

TAKING SMART ACTION: A COMMUNITY RESPONSE TO SCHOOL VIOLENCE

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Session Plan

Abstract

The School Multi-Agency Response Team (“SMART”) is a collaborative program between prosecutors, school officials, probation/parole officers and law enforcement to give concentrated attention to juvenile offenders and at-risk youth to prevent recidivism. The SMART program is an information-sharing program between agencies designed to benefit students, as well as the community. The SMART program is located in middle schools and high schools throughout the Tucson metropolitan area. Team members meet at the schools monthly during the school year. Participants will learn about the ten year long SMART program that responds to the needs of the school communities juvenile justice issues as well as assist with at risk students. The presenters will discuss the barriers, challenges and opportunities to creating a similar program. Participants will obtain practical knowledge to implement a similar program in their community, taking the principles and ideas to put together their own action plans.

Background

Each member of the School Multi-Agency Response Team (“SMART”) is associated with the school in his or her professional capacity. For example, law enforcement would consist of the School Resource Officer or an officer who has significant contacts with that school. Probation would be represented by an officer or officers who have probationers attending that school. The school may be represented by a variety of individuals, from a principal to school security. In a SMART jurisdiction, juvenile prosecutors are assigned to schools, ideally on a geographic or district basis. They handle the prosecution of all arrests from students attending their SMART schools.

The monthly meetings are set up and chaired by the County Attorney’s Office who has a master list of court-involved juveniles at each school. Each member of the team has an equal voice at the meeting. Juveniles discussed during the meeting are either court-involved or, if not court-involved, at high-risk due to truancy, family issues, or school behavior. Students are added and subtracted from the master list at each meeting.

At the SMART meeting, the law enforcement, prosecution and probation/parole team members primarily provide information to school officials regarding arrests, court hearings, the juvenile’s home situation and current probation/parole conditions. They also share critically-needed information about the juveniles at each of the schools who are victims of crime, regardless of whether charges have been filed. The schools in turn inform law enforcement, probation and prosecution about issues such as who is truant, engaging in bullying behavior, violating probation, participating in gangs, or is a behavior problem. Many other topics may come up, such as mental health issues, sibling concerns, or adequacy of services. The goal of the meeting is to

discuss the status of each juvenile on the list and what services are needed to keep him/her out of juvenile court as well as protect the community.

Meetings are held in accordance with the Family Educational Rights and Privacy Act (“FERPA”) and the Individuals with Disabilities Education Act (“IDEA”). Information received from confidential written school records is considered an educational record under FERPA, therefore, no written records are brought to the meetings by the school. Information learned from talking to students, parents, teachers or other school participants in non-confidential settings can be freely shared with SMART members. Confidentiality issues with respect to juveniles who are on probation are easily resolved. A condition of probation is a waiver for the school’s release of any and all information to probation. Any other critically-needed recorded information is obtained by waiver, subpoena or court order. The ability to legally share information is a critical component of a SMART meeting.

One example of how SMART works involves “Jane”. Jane had previous misdemeanor juvenile referrals. Then she was referred to juvenile court for drug charges. Her name was brought up by the Deputy County Attorney at the monthly SMART meeting. Members of the team discussed her issues: what the offense was about, how she was doing in school and with her peers, how things seemed to be going at home for her, and who her friends and associates were. The discussion included the type of parental support she had and whether or not her parent was willing to hold her accountable and cooperate with the court and probation. The positives and the negatives were discussed in the meeting. Then the team focused on the question, “What does she need to be successful and never return to the juvenile justice system?” The team conferred about what programs, services, classes, etc. would help her. “Just because it is a drug charge doesn’t mean that she just needs drug treatment,” notes one member. Based on some of the other issues that were discussed, the team felt that in addition to an outpatient drug treatment program, she needed some individual counseling. Further, family counseling should be considered. The SMART also explored the idea of engaging her in an after-school program, or possibly getting a tutor or mentor assigned. The school team members committed to keep an eye on her to see how she improved in the areas where she was lacking. Thereafter, at the disposition the Deputy County Attorney made the recommendations from the team and the court followed them, as well as some other basic conditions. Since that disposition two years ago, Jane has not returned to juvenile court.

In addition to the regular monthly meetings there is regular contact between the prosecutor and school about issues that come up between the meetings. This might include discussions about specific juveniles, a request for the prosecutor to speak to law enforcement that are present at the school effectuating an arrest, or to schedule a time when the prosecutor can come to the school to present to teachers, parents, or students.

By implementing the SMART program, Pima County Attorney, Barbara LaWall, anticipated a swifter response by her office, probation and law enforcement to the needs of the community, schools and individual students. The identified student and his/her family benefit from the team striving to obtain/recommend the appropriate services and work toward rehabilitation in a united effort. The community benefits from a lower delinquency rate. The schools benefit from fewer behavior problems in their schools.

Anecdotal data from the 52 schools involved in the program indicate it is effective in quickly responding and directing appropriate services to at-risk and court-involved juveniles. Pima County school districts continue to request more SMART programs, however, the County Attorney’s Office cannot meet their needs without more juvenile prosecutors.

One unanticipated outcome of the program was a reduction in arrests from SMART schools due to the schools being aware of the limitations of the justice system. By educating the school officials on how long it takes to process an arrest and the problems with prosecuting minor school fights, the County Attorney’s Office encouraged school officials to explore alternatives to arrests in appropriate cases. One SMART had

probation officers train school security officers in “accountability conferencing”, a traditional New Zealand conflict resolution process. Thus, the school was empowered to effectively handle low-level offenses on a faster timeline, instead of referring them to juvenile court.

Workshop Summary

The presentation will discuss the 10-year-long SMART program that has brought together the County Attorney’s Office, school administration, law enforcement, probation and parole to respond to the increasing violence and delinquent activity in schools.

The presenters will discuss the challenges of getting all the players to the table, since this is a collaborative partnership, and use of the elected County Attorney to encourage school district participation. Also, how one or two effective SMART can start the ball rolling for others to follow.

Maintaining the passion to continue the program is another challenge that will be addressed. Enthusiastic support of the school district superintendent is recommended. Further incentives can range from doughnuts at meetings to salary adjustments for those who participate in the program.

Finally, confidentiality issues with any SMART program must be addressed with each jurisdiction.

Workshop Goals

Participants will be introduced to a collaborative program between schools and juvenile justice agencies that can be implemented at minimal cost to the participants yet yield positive results in decreasing juvenile delinquency.

Workshop Objectives

1. To present and describe the process of developing and sustaining a SMART program.
2. To encourage open discussion among participants regarding similar programs in home districts, what has worked and what barriers have been addressed.
3. To provide participants with an action plan on how to start, build and maintain SMART programs in their own districts.

Workshop Activities

- 30-35 minute presentation by Peter Hochuli and Ellen Brown on developing a SMART program and its components. Open discussion encouraged during presentation
- 10-15 minute question and answer period
- 15-20 minute group discussion and individual development of action plan

Assessment

Indicators of success for this workshop will be measured through observation and discussion with workshop participants and through formal and/or informal feedback that they may provide. At the end, participants will be asked to complete an evaluation form with respect to the following criteria:

1. Overall Seminar rating
2. Individual Speakers rating

3. Written Materials rating
4. Comments and Suggestions for Future Presentations