



Senate Select Committee on Violence in Schools & School Security
Written Testimony - Morgan Craven, Texas Appleseed
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Examine the root cause of mass murder in schools including, but not limited to, risk factors such as mental health, substance use disorders, anger management, social isolation, the impact of high intensity media coverage — the so-called “glorification” of school shooters — to determine the effect on copy cat shootings, and the desensitization to violence resulting from video games, music, film, and social media. Recommend strategies to early identify and intercept high-risk students, as well as strategies to promote healthy school culture, including character education and community support initiatives.

Good Morning Chairman Taylor and Committee Members,

My name is Morgan Craven, I work on school discipline, school policing, and school safety issues at Texas Appleseed. For over a decade we have connected with parents, educators, and students to research, write about, and advocate for research-based approaches to school discipline, policing, and safety that address the needs of students and avoid harsh punishments and unnecessary justice system involvement for school-based behaviors.

I want to start my testimony by talking about a report that Texas Appleseed released yesterday along with Disability Rights Texas, the Earl Carl Institute, and Children’s Defense Fund - Texas. That report is part of the written testimony I submitted to you today.

Following the tragedy in Parkland, Florida our organizations began to hear story after story of children, some as young as 10 years old, being arrested in their schools and referred to juvenile probation for behaviors that school officials and law enforcement were categorizing as “Terroristic Threat” and “Exhibition of Firearms.” These offenses are often charged as felonies.

We collected data from the Texas Juvenile Justice Department and found that from January through May of this year there were over 1400 arrests of students for these offenses—a 156% increase for terroristic threat compared to the same time period in 2017, and a 600% increase for exhibition of firearms compared to the same time period in 2017.

In many of the cases we were hearing about there was no substantive threat made. Sometimes kids were expressing emotions like anger, fear, or frustration in improper, but age-appropriate, ways or ways that are a manifestation of a disability. Sometimes kids were just saying insensitive things or make terrible jokes.

Some of the more sad and egregious examples include a 12-year-old student with disabilities who was arrested for pretending to use a gun to shoot aliens in school. Or a blind student who was being bullied and made a flippant remark to get his aggressors to leave him alone in the moment. Or a 17-year-old student was arrested and taken to jail for pulling the fire alarm at school. Or an 11-year-old student with disabilities who is taught in a self-contained classroom and threatened to “Tase” the teachers who restrained him during an emotional meltdown. These types of stories probably sound familiar to those of you who worked on the bipartisan efforts to end Texas’ old zero tolerance policies several sessions ago.

To be clear, it is absolutely necessary to respond to threats of violence in schools, there is no disagreement there. But, that response must be proportional and based on an actual assessment of the situation and the needs of the student, which may require simple correction, counseling services, restorative practices, family involvement, or mental or behavioral health supports.

If we don’t address student needs, we risk causing even more harm to students and to school safety. We know from years of research, and from the work that has been done here at the legislature, that the best way to address and change student behavior is not to take a zero tolerance approach to it—we can’t simply kick kids out or refer them to law enforcement without figuring out the root causes of the behavior and giving the support and tools to educators to manage behavior, or else we risk making any underlying issues that may exist worse.

We know that kids who have contact with the exclusionary school discipline system, law enforcement and courts can face academic struggles, trauma, isolation from teachers and peers, detachment from school, and a host of long-term issues connected with justice system involvement.¹

Alternatives to Arrest and Exclusion

There are a number of alternatives to arrest and exclusion that should be adopted in school districts across the state, including Positive Behavioral Interventions and Supports (PBIS) and Restorative Practices. There are also a number of professionals that should have a greater role and presence in schools, including counselors, social workers, and other mental and behavioral health professionals. Making these programs and individuals available to schools would foster positive school climates and increase school safety. And all of these supports and tools would fit

¹ The Council of State Gov’ts and Public Policy Research Institute, *Breaking Schools’ Rules: A Statewide Study of How School Discipline Relates to Students’ Success and Juvenile Justice Involvement*, 2011, available at https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf.

into the Behavior Threat Assessment model that has been described in other hearings and that is included in the Governor's School and Firearm Safety Plan.

The threat assessment approach for schools was developed by the Secret Service and Department of Education, and was based on research about incidents of targeted school violence. The original report² was released in 2002 and an update³ was released just last week by the Secret Service and the Department of Homeland Security. The recommendations emphasize the importance of positive school climates and strong relationships in schools, not inappropriate law enforcement involvement or zero tolerance approaches to student behavior which can actually negatively impact school safety.

Generally, the model relies on teams of people who, using the threat assessment protocol, make determinations about whether student behavior is a substantive threat and should be referred to law enforcement for investigation or whether student behavior is a transient threat, requiring other types of interventions. This approach ensures that adults who know the student and his or her background are following steps to make appropriate decisions and law enforcement resources are used to handle actual safety threats, not routine discipline matters that should be handled by school administrators or more serious needs that should be handled by mental and behavioral health professionals, counselors, or social workers.

The research and subsequent studies⁴ have produced several notable findings, including:

- There is no profile of a student attacker. They are not all loners, they do not all have a mental illness, they do not all make straight As, and they do not all play video games. In order to identify students who need support, schools must implement a system and protocol for identifying and evaluating concerning behaviors early *and* schools must foster climates that allow for strong relationships, early recognition of issues, and appropriate intervention.
- Threat assessment models work best when there are teams of people, from multiple disciplines, that are using the protocol and asking the right questions to evaluate threats and behaviors.
- All behaviors should be examined in the context of the individual student's social and emotional development. This means that we cannot simply take a zero tolerance approach to behavior, we must examine the behavior, background, and needs of each student.
- The vast majority of threats—99% are not substantive. When a threat assessment system is used, only 1% of threats result in arrest or expulsion, school climates improve,

² U.S. Secret Service and U.S. Department of Education, *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, May 2002, available at https://www.secretservice.gov/data/protection/ntac/ssi_guide.pdf.

³ U.S. Secret Service and U.S. Department of Homeland Security, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, July 2018, available at https://www.secretservice.gov/data/protection/ntac/USSS_NTAC_Enhancing_School_Safety_Guide_7.11.18.pdf.

⁴ See Dewey Cornell, Ph.D., *Written Statement for the Forum on School Safety*, March 20, 2018, available at <https://curry.virginia.edu/sites/default/files/images/YVP/Cornell%20Hearing%20Statement%203-20-18.pdf>.

and overall discipline referrals decrease. If we had applied that system to Texas this year, that would mean that only 15 students would have been arrested or expelled, not the more than 1400 that were referred to law enforcement in January through May.

The Appropriate Response

The inappropriate response to threats that we cover in our report can teach us some really important lessons about the best way to consider and address school safety issues for the rest of the summer and next session. The main lessons are:

- We should focus on building relationships in schools, promoting positive school climates and investing in prevention and intervention strategies.
- Anything we do should be research-based and consistent with best practices.
- We should provide educators with the supports and resources they need to protect student safety and manage their classrooms, without relying on inappropriate and harmful responses like law enforcement referrals.
- Administrators should be given the tools to support teachers, create positive school climates and cultures, and make sure that substantive threats are addressed. We should always respond to teacher and student needs appropriately, not resort to exclusions and arrests.
- Law enforcement resources should be used to address emergencies and actual safety threats, not to intervene in routine discipline issues or administrative duties. This is inefficient and ineffective.
- Behavior threat assessment models and teams can help to address actual threats, and ensure that other behaviors are managed in appropriate ways.