Malik Grant in northern Philadelphia. (Photo: Matt Stanley)

This Simple Solution Keeps Kids in School, out of Handcuffs

Telling kids they can never make a mistake was at the root of the problem.

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PHILADELPHIA—Officers Aaron Johnson and Clyde Jones have answered many calls at Martin Luther King High School, in Philadelphia's Germantown section. Between them the two have patrolled the city's classrooms and hallways for some 35 years. If there's an incident in any of the 57 schools on their beat—a fight erupts in the hallway or someone is caught with a weapon when passing through the building's metal detector—they are the ones who answer the call.

The high school was on the city's "persistently dangerous" list as recently as 2009, but it's more placid now. On this crisp and cloudless day in mid-October, as the partners walked up the brick pathway to the school, past the murals of Dr. King and Malcolm X and Frederick Douglass, and into the safety office, there was no emergency.

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Gesturing to the plastic chairs in the office, Johnson remarked, "These used to be full of kids." After Philadelphia implemented a policy of "zero tolerance" in 2002, large numbers of students were getting snagged and punished not just for serious misconduct such as assault or selling drugs but also for lesser infractions such as talking back to a teacher. Principals increasingly relied on the Philadelphia Police Department to manage their discipline problems.

"A lot of things we felt all along should have been handled by the schools," Jones said. But the new rules made it easy for the principals to hand troublemakers over to the men and women in uniform. "The schools just wanted you to arrest the kids, and with zero tolerance, we had to arrest them."

Throughout the country in the past 20 years, schools have implemented unforgiving disciplinary codes that impose mandatory penalties for a broad range of infractions, and they've hired police officers to help enforce them. A visit to the principal's office is replaced by a trip to the precinct. That creates a delinquency record that follows the child into adulthood and can sabotage applications for jobs, military service, and college and financial aid, and it guarantees that any second offense will be punished more severely.

The immediate consequences of a child's arrest are also significant: Even an arrest that does not lead to a conviction can mean fines and court fees many families can't afford, sending them into a spiral of debt. There are missed school days, which intensify any academic and social struggles a child may have and increases the risk she will drop out.

Yet there's no evidence that zero-tolerance policies have made schools safer, while reams of research shows that they have disproportionately punished African Americans and other children of color, shoving them out of the nation's classrooms and into our prisons.

Officers Aaron Johnson and Clyde Jones patrolling the halls at Martin Luther King High School in north Philadelphia. (Photo: Matt Stanley)

In 2013 Kevin Bethel, then the deputy commissioner of the Philadelphia Police Department, started overseeing the city's school police detail and decided he'd seen enough children cuffed and detained for minor disciplinary issues. Zero tolerance had been repealed the year before, but in-school arrests still hovered near 1,600 that year.

The majority of students in the Philadelphia School District are poor—87 percent qualify for a free or reduced-price lunch—and two-thirds of them have experienced physical or emotional trauma. Bethel felt taking a misbehaving student out of school in handcuffs was just another trauma.

Bethel's innovative solution was the Police School Diversion Program, which since its beginning in 2014, has offered services instead of a delinquency record to first-time offenders. Instead of moving in to arrest, police officers talk to the principal and whoever witnessed or was involved in the incident. If the student has committed a low-level infraction (including disorderly conduct, possession of marijuana, or possession of a weapon other than a gun), the officer gets in touch with the Diversion Intake Center, where staff check if he or she is eligible to participate. Arrests have fallen to 569 in the 2015–16 school year, even as violent incidents in Philadelphia schools have dropped as well.

Under the program, if a student commits one of the qualifying infractions and it's the first offense, he or she gets a second chance. It doesn't matter if the student is chronically absent or if teachers say he or she has a bad attitude—such factors and judgments can allow bias to creep in.

If the offense is more serious or the student has been either arrested or diverted before, the individual is subject to arrest. He or she can be removed from school in handcuffs, taken to the police station, and then fingerprinted, photographed for a mug shot, held for up to six hours, and saddled with a juvenile delinquency record.

If the student is cleared for diversion, he or she returns to class, and the Intake

Center arranges for a social worker from the Department of Human Services to meet with the family within three days. The social worker considers what the student and his or her family might need—mentoring, counseling, anger management, academic support, substance abuse treatment, a sports program—and offers to sign up the student with one of the DHS' Intensive Prevention Services providers, where the child will go three times a week after school for up to three months (and more, if the family requests it).

Former Deputy Police Commissioner Kevin Bethel on campus at Drexel University. (Photo: Matt Stanley)

Participation is strictly voluntary, but 90 percent of families accept the offer. "A lot of parents are already seeking services for their children," said Philadelphia police officer La'Tonya Bey-Gore, who worked the school beat before she was tapped to run the program's Intake Center. "They just didn't know where to find them."

Rather than start small with a pilot program in a handful of schools, Bethel was determined to roll it out in every city school—elementary to high school—all at once. Across the city, in a bad year, nearly 3,000 students were being taken from school in handcuffs, often for violations that made little sense when looked at in

context: An honors high school student carried mace to school during the city transit workers' strike because she had to traverse some rough territory on the walk from home; she showed it to the security guard when she arrived at school but was arrested anyway. A 10th grader was arrested when he came to school with a pair of scissors that he'd stashed in his backpack to use while wrapping Christmas presents after school at his girlfriend's house. An 11-year-old who forgot to remove a Boy Scout knife from his pocket was arrested and transferred to a disciplinary school.

So Bethel brought the PPD's school officers together in the spring of 2014 to explain his proposed program, and "the next day my phone started ringing." The police officers wanted to know when they could start.

Bey-Gore said her phone started ringing too: Officers were calling her with candidates for the program, before it was even operational. So they started in May 2014, earlier than they had planned.

Philadelphia police officer La'Tonya Bey-Gore. (Photo: Matt Stanley)

"Often what we fail to do in police leadership is to give our officers more tools," Bethel said. "They have the cuffs, but then I gave them another tool and said you don't have to arrest the kid."

Under the new system, when the officers are called in to a school, they can judge for themselves if the student should be hauled off to the police station. "With the diversion program, we're able to make decisions on our own," said Officer Jones. "We'll come in and listen. But now we can say, 'No, we're not arresting the child.' "

Naomi Goldstein, professor of psychology at Drexel University, who is conducting an evaluation of the program, said the critical shift was from an automatic arrest to slowing down to consider that the rule breaking might have an underlying cause. "You have a kid who is bringing mace to school; we need to

ask why. Is she being bullied on the way home? Is he feeling threatened? Has this kid been a victim before?" Goldstein said. "Is this kid really presenting a danger to the school community, or is this a kid who needs help?"

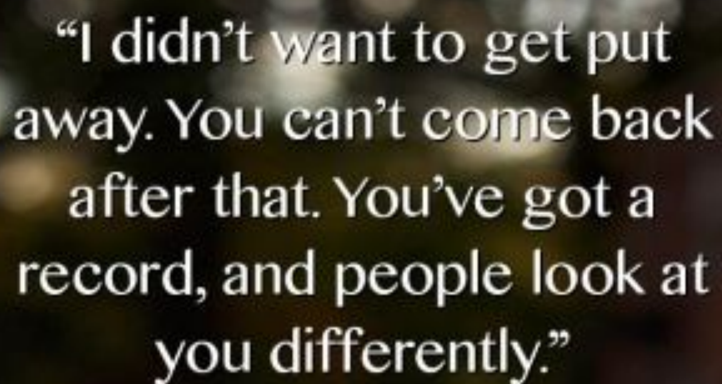
Last spring, Malik Grant was nearing the end of 11th grade at the Charter High School for Architecture and Design. He had never caused any problems at school. "I wasn't that type of student. I wasn't a troublemaker," he said. But one morning, in a rush to get to class, he grabbed his older brother's identical backpack instead of his own. He didn't realize his mistake until his bag was searched at the door, and the guard found the pocketknife that his brother, a construction worker, used on the job.

"I didn't want to get put away," Grant said. "You can't come back after that. You've got a record, and people look at you differently."

Grant spent a month in the diversion program, where counselors encouraged him to think through his decisions, to consider carefully the people he hangs with, and to avoid drugs. He wrote an essay about his ideal career and went on field trips where he learned about African American history. "The counselors I had were awesome. They wanted to see us succeed," he said.

Now Grant is applying to college, where he plans to study architecture or engineering.

Grant is one of about 1,100 students diverted since the program began. Bethel and his partners in the school district and the Department of Human Services had hoped to cut arrests by 50 percent. In the 2014–15 school year, the first year of operation, school police met that goal and then some, arresting fewer than half as many kids as in the previous year. The next year the numbers fell again, for a 64 percent decrease over two years.



(Photo: Matt Stanley)

The drop in arrests, said Deborah Gordon Klehr, executive director of the Education Law Center, a Philadelphia advocacy group that has been critical of zero tolerance, "has not led to an increase in mayhem but to an increase in the provision of appropriate services."

The number of serious behavior incidents declined by 17.9 percent in the program's first year, from 2,487 to 2,041. That may seem paradoxical: Doesn't the promise of swift and sure punishment—the threat of arrest—keep kids in line? Some studies show that the opposite is true: Harsh enforcement makes students feel disconnected from school, which increases the chances that they will engage in risky or violent behavior.

Strict disciplinary policies seem to have another curious self-canceling effect. Research going back more than a decade has consistently shown that a heavy police presence in schools doesn't make people feel protected but leads to students and teachers feeling less safe. Goldstein cites studies showing that as arrests increase, schoolchildren and staff both perceive the school as being more

dangerous—even when the number and type of incidents remain the same.

When arrests drop, the school community feels safer, and that may help to ease tensions and build trust. “If you are seeing many fewer arrests, the officers and administrators may be viewed as support systems rather than adversaries,” Goldstein said. “They are not the ones putting the cuffs on you.”

When cops stopped reaching for the cuffs quite so often, a feedback loop in the behavior of school officials was created as well. “Once the schools realized we were not going to arrest, they stopped calling so much,” Bethel reports. “For disorderly conduct, we get a fraction of the calls we used to. So it forces [principals] to look for other alternatives.”

The search for alternatives led to a series of trainings for principals and in-school safety officers in de-escalation and mediation techniques, funded through a grant from the federal Office of Juvenile Justice Delinquency Prevention. The hope is that with those skills, school staff can better handle ordinary disruptions without calling the cops. Philadelphia police officers on the school beat have also received trainings in adolescent development, behavioral health, and learning disabilities—sometimes following the requests from the officers themselves, who wanted to better understand the students’ struggles.

Klehr credits the diversion program for beginning “to shift the culture in Philadelphia around unpacking what the issues are” when a student acts up.

Kevin Bethel, who started the Police School Diversion Program, in his office at Drexel University. (Photo: Matt Stanley)

Not every teenager is thrilled with the thought of showing up at a community service provider three times a week for group counseling and an antidrug message. Kiana McNeal, an 11th grader at Martin Luther King High School, was caught last year with a razor blade in her bag, which she said she used to roll marijuana “dutchies.” “I didn’t want to hurt nobody,” she insisted. “That’s not me.”

She complained that the diversion program took her away from friends over the summer and said she didn't think she got much out of it.

Still, what Kiana may not fully appreciate is that she was not arrested that day, and as Bey-Gore pointed out, "she avoided the collateral consequences."

So far most of the students who have been diverted have managed to steer clear of further trouble. As of August, just 13 percent of participants have been arrested (either in school or in the community), a very low rate compared with the recidivism of young people who spend any time in custody, which varies from 37 to 67 percent.

Klehr thinks the city can do even better. She thinks last year's 569 arrests is too many. (Bethel agrees.) "There is more work to be done within the school system," Klehr said. She calls for more guidance counselors to help struggling students before they get in trouble, and fewer suspensions and expulsions when students misbehave.

Indeed, some schools can be less forgiving than the Philadelphia Police Department: The charter school that Malik Grant attended threatened to expel him for the pocketknife incident, and he felt compelled to withdraw to avoid sullying his good record. (He later transferred to another school.)

Zero-tolerance policies were intended to send a clear message that school rules would be strictly enforced. But if the point was to teach undisciplined teens a lesson, those policies may have missed their mark. "One of the things we know about adolescents," Goldstein said, "is that they learn much more slowly from mistakes than adults do. They need additional opportunities before they start to learn."

That, Grant said, is what the diversion program offered him: "It's giving you a second chance—because once you go to jail, you don't get a second chance."

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