

Safety in Word and Deed



One of the easiest ways to get sued (and lose) in respect to safety issues is to fail to follow written guidelines or well-established custom and practices. Failing to follow established procedures without good reason can also be a deal breaker for one's career. Schools and school systems can suffer in the public's opinion as well by deviating from safety procedures.

Clearly, there are occasions where it can be ridiculous, cruel, and downright stupid to follow a policy, but a lack of consistency can easily develop to cause serious problems, even death, as we have seen in some cases. A good framework can avert many problems.

For example, in one case, a student was looking for something in her purse when she gasped aloud, immediately raised her hand and told the teacher that there was a handgun in her purse. The student said she had no idea how it got into her purse and readily agreed to be fingerprinted for comparison with any prints on the gun. There was no indication that she was about to be discovered with the weapon when she notified the teacher. After discussion between the school district police chief, the building principal, the teacher, the school superintendent, and a representative from the district attorney's office, the decision was made not to prosecute the girl (her boyfriend who had hidden the gun in her purse without her knowledge was arrested). This decision passes all of the criteria listed below in regard to rational deviation from an established written policy requiring the arrest and expulsion of any student caught with a gun on campus.

Conversely, when five weapons were found in a student's truck on the

same campus, he was arrested and expelled even though his father claimed that he had left all five weapons in the truck without his son's knowledge. In this case, numerous political figures, high-ranking law enforcement officials, and others called the school system police department asking that the boy not be prosecuted and expelled. The decision was made to proceed with expulsion and prosecution because the father could not accurately describe the weapons or correctly name the location of each weapon in the truck, making it clear that he was lying for his child. The student was convicted in superior court after a jury trial when it became clear in court that he knew the weapons were in the truck when he drove it to school.

Though it is sometimes difficult to bring tangibility to the process, the following questions can be very helpful in keeping perspective when faced with difficult situations.

Is the decision fact driven?

The decision to deviate from policy should be fact-based rather than emotionally driven.

Do personalities have anything to do with the departure from the norm?

The decision should be based on what people did or failed to do, not who they are, who they know, or who they are related to.

Is the decision truly for the good of individual students, staff, or other affected individuals?

This is an area where school officials sometimes deviate to the detriment of the very students they are trying to help. Consequences are an important part of helping troubled youth succeed in life.

Is the decision in the best interests of the organization?

In the news today, a school administrator has been indicted and fired because he did not report criminal sexual misconduct involving a high school athlete because he was afraid the loss of the player would hurt the school's team. The damage to his career, the victim, the school, and the organization is severe.

If you knew the details would be spelled out on the front page of the local newspaper, would you be comfortable proceeding?

Too often, school officials trying to avoid bad press concerning safety issues end up creating more of it when they deviate from policy without good cause. If the decision is appropriate, it should generally be defensible in the media.

Is the action against the law?

This is usually the most clear cut of all the tests.

How would those involved feel if their family members knew all the fact of the case?

This is one of the toughest and most relevant tests of all of those listed. If you could not explain your actions to those who love you, the course of action is likely unjust.

Establishing a process to guide deviations from established safety policies, practices, and procedures can save credibility, careers, and even lives. Avoid the common pitfalls that could prove detrimental to your organization. ☐

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Top Flight School Law Enforcement Officers



There is a common misconception that school resource officers do not need to be on par with local law enforcement officers. (In

this column, I will use the term "school resource officer" to cover school district police personnel; school liaison officers; and city, county, and state officers who are assigned to schools.) Sometimes, we see this played out in terms of salary, despite the fact that some school district police personnel are far better trained than many of local, state, or even federal law enforcement officers. In other instances, people mistakenly think that these highly-specialized assignments don't require comparable levels of training, officer survival tactics, or even police equipment. This is a dangerous, and perhaps even naive, perception. Following are a few areas where the school resource officer must possess a high degree of skill.

Diplomacy

Most K-12 officers who have worked in other settings will tell you that they have to be more diplomatic in their new (K-12) role. Serving educational organizations and a more youthful public can be very challenging. Many officers who have been very successful in traditional law enforcement positions have failed to cut it in K-12 schools. School systems and private schools should, and indeed must, require these higher expectations, but this means their officers should be carefully selected and specially trained for this unique role.

Complexity of Legal Issues

As appellate court decisions for K-12 schools are far more complex than

most case law, and numerous state and federal guidelines place extra burdens on officers working in this setting, school resource officers must learn and apply a considerable number of additional legal concepts. School-based officers must know everything about search and seizure, criminal procedure, case preparation, and civil liability than their counterparts in broader society. In addition, they must understand unique campus search and seizure rulings, internal judicial procedures, institution policies governing student and staff behavior, and organizational documentation protocols.

Greater Emphasis on Prevention

As with officers, it is not uncommon for a city police chief or commander to be selected as a school district police chief or commander for a school resource officers program, only to fail in their new role because they lack the preventive focus required in the school setting. School superintendents need men and women who are the best at preventing incidents, rather than experts at clearing investigations.

Increased Danger to the Officer

Some situations place K-12 officers in greater danger. Bibb County Public School Police Officer E.T. Smith was shot and killed in front of hundreds of students in Macon, GA, because the department's officers were not allowed to handcuff suspects without an administrator's approval. While these are extreme cases, some school resource officers programs operate under extremely dangerous restrictions that cause concern for officer safety.

Increased Skill in Problem Solving

Unlike their counterparts, school resource officers often must find long-term resolution to situations, rather

than simply "hooking and booking" criminals. For example, a state trooper who pulls a car over and ends up arresting the driver for possession of cocaine has done a valuable service to society, but will likely never have to deal with that violator again. In contrast, a school resource officer often must interact repeatedly with the same students after an arrest or suspension occurs.

Customer Service Representative

One mark of a truly effective school resource officer program is a pervasive focus on quality service. School resource officers should view themselves as ambassadors for the institution. Conscientious officers can have a significant impact on the overall educational experience of students and show employees that the organization cares about their safety.

While this column has used terminology relating to sworn law enforcement officers, it is important to note that the same applies to security officers who work in our schools. In addition, it is important to note that the article is not meant to imply that local and state officers are not as "good" as school resource officers, only that their work is very different. Thousands of highly dedicated men and women begin their tour of duty every day, not knowing if they will survive to the end of their next shift. They at least deserve respect for their selfless service and some recognition of their competence, quality, and impact on those they serve. ☐

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