Equity in Law Enforcement Actions Following a School Threat Assessment

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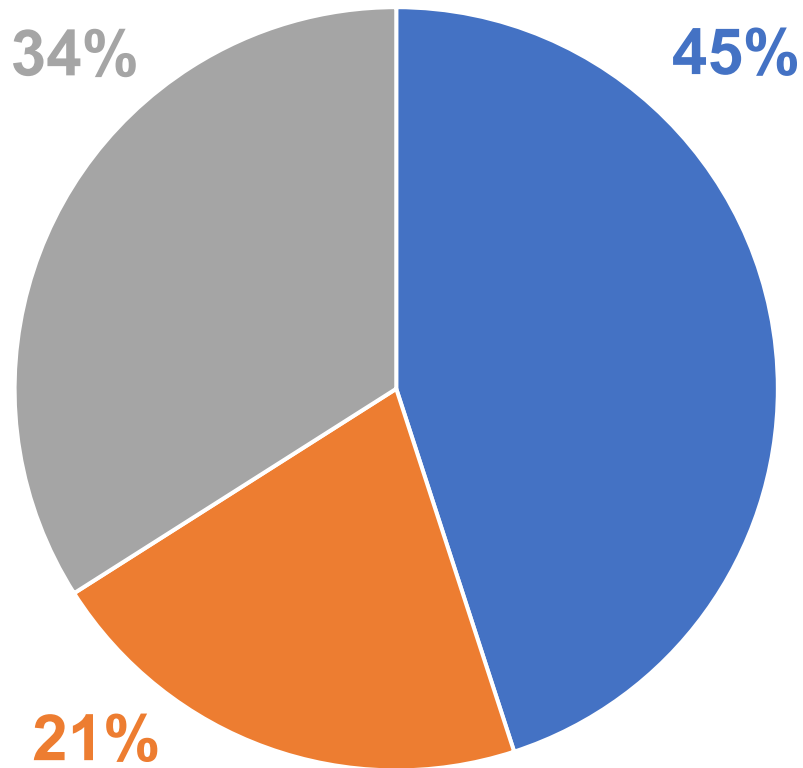
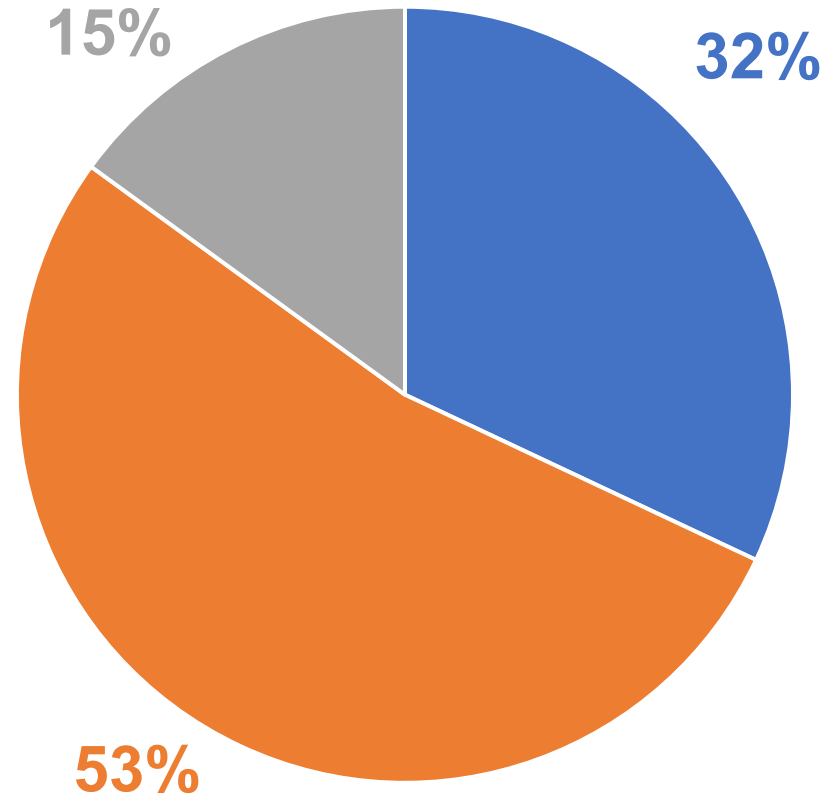Society for Prevention Research 2024

School-Based Law Enforcement

- Concerns about 1) criminalization of student behavior and 2) disparities between groups of students

- Disparities in community-based arrest data
  (Claus et al., 2018; Schleiden et al., 2020)

Juvenile Population in Florida

45%
21%
34%

Juvenile Arrests in Florida

32%
53%
15%

■ White Youth   ■ Black Youth   ■ Hispanic Youth

Threat Assessment as Diversion

- Proposed as an evidence-based approach that reduces disparities in suspension and expulsion data (Cornell et al., 2018; Cornell & Maeng, 2024; Maeng et al., 2023)

- Possibly also as diversion from law enforcement action

What is Threat Assessment?

A problem-solving approach to violence prevention that involves identification, assessment, and intervention with individuals who have threatened violence toward others

How Prevalent is Threat Assessment?

- Used in 64% of US public schools (Wang et al., 2022)

- Required in 18 states and encouraged/ recommended in 21 more (NASBE, n.d.)

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Not just searching for a needle in a haystack

Fairness and Equity Goals

- Avoid unfair excessive punishment or criminalization for minor misbehaviors

- Equitable treatment of students from diverse racial/ ethnic backgrounds

Who is on a Threat Assessment Team?

- Administrator

- Mental health staff (e.g., school psychologist, counselor, social worker)

- School resource officer

- Other staff (e.g., teacher, nurse)

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SROs and Threat Assessment

Concern that SRO involvement leads to greater criminalization of non-criminal behaviors, higher arrest rates and disparities for students of color
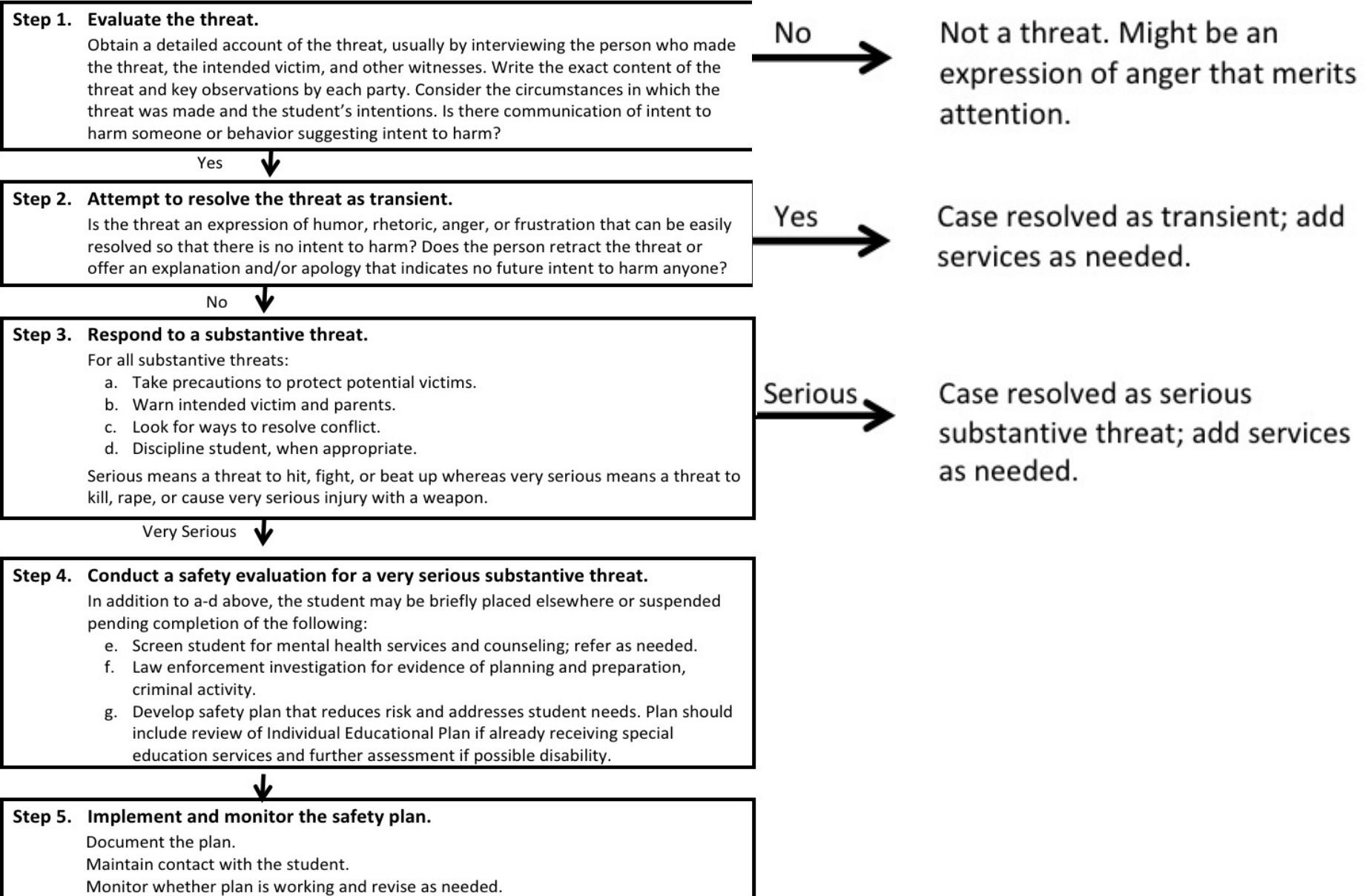
Comprehensive School Threat Assessment Guidelines (CSTAG)
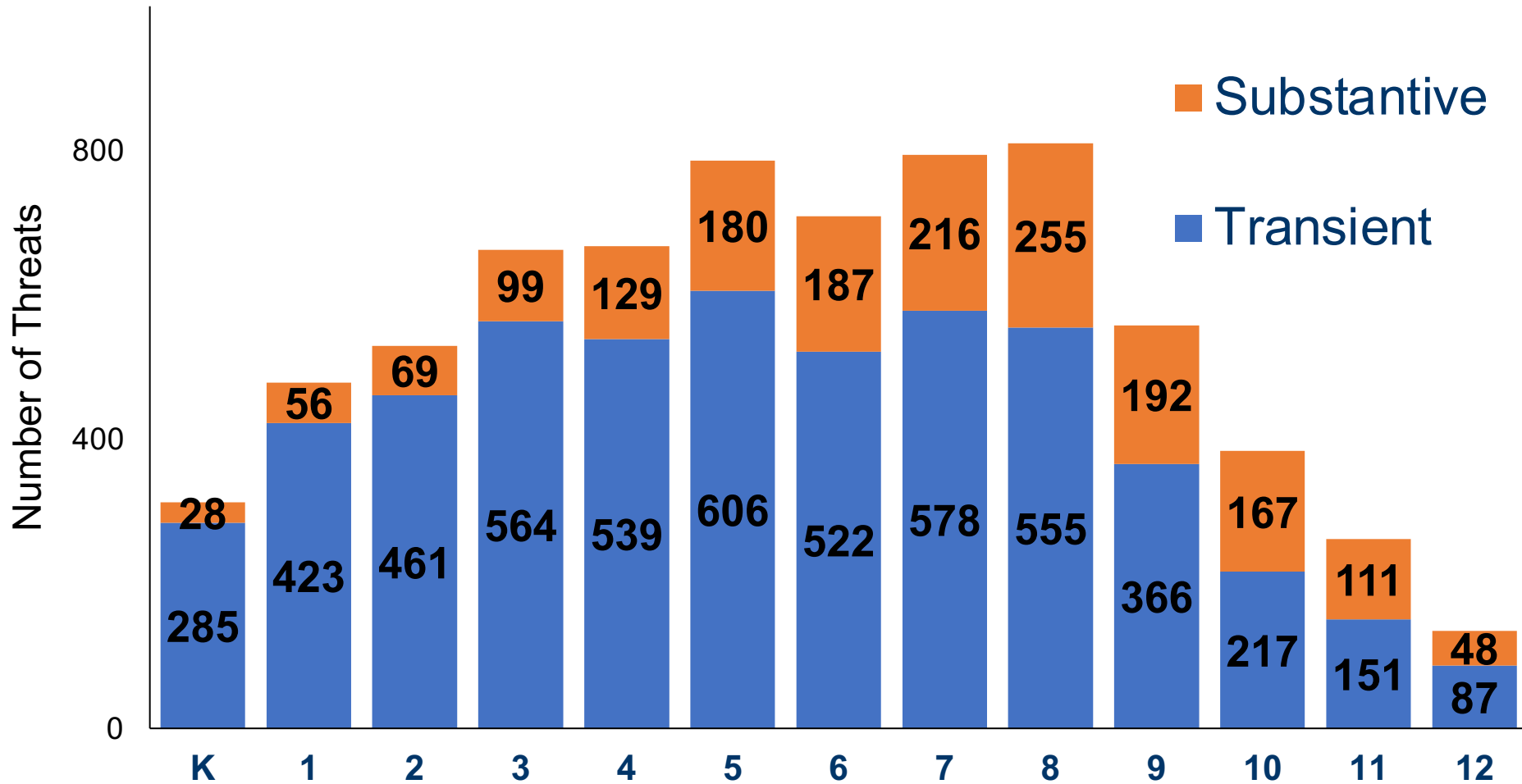
- Developed at UVA in 2001

- Distinguish serious (substantive) threats from non-serious (transient) threats

- Focus on support services to prevent violence

CSTAG Decision Tree

Step 1. **Evaluate the threat.**

Obtain a detailed account of the threat, usually by interviewing the person who made the threat, the intended victim, and other witnesses. Write the exact content of the threat and key observations by each party. Consider the circumstances in which the threat was made and the student's intentions. Is there communication of intent to harm someone or behavior suggesting intent to harm?

→ **No** → Not a threat. Might be an expression of anger that merits attention.

↓ Yes

Step 2. **Attempt to resolve the threat as transient.**

Is the threat an expression of humor, rhetoric, anger, or frustration that can be easily resolved so that there is no intent to harm? Does the person retract the threat or offer an explanation and/or apology that indicates no future intent to harm anyone?

→ **Yes** → Case resolved as transient; add services as needed.

↓ No

Step 3. **Respond to a substantive threat.**

For all substantive threats:
  a. Take precautions to protect potential victims.
  b. Warn intended victim and parents.
  c. Look for ways to resolve conflict.
  d. Discipline student, when appropriate.

Serious means a threat to hit, fight, or beat up whereas very serious means a threat to kill, rape, or cause very serious injury with a weapon.

→ **Serious** → Case resolved as serious substantive threat; add services as needed.

↓ Very Serious

Step 4. **Conduct a safety evaluation for a very serious substantive threat.**

In addition to a-d above, the student may be briefly placed elsewhere or suspended pending completion of the following:
  e. Screen student for mental health services and counseling; refer as needed.
  f. Law enforcement investigation for evidence of planning and preparation, criminal activity.
  g. Develop safety plan that reduces risk and addresses student needs. Plan should include review of Individual Educational Plan if already receiving special education services and further assessment if possible disability.

↓

Step 5. **Implement and monitor the safety plan.**

Document the plan.
Maintain contact with the student.
Monitor whether plan is working and revise as needed.

Threat Classification by Grade

SROs and Threat Assessment

- Trained in CSTAG model

- Respond to criminal law breaking

- Interviews, searches, and take protective action when necessary

Project Overview

- In 2018, Florida mandated TA in public schools

- FLDOE adopted CSTAG and initiated statewide training

- UVA project funded by US DOJ to examine CSTAG training and implementation

Research Questions

1. How frequent are law enforcement actions following a threat assessment in schools?

2. How do these actions differ by student race/ ethnicity?

Participants

- 21,847 student threat cases

- 2,334 schools in 60 of 67 districts in Florida

Measures

Independent Variables

- Student demographics
  Gender, race, SPED, FRPM, grade

- Classification

  No threat, transient, substantive

Outcome Variables

- Arrest
- Court charge
- Incarceration

How frequent are law enforcement actions following a threat assessment?

Frequency of Law Enforcement Action

.7%   .4%   .2%

>98%
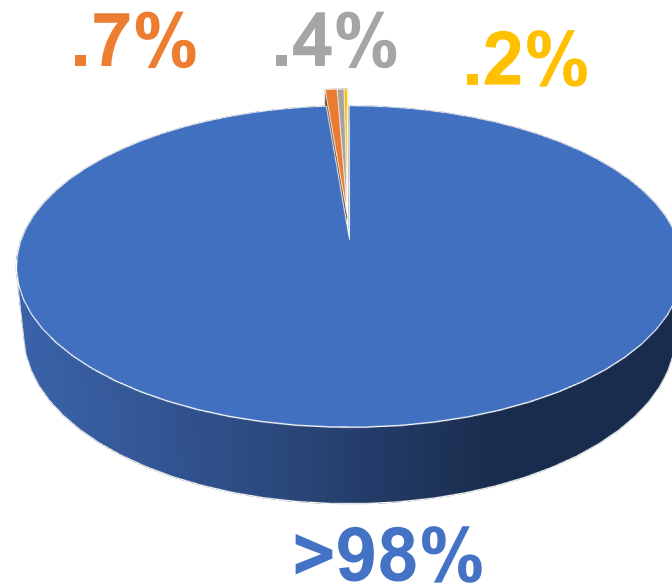
■ No legal action (n = 21,587)   ■ Arrest (n = 150)

■ Court charge (n = 77)   ■ Incarceration (n = 33)

How do law enforcement actions differ by student race/ ethnicity?

Logistic regression model of law enforcement actions

	Arrest	Court charge	Incarceration
Female gender	0.99	0.92	1.02
Black race/ ethnicity	1.00	0.97	1.14
Hispanic race/ ethnicity	1.19	1.41	0.71
Elementary grade	0.10***	0.32**	0.44
High grade	1.84***	2.33***	3.92**
FRPM	0.75	1.00	1.20
IEP	0.83	0.88	1.02
504 Plan	0.72	0.48	0.99
Transient classification	1.36	2.61	2.59
Serious substantive classification	6.58***	7.97***	15.96**
Very serious substantive classification	44.81***	20.50***	75.16***
	$R^2 = .30$	$R^2 = .15$	$R^2 = .26$

Note. *$p < .05$. **$p < .01$. ***$p < .001$. Reference groups: Male gender, White race/ ethnicity, Middle grade, Not a threat classification.

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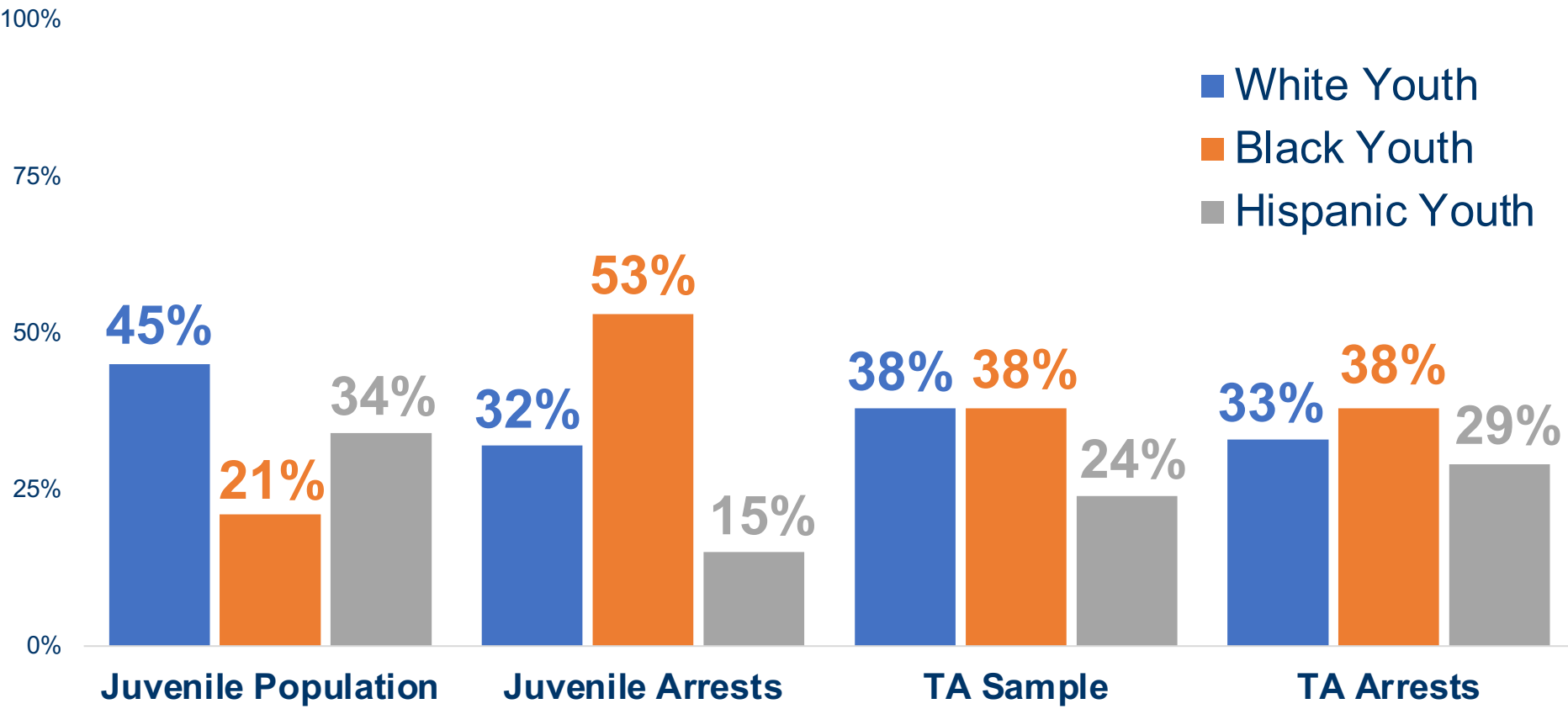
Summary

- \>98% of cases resolved without law enforcement action

- No significant differences in law enforcement action between White, Black, and Hispanic students receiving a threat assessment

Law Enforcement Action by Race/ Ethnicity in Community vs Threat Assessment Contexts

Limitations

- No control group of schools not using threat assessment

- Correlational analyses, cannot make causal inferences

Future Study

- Qualitative research on law enforcement actions

- Examine services, academic, and behavioral outcomes for students 2-3 years after a threat assessment

Implications:
Threat Assessment as Diversion

- Evidence-based process that may help correct a previously existing racial disparity in law enforcement actions

- Support for the appropriate use of law enforcement in schools

Thank you!

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http://tiny.cc/YouthViolenceProject

Dr. Dewey Cornell discloses that he has a financial interest as the primary developer of the Comprehensive School Threat Assessment Guidelines.