

**Baltimore City School Police: assessing a possible turn away from “Broken-Glass” policing
and the necessity of the agency in the future**

Abstract

The relationship between police and poor urban residents has garnered serious attention in recent years, particularly when it comes to urban youth. An overlooked aspect of this relationship is the concept of school police. Baltimore is the only district in the state of Maryland that actually has a separately designated school police force. This paper will examine two overlapping policy arenas, policing and education, in context of the urban youth-police relationship and local, state, national governmental factors. Part of this analysis will include a year-by-year comparison of the role of school police in school discipline, which may indicate a slight and very recent shift away from “broken windows” policing and the “war on drugs” towards a new policy that is more lenient and leaves school officials with more discretion. The paper will include analysis of how recent forces have shaped this shift, and what the effects have been on those students in the Baltimore education system. Finally, the future of the Baltimore

City School Police will be considered.

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Introduction: Baltimore City School Police

The Baltimore City School Police Force came to existence in 1991 through Maryland House Bill 732. This law gave the police force the same powers as any other police officer in Maryland. As sworn police officers, Baltimore City School Police officers receive the same basic academy training as Baltimore City Police officers. What differentiates the school police is that they are primarily in charge of policing property associated with Baltimore City Public Schools. In addition, however, Baltimore City School Police hold an agreement with the Baltimore City Police Department of “concurrent jurisdiction,” meaning that the school police have authority to enforce law anywhere within Baltimore’s city limits (Baltimore City Public Schools). The most recent “School Police Duties and Responsibilities” document created by the Chief of School Police notes that, in addition to being a law enforcement officer, school police may act as “public safety specialist, community liaison, problem solver, law-related educator, and positive role model” (Hamm). Complaints against the Baltimore City School Police can be filed through the Civilian Review Board of Baltimore City, the same agency that oversees complaints for the Baltimore City Police Department.

Why school police

National Factors

Safety probably best encompasses the national mindset in the 1990s about what should be done about crime. Nationwide, crime, and especially violent crime, was on the rise and at the highest

levels it had been in decades. The “broken windows” theory says that if a window is left broken in a community, all other windows will soon be broken. That is, to maintain order in a neighborhood, even small offenses need to be dealt with swiftly. As a result, police evolved from maintaining order to fighting crimes as people increasingly grew to fear an uncontrolled environment. The 90s would see the implementation of expanded police presence, mandatory minimum sentencing, and the war on drugs—essentially what would come to be defined as neoliberal policing policies.

State Factors

In the midst of a crack epidemic that especially affected Baltimore, and in context of a greater national campaign against drugs and petty crime, the Maryland General Assembly passed House Bill 732 in 1991 that created a Baltimore City School Police Force that held all of the same powers as any other state police force.

Local Factors

Though the state bill gave the Baltimore City School Police the same power as other police units, it was still in theory a specialized force focus on the Baltimore School District. This

began to change in 1994 when Linda Flood moved from the BPD to become the Police Chief of the Baltimore School Police. This led to more advanced training of the school police (presumably in ways resembling that of the BPD) and the agency's own marked police vehicles, uniforms, and firearms (Craven). It was the beginning of a budding relationship between the departments that would lead to an agreement that gave school police full jurisdiction over the city of Baltimore, and eventually resulted in the criticism developed later in this paper.

The impact of school police—why school policing needed (and needs) addressed

The nature of the origins of the Baltimore City School Police, along with its function as a

fully authorized police force in Baltimore City that undergoes the same training as Baltimore City officers, raises concerns about the force's appropriateness in school settings. To further examine this point, a few slides from an April 2015 "Maryland Police and Correctional

Lesson Plan” for an in-service training for the Baltimore City School Police are included below

(original slides obtained from *Huffington Post*).

The idea of school officers acting as “warriors” in dealing with pre-kindergarten through senior students may understandably be cause for concern for some. The benefits of telling someone who is supposed to act as a “community liaison” and role model that the school community they are watching over must be brought to “controlled chaos” and putting their job in terms of life and death in the “Warrior Creed” seem mute. In addition, quoting Thucydides to underscore why school police officers are needed so that “cowards” and “fools” (presumably school administrators who would otherwise be in charge of discipline) are not overlooking schools seems a good way to ensure school police officer opposition to reduced responsibility in school discipline (this is played out in the *Neoliberal pushback* section later in the paper). Additionally, it is important to note how this

“warrior” mentality interacts with the Baltimore City School Police’s close relationship with the Baltimore City Police.

As previously noted, the Baltimore City School Police and Baltimore City Police are in many ways one in the same—they go through the same training, have the same arresting capabilities, and cover the same jurisdiction. What is more concerning, however, is the recent US Department of Justice’s *Investigation of the Baltimore Police Department* published August 16, 2016, in response to the death of Freddie Gray. The report notes that the BPD would often compensate with other police agencies when districts were short on officers, one agency often being the Baltimore School Police. The School Police also responded to calls in the city when the BPD had no officers available. The DOJ report says that school police often patrolled and responded to calls in the city with Baltimore Police Department officers, where they must write official police reports and BPD field reports. Notably, the school police are often present when Baltimore City Police officers use force, a policy that the report notes is concerning because it can “lead to gaps in accountability for both agencies,” as both have different standards for when force may be used. In addition, it leaves lines blurred as to whose authority overrules in certain areas and may prevent adequate supervision of police action, as school police may not always fill out the forms and field reports the BPD do, leading to inadequate data collection.

There are more reasons for concern for the students of Baltimore City Schools when the

school police officers work with the city police in the city at large. Using some of the structure developed in Michael Lipsky's *Toward a Theory of Street-Level Bureaucracy*, we can analyze how working with city police on out-of-school calls can change the perception of the school police's "clientele" and the conditions of stress under which the school police work. Working in a school environment is much different than working in the streets of Baltimore City, and the

adaptation required of school police to work with the city at large requires a shift in stereotyping and quick-decision making that more closely mirrors that of a "warrior" city officer than that of a school security guard and counselor. The result is that school police's interaction with the community at large likely impact the harshness with which they deal with students, and likely mitigates any additional training they may receive in preparation for working in schools—it is not realistic to expect the officers to compartmentalize policies for arrests, write-ups, and use of force between schools they work in and communities they patrol on the same shift.

The data regarding school arrests reflect the presence of a school police unit that mirrors that of a major city police department. According to the Maryland Department of Juvenile Services, in 2015 there were about 430 juveniles arrested in Baltimore, which accounted for 45% of all Maryland students arrested in schools (Craven). This 45% figure is staggering, considering

Baltimore makes up only 10% of Maryland's elementary through high school population. Yet, it may make more sense when one considers that Baltimore is also the only school district in Maryland to have its own police force—other schools have no force at all or school-specialized security guards. Despite the large number of arrests, only about 25% of student arrests result in convictions or diversion programs (Craven). This implies that students are not committing hard offenses and that most judges likely view the arrests as unsubstantial for school children.

It may also be indicative of school police bringing “zero tolerance” or “broken glass” policing into schools (despite their self-described role as counselor), possibly due to their exposure to the ways of the Baltimore City Police Department. Reporter Julia Craven posits that the No Child Left Behind Act of 2002 required schools to report data on and justify suspensions and expulsions, but did not do so for arrests. As a result, Baltimore schools faced the dilemma of students not reaching a high enough standard to be suspended or expelled, but they could be

arrested. This would help in the creation of a “pipeline” from schools to prisons and inherently increased the role and importance of the Baltimore City School Police. Coupled with the school police's intense crossover with the Baltimore City Police Department, it is not hard to see the devastating effects Baltimore students may face. Though most of the arrests fail to result in convictions, they are still an important problem to address—the National Criminal Justice

Reference Service estimates that the first arrest of a student correlates with a 50% greater chance of that student dropping out of school (Sweeten). In a district swamped with poor graduation rates, high arrest levels, and a large deficit, it only makes sense that the school police strategy be reexamined in Baltimore City.

Shifting policies—the turn away from neoliberalism

In context of these stories and movements, it becomes critical to examine what changes have occurred in policing of Baltimore City Schools in recent years. We will do this by examining differences in punishments prescribed by the student code of conduct from the 2010/11 school year to now.

Shifts in Baltimore City Schools Policy

2010/2011 Level of Response Definitions as defined in Student Code of Conduct Manual

Level 1: Classroom Support and Student Support Team—may be appropriate when student has no prior incidents and interventions have not been put in place

Level 2: Intensive Support Staff and Appropriate Administration—may be appropriate when supports have been put in place in the classroom to address behavior but the behavior has continued to negatively impact the learning of the student and others

Level 3: Suspension and Referral—may be appropriate when interventions and supports have been put in place but the behavior is escalating (repeated offenses)

Level 4: Extended Suspension, Expulsion, and Referral—may be appropriate when student's behavior seriously impacts the safety of others in the school

Level 5: referral to school police

2016/2017 Level of Response Definitions as defined in Student Code of Conduct Manual

Level 1: Classroom Support and Student Support Team—may be appropriate when the behavior is a minor infraction, student has no prior incidents, and/or interventions have not been put in

place

Level 2: Intensive Support Staff and Appropriate Administration—may be appropriate when supports have been put in place in the classroom and/or school community to address behavior, but the behavior has continued to negatively impact the learning of the student and others

Level 3: Short-term Suspension and Referral—may be appropriate given the seriousness of the offense and impact on the school community and/or when documented interventions and supports have been put in place but the behavior is escalating

Level 4: Long-term Suspension and Referral—may be appropriate given the seriousness of the offense and impact on the school community and/or when documented interventions and supports have been put in place but the behavior continues to escalate and disrupt the educational process

Level 5: Extended Suspension, Expulsion, and Referral—may be appropriate when behavior presents an imminent threat of serious harm to the school community, or when the student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day

Level 6: referral to school police

Infractions and associated levels response per grade level (comparison of 2010/11 and 2016/17)

Offense	Subcategory	2010/2011 Code of Conduct			2016/2017 Code of Conduct		
		Grade level (if blank, pk-12)	Relative level of offense	Notes	Grade level	Relative level of offense	Notes
Alcohol	Using/possessing		3-5	Need repeat infractions		1-3	
	Distribution/selling		3-5	Need repeat infractions		3-5	
	Under the influence		2-3			1-2	
Bodily injury		5-12	3-5		6-12	3-6	
Bomb threat		pk-4	3-4		pk-2	1-3	
					3-5	3-5	
		5-12	4-5		6-12	4-6	
“Serious” bullying			2-3			2-6	
“Serious” bus violations			2-3			2-3, 6	
Drugs	Influence		2-3			1-2	

Drugs	Influence		2-5			1-2	
	Possession		3-5			2-6	
	Distribution		4-5			4-6	
Extortion		pk-4	2-3		pk-2	1-2	
					3-5	2-3	

		5-12	3-5		6-12	2-6	
Fire/arson			4-5			4-6	
Serious harassment			2-4			2-6	
Inhalants	Influence		2-3			1-2	
	Use/possession		3-5			2-3	
	Distribution		4-5			2-6	
Attack school personnel		9-4	3-5		pk-2	1-3, 6*	*if hurt
		5-12	4-5		3-12	2-5, 6*	*if hurt
Intentional damage (>\$1000)			3-5			2-3, 6*	*restitution possible
Serious bodily injury			4-5			5-6	
Sexual assault			4-5			5-6	
Threat against school personnel		pk-4	1-3		6-12	3-6*	*if persistent
		5-12	2-5			1-3	*if not persistent
Theft		pk-12	2-3	<\$500	pk-12	2-3	<\$1000
		1-12	3-5	>\$500	3-12	2-3, 6*	>\$1000 *restitution
Trespassing	Without		3-5			1-2	

	permission		3-5			2-3, 6	
	In order to fight or breaking/entering						
Weapons	Explosives		4-5			2-6	
	Firearms		4-5			5-6	
	“other” guns		4-5			3-6 (1-2*)	*if water gun
	Other weapons		4-5			3-6	

Examining the changes between Baltimore City Schools’ 2010/11 and 2016/17 student codes of conduct policies, we notice a few enlightening trends. What we first notice are the

changes in level of response. By 2016 there are six levels, as opposed to five in 2010. This change is a result of splitting 2010’s Level 3 (suspension and referral) into two levels (short-term suspension and referral and long-term suspension and referral). This seems to be indicative of a general institutional acknowledgement that greater importance needs to be placed on context in determining severity of punishment—the addition of a level may be seen in a unique way a reflection of moving away from “minimum sentencing.”

What is more telling for the purpose of this paper, however, are the shifts downward in severity of incidents upward in age groups that can be punished and in what types of incidents

severity of incidents, upward in age groups that can be punished, and in what types of incidents should be reported to the school police. We see shifts downward in “level of response” for: influence and usage/possession of alcohol, drugs, and inhalants; extortion; intentional damage; threats against school personnel; trespassing; and weapons (“other” guns and weapons). More interestingly, we see that school police are no longer involved for the following offenses: distribution/selling of alcohol; usage/possession of inhalants; attacking school personnel (unless injury); threats to personnel (unless persistent); and trespassing without permission. In addition, we see that grade level cutoffs were raised for bodily injury, bomb threats, extortion, threats against school personnel, and theft. The only upward shift in level of response was for serious bullying, and the only new violations for which the police are contacted include serious bullying, serious bus violations, and serious harassment.

What these trends show overall is a shift away from neoliberal and “broken glass” policing ideology that originally created the School Police Force, and that focused a lot of energy on drug-related and other petty offenses such as trespassing. With less harsh punishments, less involvement of school police in discipline matters, and fewer elementary school-aged children having the potential to become suspended, expelled, or involved with police, over time there is

real potential to see the results of decriminalization of black youth in Baltimore. This will

be contingent, however, upon school administrators learning effective discipline measures and resources being allocated toward raising the social and economic circumstances of Baltimore Public School students.

