395

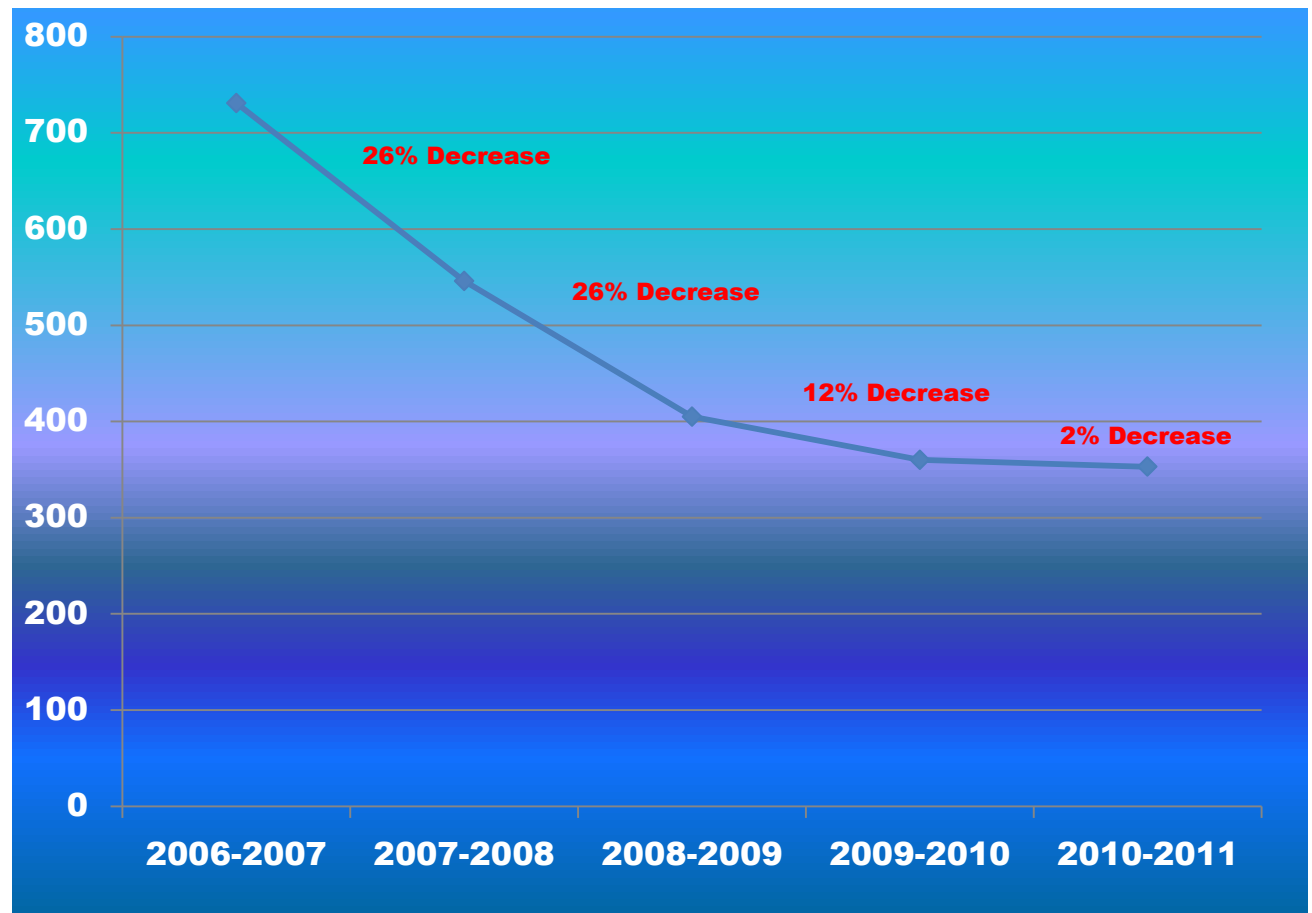


Exhibit II

Exhibit II is a comparison of the total Secondary Student Population for each of the 5 years.

By the end of the 2010-2011 school year only 2% of the student secondary population had been issued Class C citations.

	Total	Original Charges	%
	Secondary	Class C	Total
School Years	Enrollment	Totals	Enrollment
2006-2007	14959	731	5%
2007-2008	14493	546	4%
2008-2009	14273	405	3%
2009-2010	14993	360	2%

Exhibit III

To analyze the data range more closely, the types of Class C citations were divided into two groups. A sampling of the offenses is contained in this Exhibit.

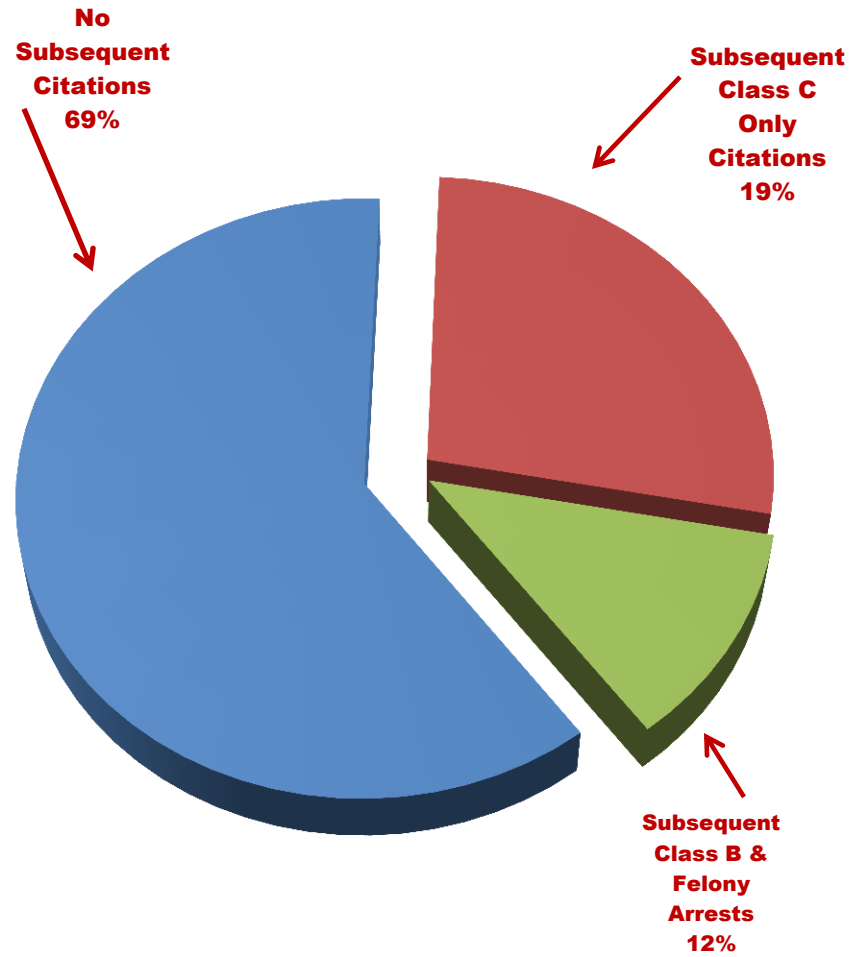
Group 1 contained the less serious Offenses of a Class C misdemeanor and shows that, of the 194 samplings, 134 of these students received no subsequent arrests.

GROUP #1

<i>Samplings of:</i> CLASS C - CERTAIN OFFENSES <i>25% of 765 Citations</i> <i>Total Issued in this Group</i>	GROUP #1 <i>Abusive Language</i> <i>Curfew Violations</i> <i>Disruption of Class & Transportation</i> <i>Possession of Tobacco</i>
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Total Samplings	No Additional Arrests Reported	Subsequent Arrests Class C Citations	Subsequent Arrests Class B & Felonies
194	134	35	25

GROUP 1



GROUP 2

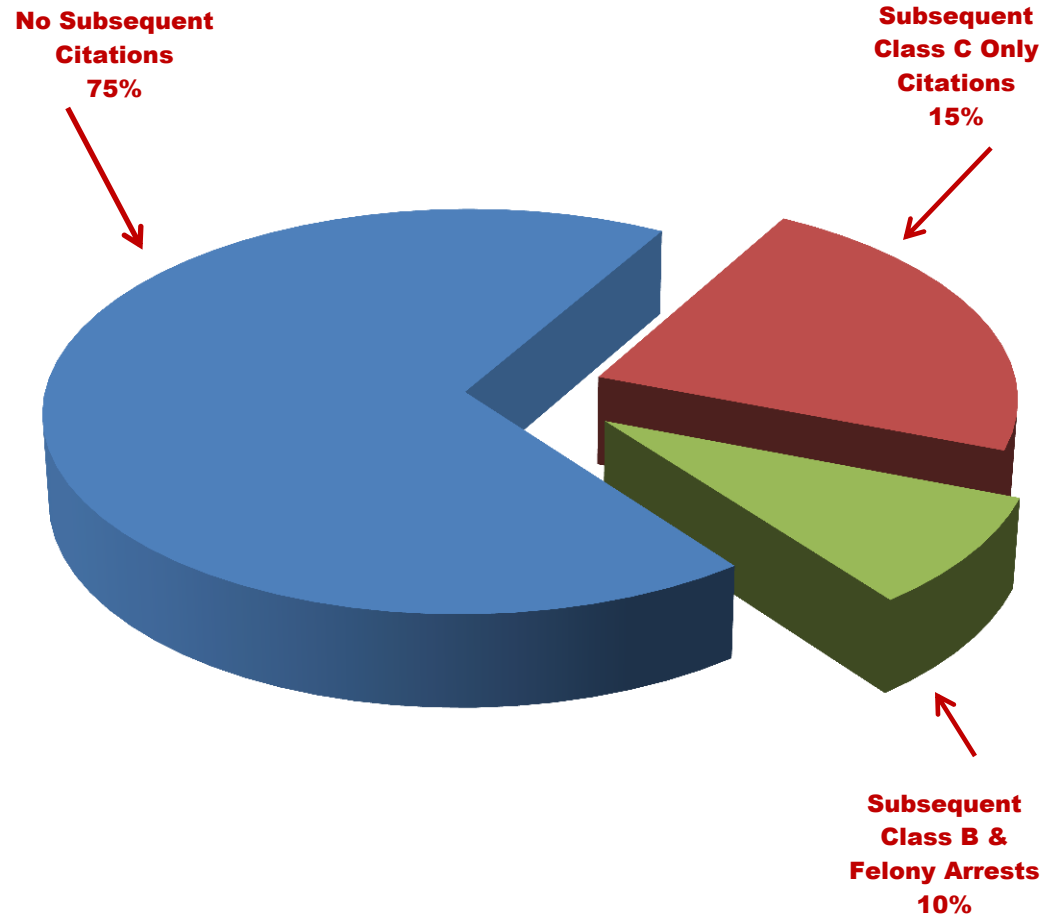


Exhibit IV

To analyze the data range more closely, the types of Class C citations were divided into two groups. A sampling of the offenses is contained in this Exhibit.

Group 2 contains the more serious Offenses of a Class C misdemeanor and shows that, of the 113 samplings, 85 of these students received no subsequent arrests.

GROUP #2

Samplings of:

GROUP #2

CLASS C - CERTAIN OFFENSES
25% of 450 Citations

Assault by Contact
Theft > 50

Drug Paaphernalia
Theft < 50

Total Issued in this Group

Improper Touching

Member of a Gang

Exhibit V

Exhibit V reflects that only **35 students (12%)** in this study's data range and over the 5 year period actually **had Subsequent Arrest** of Class B through all Felonies after the student was issued its original Class C citation.

<i>Statistical Totals of random samplings from last 5 School Years for ALL CLASS C CITATIONS ISSUED:</i>			
Total Samplings	No Additional	Subsequent Arrests	Subsequent Arrests
	Arrests Reported	Class C	Class B & Felonies
307	219	53	35

12% with Subsequent Arrests -Timeline:

Offenders	
Additional Arrests same year	1
Additional Arrests 1 Year Later	1
Additional Arrests 2 Years Later	15
Additional Arrests 3 Years Later	8
Additional Arrests 4 Years Later	7
Additional Arrests 5 Years Later	3
Total	35

TOTALS for Groups 1 & 2

No Subsequent Arrests
71%

Subsequent Class C Only Citations
17%

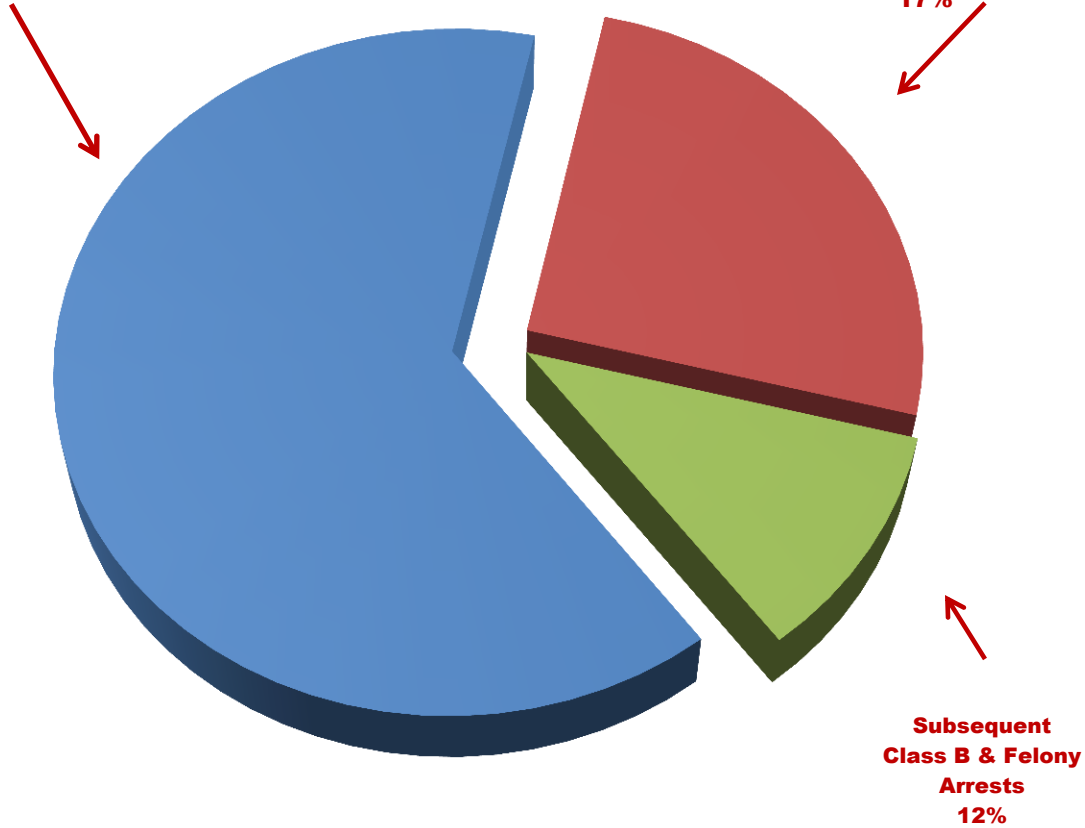


EXHIBIT VI

Review of the subsequent arrest of the 35 students issued Class C Citations .

Note: 2 Students had Class A & Felony arrests before the original Class C citation was issued.

Arrests after Original Citation

<i>Abusive Language:</i>	Aggravated Assault	1 Year Prior to Citation
	Theft>500, UMV, Evading Arrest	Same Year
	Burglary	2 Years Later
	Theft-1500-20K	2 Years Later
	Aggravated Assault/Pom/Weapon	2 Years Later
	Possession of Marijuana/BMV	3 Years Later
	Assault, Evading Arrest	3 Years Later
	Aggravated Robbery/ Weapon	4 Years Later
	Burglary/UMV	4 Years Later
	BMV/ Evading Arrest	4 Years Later
	Aggravated Robbery, BMV	4 Years Later
	Terrorist Threat/ Possession of Weapon	5 Years Later
<i>Assault by Contact:</i>	Engaging/Organized Crim Activity	2 Years Later
	Burglary	2 Years Later
	BMV/ Evading Arrest	4 Years Later
<i>Assault by Threat:</i>	Assault, Evading Arrest	2 Years Later
<i>Curfew Violation:</i>	Possession of Marijuana	1 Year Later
	Possession of Controlled Substance	1 Year Later
<i>Disruption of Class / Trans:</i>	Theft-1500-20K, Aggravated Robbery,	3 Years Later
	Gang Member, Evading Arrest	2 Years Later
	Burglary/UMV, Evading Arrest	3 Years Later
	Theft-1500-20K/UMV/Evading/POS CS	2 Years Later
	BMV/ Robbery, Weapon	3 Years Later
<i>Improper Touching:</i>	none	
<i>Member of Gang:</i>	Robbery, Evading Arrest	2 Years Later
	Theft, Evading Arrest, Aggravated Assault	4 Years Later
	Aggravated Robbery, Assault on Family Member, POM	5 Years later
<i>Poss of Paraphernalia:</i>	Aggravated Robbery, Possession of Weapon	2 Years Later
	Burglary of a Habitat	5 Years Later
<i>Possession of Tobacco:</i>	Possession of CS, Dangerous Drugs, Marijuana	1 Year Prior to Citation
	Possession of Marijuana, BMV/Aggravated Robbery	2 Years Later
	Manufacturing /Delivery of Controlled Substance	2 Years Later
	Terrorist Threats/Burglary/Trepassing	2 Years Later

SUMMARY

The STATISTICS OF JUVENILE ARRESTS Of Spring Branch ISD Students show that Class C citations issued to students on school campuses continue to drop each year which supports the data provided in the *FY 2012 OJJDP Title II Formula Grants Program Narrative* representing a study of the total state population of juvenile arrests in Texas over the last 4 years (2007-2010) and, while the total juvenile population in the State of Texas has increased by 7%, there has been a substantial 14% decrease in juvenile arrests. It also shows that based on the juvenile population from 2007 to 2010, the arrest rate per 100,000 declined by 20%.

This would contradict the *Schools to Prison Pipeline* report published by Texas Appleseed which characterized that 200,000 to 300,000 citations were issued to juveniles in a one year period. The report does not distinguish if the citations were issued to students by campus police or by local law enforcement but makes the assumption that Class Citations issued to school children by campus police leads these juveniles towards the criminal justice system and thus enhances their likelihood of being incarcerated in the State Prison System or TJJD.

Texas Appleseed proponents would suggest that students who are subjected to the criminal justice system by having to appear in a JP Court or Municipal Court are more likely to end up in a penal institution.

The statistics indicate this prediction is without merit. The number of juvenile arrests and incarcerations are decreasing and only an extremely low percentage of students who receive Class C citations ever offend again.



Note:

School District Police Agencies are manned by Police Officers that are licensed and vested by the State of Texas with the same authority given state and local law enforcement officers.

Any change of laws that would decriminalize certain criminal conduct committed by juveniles on school property but would otherwise be a criminal offense and enforceable by local law enforcement within the general community disregards the authority assigned to the School District Police Officer and would restrict the School District Police Agency's ability to ensure the safety and security of its students and staff.

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