

DISMANTLING THE SCHOOL-TO-PRISON-PIPELINE IN UTAH:

Policy and Practice Recommendations for West Valley City Police Department



Re: Communication and Coordination

- The West Valley City Police Department (WVCPD) should enter into a Memorandum of Understanding (MOU) with any School District it serves that clearly establishes the role and responsibilities of School District employees and WVCPD officers operating within schools. An appropriate MOU will:
 - Require that school employees may only request the involvement of WVCPD officers when a school administrator determines it necessary to address a serious and immediate threat to the physical safety of students, school personnel, or the public, or when appropriate to address the criminal conduct of persons other than students.
 - Require that WVCPD officers will not be involved in matters of routine school discipline and shall require that WVCPD officers will only arrest students on school property or at school sponsored activities when the officer has probable cause to believe that the student has been or is engaged in a crime that causes serious bodily injury or endangers the physical safety of students, school personnel, or others or when necessary to execute a warrant that cannot be effectively executed outside of school hours.
 - Delineate School District's role in the selection of SROs and establish requirements, for WVCPD officers assigned to the position of School Resource Officer (SRO) within the schools and for the review of officer assignments to the SRO position.
 - State that the schools and WVCPD will comply with the requirements of FERPA, the federal statute protecting the privacy of school students.
- The School District and WVCPD should jointly review school-based arrests and SRO interventions on at least a quarterly basis to assess effectiveness, to identify areas for improvement and ensure that School District and WVCPD actions align with the goals and objectives set forth in the MOU.
- The School District and WVCPD should meet with community stakeholders at least once per semester and shall provide a report on disaggregated discipline information, school based arrests, and law enforcement contact with students in schools.

Re: Students' Rights (Privacy, Equal Treatment & Protection, Due Process)

- The WVCPD should not conduct any gang operations or other similar operation intended to identify gang members or associates, at local schools.
- WVCPD officers should only arrest students on school property or at school sponsored activities when the officer has probable cause to believe that the student has been or is engaged in a crime that causes serious bodily injury or endangers the physical safety of students, school personnel, or others or when necessary to execute a warrant that cannot be effectively executed outside of school hours.
- WVCPD officers should only conduct investigatory stops or detentions of students on school property or at school sponsored events where the officer has reasonable suspicion that the student has been, is, or is about to be engaged in the commission of a crime.
- WVCPD officers should be required to have reasonable suspicion to document students contacted on school property or at school sponsored events in street checks or any other form of field interview documentation that records suspected gang involvement or association.
- WVCPD officers should not use race, color, ethnicity, or national origin in exercising discretion to conduct a warrantless stop or search, or to seek a warrant.
- In any instance in which it becomes necessary for an WVCPD officer to detain, question, search, or arrest a student on school property or at a school sponsored event, the officer should make his or her best efforts to maintain the student's privacy and minimize exposure of WVCPD contact with the student to other students and school personnel.
- In any instance in which it becomes necessary for an WVCPD officer to detain, question, or search a minor student on school property or at a school sponsored activity, the WVCPD officer should ensure that an adult guardian or school administrator is present at all times. The WVCPD officer, independently or through the school administrator, should make best efforts to contact the adult guardian and to permit the adult guardian to be present if the guardian can arrive within a reasonable period of time.
- The WVCPD, independently or through the SCHOOL DISTRICT, should notify an adult guardian as soon as possible after a student is arrested on school property or at a school sponsored event and in all cases within 24 hours.
- The WVCPD should amend its "street check" form in the following manner:
 - Replace statement that subject has been identified as a gang member with "suspected" as a gang member or associate.
 - Instruct that the box for self-proclamation should only be checked where the subject has affirmatively stated current membership in a particular gang and shall not be inferred from other categories of information including tattoos or manner of dress.
 - Require identification of the purpose for the stop, i.e. reasonable suspicion, probable cause, consent, and narrative description of the basis for the stop and the identification.

- Where an officer seeks consent to stop or search a student or a student's belongings on school property or at school sponsored events, the officer should affirmatively inform the student of his or her right to refuse and revoke consent at any time, and document the subject's consent on a written form that explains these rights. The WVCPD will provide a copy of the consent search form to the subject at the time of the search.
- The WVCPD should provide in-person training for SROs covering implicit bias, adolescent development and techniques for working with youth, and SRO responsibilities under the Fourteenth Amendment. Within 30 days from the signing of this agreement WVCPD shall contact Strategies for Youth and shall make a good faith effort to secure the services of Strategies for Youth to provide the training described in this paragraph.

Re: School District Policies, Practices & Training

- School District employees should request the involvement of WVCPD officers only when a School District administrator determines it necessary to address a serious and immediate threat to the physical safety of students, school personnel, or the public, or when appropriate to address the criminal conduct of persons other than students.
- School District should collect and review, on at least a quarterly basis, data regarding law enforcement activity in its schools, including but not limited to arrest reports; this information should be available to the public through the School District website.
- School District should ensure strict compliance with the terms of the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, when disclosing educational records, including student disciplinary records and student photographs, and including where providing information to law enforcement.
- Administrators, counselors, social workers, and teachers – as well as School District administrators with responsibility for school discipline matters – at West Valley Area-high schools should receive in-person training through an evidence-based program designed to improve school management while reducing excessive and exclusionary discipline. *Note: The Virginia Youth Violence Project at the University of Virginia provides well-regarded training in this area and is highly recommended as a potential provider for such training.*
- All School District employees with responsibility for working with students should receive mandatory in-service training on the appropriate and limited role of school resource officers, threat assessment, the collateral consequences of youth involvement with the criminal and juvenile justice systems, and the rights of students.



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