



Los Angeles School Police Department

Roles and Responsibilities for:
**ENFORCEMENT, CITATION AND ARREST PROTOCOLS ON SCHOOL
CAMPUS AND SAFE PASSAGES**

*A Guiding Principles Document in Support of a Successful School Climate and Best Practices for Law
Enforcement Interaction on School Campuses*

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Los Angeles School Police Department

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Vision Statement: The Los Angeles School Police Department (LASPD) is a progressive law enforcement agency committed at every level to show respect for all individuals and their rights; to uphold the law; to strive for excellence in service provision, always acting with the upmost integrity. We will be accountable to the standards set forth by our Department.

Purpose: The purpose of this document is to delineate and align police officer roles and responsibilities when enforcing minor law violations on campus and safe passages with the LAUSD School Climate Bill of Rights (SCBOR). In furtherance of the SCBOR, this document contains clear guidelines regarding the roles and responsibilities of LASPD campus police officers when confronted with certain law violations by students, and establishes criteria to assist officers in properly distinguishing school discipline responses to student conduct from criminal responses. This document provides a matrix for officers to follow when a student has committed a minor offense on campus.

It is this Department's intent to seek a balance of intervention practices, especially as it relates to minor offenses (infractions or misdemeanors) of the law and to further support a non-criminal enforcement model of strategic problem-solving. This practice remains consistent with the Superintendent's 2012-2015 Strategic Plan for the LAUSD that espouses campus policing practices of "non-punitive" enforcement methods that support strategic problem-solving methods rather than citation and arrest-driven enforcement methods. This practice also remains consistent with the District's Discipline Foundation Policy and the recommendations of the 2014 U.S. Department of Education's publication of *Guiding Principles -Resource Guide for Improving School Climate and Discipline*.¹

Expectation: While working for the LASPD, it is the expectation of all members of this Department to enforce the law using reasonable judgment and spirit of the law, while having the unique responsibility of working in an educational setting with youth and in partnership with educators, counselors and the various academic and social service providers on a campus setting. As a general guideline, police officers do not respond to routine school discipline matters unless there is an immediate nexus to student and or staff safety. Where possible, LASPD officers should strive to support opportunities for students to receive effective mentorship, learn from their mistakes, and to promote fair and proportionate responses to student behavior that maximize the student's continued engagement in the educational setting.

¹ For additional guidance on the role of law enforcement at schools see the U.S. Department of Education and U.S. Department of Justice Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline and Appendix Recommendations for School Districts, Administrators, Teachers, and Staff, Section C, 'Appropriate use of law enforcement'.

The LASPD is committed to work in partnership with the District, student and parent groups, community organizations, and additional stakeholders to continue to meet the goals and objectives of the SCBOR by identifying best practices for positive student outcomes related to school-based interactions with campus law enforcement officers. To that end, we will continue to review data on campus-based enforcement practices to further enhance positive student outcomes.

Enforcement: These guidelines apply to incidents involving LAUSD students at LAUSD locations during the hours in which school is in session including “safe passages” to and from school.

Guidelines: *Mutual Cooperation between LASPD and LAUSD Administrators* - Every effort should be made to establish and maintain a relationship of mutual respect and cooperation between LASPD officers and school-site administrators. The goal of officers assigned to LAUSD campuses is to respond to matters pertaining to school safety, not to enforce school discipline or punish students. These guidelines are intended to prevent the use of citations and arrests where possible, for minor offenses of the law that would more appropriately be handled by school administration. These offenses of the law will be referred to school-site interventions to promote a reasonable and graduated response to positive student outcomes.

Procedures:

School Police Officers should follow the steps and guiding questions identified in this document before making an arrest, issuing a Citation or Diversion Referral for minor school-based violations. For other violations that are not listed in the LASPD Administrative Referral and Diversion Matrix, officers are highly encouraged to continue to utilize spirit of the law and the aforementioned steps, unless extenuating or other exceptional circumstances are present. If the situation is resolved at any point through the following steps and guidance, officers should follow the non-arrest, non-citation model (Attachment).

Step 1 – Evaluate the situation:

- Can the incident be handled through practices identified within the District’s Discipline Foundation Policy?
- Are there restorative or other intervention practices on campus that could resolve the incident?

If so, refer the incident to school administration for school-site intervention.

- Does the incident require mandatory law enforcement notification under state law (Ed Code section 48902)?
- Considering all the surrounding circumstances, does this incident pose a serious and immediate threat to school safety?

If the criminal offense requires mandatory notification to law enforcement, but does not rise to the level of a serious and immediate threat to school safety, it may, at the discretion of the officer, and based on the totality of the offense, be referred back to school administration or designated school official for resolution.

Step 2 – Communicate with the student:

- Can the incident be resolved with an approach that may include the officer utilizing positive dialogue to talk to the student about the incident and surrounding circumstances, issuing a verbal warning, or providing an opportunity for the student to self-reflect and deescalate the behavior?

Step 3 – Identify a graduated response to the incident that prioritizes a school-site administrative intervention when possible:

- Are there any underlying circumstances present that are better addressed through administrative responses?
- Can the incident be resolved by the officer, school-site administration or involving the student’s parents or guardians?
- Can the incident be resolved by a school-site intervention or restorative practice model?
- Is it a first time incident?

If any of the above steps reveal that a school-site intervention or school discipline approach under the District’s Discipline Foundation Policy can resolve the situation, the student should be referred to the school administrator or designated school official.

Step 4 – Issuance of a Diversion Referral:

If Steps 1-3 are not a viable option due to circumstances surrounding the offense, a Diversion Referral may be issued for identified offenses listed on the LASPD Administrative Referral and Diversion Matrix (Refer to Page 4).

A Diversion Referral procedure is outlined in LASPD Notice 14-002, and refers to a referral to a FamilySource Pupil Services and Attendance (PSA) Counselor, located in thirteen FamilySource Centers throughout the City of Los Angeles, or any other intervention agency with which the LASPD may partner.

Arrest on School Campuses: In an effort to minimize disruption to the learning environment, LASPD officers should consider the reasonableness of making an arrest or summoning a student for questioning when students are actively participating in classroom instruction. When considering whether it is reasonable to arrest or summon a student on campus, the officer should consider the following:

- The seriousness of the offense.
- Whether the arrest is able to be effected by other means.
- Whether there is an imminent threat to public safety.

Parental Notification:

Officers are reminded to abide by Education Code Section 48906, when a student is turned over to the custody of a law enforcement officer.

LASPD ADMINISTRATIVE REFERRAL AND DIVERSION MATRIX

Minor violations of the law listed below should be handled through school-site administrative interventions or Diversion Referrals as specified in the Guideline. A Diversion Referral should be used as a graduated response. In most cases, students should be directed for “Administrative Referral” on campus for a first-time incident. Officers shall refer to LASPD Notice 14-002 for additional guidance. For students 12 years and younger, officers are reminded to refrain from issuing citations, Diversion Referrals, or making an arrest for minor law violations pursuant to the LASPD Chief of Police directive *Incidents Involving Subjects 12 Years and Younger* (December 1, 2013).

For students ages 13-17 who commit certain offences, the following applies:

- School-site Administrative Referral.
- School-site Administrative Referral or Diversion Referral for repeat offender per LASPD Guidelines.
- Diversion Referral or School-site Administrative Referral at officer’s discretion (exceptions outlined below):



Violation	Code Section	Consequences (for students ages 13-17)	Education Code Section / MiSiS Code (MC)
Possession of tobacco and/or tobacco paraphernalia	308(b) P.C.	Administrative Referral unless directed otherwise by supervisor	Possessed or used tobacco E.C. 48900(h); 48915(e) / MC-3.6
Theft of property less than \$50 (District property)	490.1(a) P.C.	Administrative Referral unless directed otherwise by supervisor	Stole or attempted to steal school or private property. E.C. 48900(g); 48915(e) / MC-3.5
*Trespassing	602.8 P.C. and related municipal/county code violations	Administrative Referral unless directed otherwise by supervisor	Truancy during school hours. E.C. 48260 (a) MC- Not Applicable
** Possession of marijuana less than 1 ounce, 1 st offense (only if not found smoking)	11357(b) H&S 11357(e) H&S	Administrative Referral or Diversion Referral if repeat offender	Marijuana possession for 1 st offense of < 1oz. E.C 48900(c); 48915(b) / MC-3.2
Fighting / Challenging to Fight	415(1) P.C. 415.5 P.C.	Administrative Referral or Diversion Referral if repeat offender	Attempted to cause physical injury to another person. Caused physical injury to another person. E.C.48900(a)(1); 48915(B) / MC-3.1 a,b,c
Minor in possession of alcohol-1 st offense	25662(a) B&P	Administrative Referral or Diversion Referral if repeat offender	Alcohol possession for 1 st offense E.C. 48900(c); 48915(e) / MC-3.2
Vandalism less than \$400 damage (District property)	594(a) (1) P.C. 594(a) (2) P.C. 594(a) (3) P.C. 594.1(e)(1) P.C.	Administrative Referral or Diversion Referral if repeat offender	Caused or attempted to cause damage to school or private property. E.C. 48900(f); 48915(e) / MC-3.4
***Battery (see exceptions applicable to Battery diversion only)	242 & 243.2(a) P.C.	Diversion Referral or per discretion of officer, Administrative Referral	Willful use of force/violence not in self-defense E.C.48900(a)(1); 48915(b) / MC 3.16

*** Exceptions under which a Diversion Referral for Penal Code sections §§ 242, 243.2 offenses would not meet criteria:

1. One of the combatants or victims has an injury requiring medical treatment by paramedics or emergency medical personnel.
2. Officer(s) step in and break up the fight using reportable force.
3. One or more of the combatants have a documented history of disturbing the peace or battery citation; and / or arrest, or has failed to complete a prior diversion for the same offense.
4. The subject has a warrant.
5. The victim demands an arrest.

Note: A battery upon a police officer, safety officer or other school employee or official are described in other penal code sections and are not included as part of the diversion process. This does not preclude the ability for the diversion process to take place when the totality of circumstances dictates that a diversion referral would be beneficial. These incidents will be evaluated on a case-by-case basis.

Note: In the event that a student is on active, formal probation, officers should notify the probation officer of the incident and offer the option of a Diversion Referral in lieu of an arrest, when appropriate.

** All marijuana violations SHALL include the assistance of LASPD for purposes of contraband recovery.

* Trespassing violations shall be referred to the Administration of the school at which the student is registered. Officers will follow the currently established “Daytime Curfew” protocols should a Diversion Referral occur.