## STAFF REPORT

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| **Agenda Item:** | 5 | **Name:** | Greg Doss |
| **Proposed No**.: | 2016-0007 | **Date:** | March 8, 2016 |

**SUBJECT**

Proposed Ordinance 2016-0007, an ordinance authorizing the County Executive to execute a contract agreement between King County and the Kent School District for School Resource Officer law enforcement services.

**SUMMARY:**

Proposed Ordinance 2016-0007 authorizes the Executive to sign an agreement for the King County Sheriff’s Office (KCSO) to provide full-time permanent School Resource Officer (SRO) law enforcement services to the Kent School District. This proposed ordinance would approve a contract with the school district modeled on the Issaquah School District SRO contract, which the council reviewed and approved in 2011 as Ordinance 17164.

**BACKGROUND:**

The King County Sheriff’s Office provides law enforcement services to unincorporated King County and, through contracts, to cities, Metro Transit, King County Airport, and school districts. The Sheriff provides contract police services for cities and other governmental entities that allow the contracting agency to specify levels of service. The KCSO provides its contracted law enforcement services through approximately fifty agreements. These contracts include:

* Local police department for twelve suburban cities
* Transit police for Metro and Sound Transit
* King County Airport police and fire services
* Tribal police for the Muckleshoot Indian Tribe
* Housing Authority policing in two communities
* Fire and arson investigations in fifteen cities
* Marine patrol for eight cities
* Air support for the Coast Guard, Washington Department of Ecology, and King County Department of Natural Resources

In addition to providing local law enforcement services, the KCSO has a number of regional responsibilities, including the operation of the county’s Automated Fingerprint Identification System (AFIS), E-911 call and dispatch, and King County Search and Rescue, and air and marine patrol. The Sheriff is also responsible for security in the County’s courthouses.

As one of its functions, the Sheriff’s Office works in partnership with various school districts to provide School Resource Officer services. School Resource Officers (SROs) are Sheriff’s Deputies located on school properties, working either full or part time at the school sites. These officers are assigned to specific schools or school sites and provide law enforcement and security services to the district. The services include “dedicated” patrol services for district grounds, preparation of daily reports, providing specialized resources for students and staff, and other duties mutually agreed upon by both parties. The SROs provide education and training for school staff, students, and parents.

The SROs are encouraged to develop rapport with students and staff, treating the school as a “community” and using community oriented policing techniques to ensure school safety. Under current policy, the school district participates in the selection of the officers, specifies patrol area (generally school sites), hours of patrol, and any other needed services. The SROs assume responsibility for all day-to-day security and law enforcement related concerns identified by district officials and staff.

As part of the 2011 budget, General Fund contributions toward these non-mandated services were eliminated and since then, school districts have paid most of the costs of the SRO under contract with the Sheriff’s Office. Three school districts (Lake Washington, Northshore and Tahoma) compensate the Sheriff for SRO services by paying an hourly rate that covers overtime compensation for Deputies and administrative costs for the Department. This allows for deployments that do not detract from the Sheriff’s responsibility in the unincorporated areas.

The Highline and Issaquah School Districts have each employed dedicated SROs that work at the schools throughout the school year, and the Deputies then return to the Sheriff’s Office for regular deployment in the unincorporated areas during the summer and various school recesses (e.g. Christmas Vacation).

**ANALYSIS:**

This contract has been modeled after the Issaquah School District SRO contract, which the Council reviewed and approved on August 15, 2011 as Ordinance 17164. The contract dedicates one Deputy to the School District anytime that the schools are in session. The contract became effective on January 1, 2016 and extends through July 31, 2016. Thereafter, the contract may be extended for one‐year periods beginning August 1st of each year.

The Proposed Ordinance would approve the agreement (Attachment A) that provides for reimbursable SRO services to the Kent School District. Approval of this ordinance will allow the County to receive $130,000 in revenue for the remainder of the 2015-16 biennium and should generate approximately $135,000 in revenue for future school years.

The agreement has been reviewed by legal counsel, who recommended that staff work with the Sheriff’s Office to develop a template that allows KCSO and the Executive to implement future SRO contracts without Council approval. Legal staff also noted that the underlying contract has a different execution date than its Attachment A and that this oversight should be corrected in a template that might be used for future contracts.

**Potential Budgetary Implications:**

As noted above, approval of Proposed Ordinance 2013-0506 would generate approximately $135,000 of General Fund revenue each year (starting in 2017). It should be noted that this does not fully recover the Sheriff’s costs of employing and equipping the Deputy. The annual salary, benefit and equipment costs to support the position are $161,000, an amount that is $26,000 greater than the revenue coming from the School District. The costs exceed the revenue because the Deputy will only work for the District only when school is in session. The deputy will be available for unincorporated patrol for those periods that he or she is not needed at the school.

Additionally, the General Fund must bear the recruitment, training and the initial equipping costs associated with the hiring of a new Deputy. These costs, and the salary / benefits costs in 2015/2016, will amount to $276,000 in this biennium and will exceed the first year revenue by $146,000. The largest contributor to these costs is the purchase of a vehicle for the Deputy. The School District will pay annual depreciation on the vehicle but the Department must fund the initial outlay.

**Councilmember Questions from the 2-23 Hearing**:

**Council Question-SRO Effectiveness Research** Please provide data on whether schools with SROs have higher rates of arrests or other referrals to the criminal justice system vs. comparable schools (i.e. those with similar demographic profiles) without SROs. If KSCO does not have any local data, has a study been done that can inform this question?

**Council Staff Response**: The KCSO reports that it does not track and cannot compile data on arrests by KCSO SROs, or at schools with KCSO SROs, as compared with other schools.

George Mason University’s Center for Evidence Based Crime Policy (GMU) recently conducted an in-depth process evaluation of the Seattle Police Department’s School Emphasis Officer Program. The study was performed in conjunction with the Seattle City Auditor’s Office and was published on September 22, 2015. A summary of the study findings can be found in Attachment 4.

The evaluation revealed that there were no examples of Seattle School Emphasis Officers (SEO) making arrests in schools, nor did SEO logs indicate that this occurred in the 2013 data that was examined. The SPD had indicated that between 2009 and

2012 zero arrests were attributed to the SEOs.

The SPD School Emphasis Officer program maintains a philosophy of minimal law enforcement intervention and the SPD Manual states that “officers should consider alternatives to physically arresting a student on school property when practical, except in the case of violent offenses in which harm or potential harm is inflicted on the victim; emergency situations requiring immediate stabilizing action; or felony situations where circumstances require an in-school response.” The Manual goes on to state that “non-emergency arrests on school property must be screened in advance with the SEO Sergeant, who will consult with the principal and the SPS Safety and Security Department.” Finally, the SPD Manual states that the program goals are prevention, intervention and enforcement.

The Seattle SEO program has four dedicated Emphasis Officers. Other data collected for the study show that between January 1 and December 31, 2013 SEOs served 6,642 youth, conducted 205 mediations, made 70 referrals to staff at Seattle’s Youth Violence Prevention Initiative, made 15 out of network referrals, and 71 home visits.

GMU researchers found that Seattle SEOs are rarely involved in law enforcement activities and contend that this may reduce the risk of disciplinary issues in their schools becoming criminal matters. However, the researchers cautioned that while the non-law enforcement orientation is “certainly a benefit of the SEO program”, their process evaluation did not assess whether or not the presence of the SEOs contributes to the “school-to-prison pipeline” (see below “Research on Police in Schools”).

Finally, GMU researchers note that “SEOs do not make arrests, but arrests are not the only metric of increased law enforcement involvement and enforcement-based activities are not the only source of referrals to the police. In a recent study Devlin (2015) found that when school police officers engage in an expanded role, even where their additional duties are supportive and positive, they refer more issues to law enforcement. When officers work to engage and build trust with youth, they are also (as several of the SEOs we spoke to pointed out) encouraging students to become more comfortable sharing information, which SEOs told us they do on occasion have to share with precinct officers.”

**Research on Police in Schools**[[1]](#footnote-1) Nationally, the use of police in schools, usually through school resource officer (SRO) programs, has grown extensively in the last decade, in large part because of funding from the U.S. Department of Justice’s Office of Community Oriented Policing Services (Na & Gottfredson, 2013). Some scholars and critics have argued that the presence of school police officers leads to criminalization of disciplinary infractions that might previously have been dealt with by the school, creating a ‘school to prison pipeline.’ For example, some studies have found that increased use of school police officers results in more reporting of non-serious violent crimes to law enforcement and increased detection of weapons and drugs[[2]](#footnote-2), or that the increased use of police officers facilitates the formal processing of minor offenses and harsh responses to minor disciplinary situations,[[3]](#footnote-3) and that formal justice system processing of young people can increase their risk of recidivism[[4]](#footnote-4)

**KCSO Program** KCSO staff has indicated that some of its program goals are outlined in Attachment A of the SRO contract. The Sheriff has indicated that he will further address the program goals in his testimony before the Council. To the extent that the non-enforcement goals are similar to SPD’s goals, the KCSO program may realize many of the same benefits of improving police-community relations and serving youth through social service network referrals rather than through traditional law enforcement responses for troubled youth. As noted above, the Kent contract Attachment A identified services offered by KCSO as:

* 1. Officer presence in schools on the campus.
  2. Staff training on topics such as youth gangs, violence intervention, drug identification and intervention.
  3. Assist in classroom instruction by discussing topics such as substance abuse prevention, criminal and constitutional law, and personal protection.
  4. Parent education on topics such as emerging youth issues related to violence, substance abuse and the criminal justice system.
  5. Building rapport with students to help students to see officers as a youth advocate whose primary concern is their safety and security.
  6. Law Enforcement/Safety Assistance to Schools:
     1. Assisting with issues such as truancy, child abuse, suicide and violence.
     2. Providing site security and law enforcement services on an as‐needed basis.
     3. Help staff to develop a site security plan.

**Council Question—Fiscal Note:** Please clarify the fiscal note, and specifically the amount that the General Fund provides to the school district when employing a full-time, dedicated SRO.

As noted above, the General Fund has borne the new hire exam, basic law enforcement charges and the new vehicle and equipment costs associated with the hiring of the new SRO. These costs totaled $128,000 in 2015. The largest contributor to these costs was the purchase of a $38,000 vehicle for the Deputy. The School District would pay annual depreciation on the vehicle but the Sheriff‘s Office has already funded the initial outlay.

This approach differs somewhat from the arrangement that KCSO has had with its contract cities, which have had a greater financial participation in the training of the Deputies that are ultimately assigned to serve their jurisdictions. The Sheriff’s Office has indicated this is because the SRO is ultimately an unincorporated asset that KCSO can redirect for operational reasons if need be.

The first 2015 Omnibus Budget (Ordinance 17855) appropriated to the King County Sheriff’s Office $270,000[[5]](#footnote-5) to fund the 2015 costs identified above ($128,000) as well as the salary, benefit and fleet/ radio costs for 2016 ($148,000). If the Council chooses to pass proposed ordinance 2016-007, then the GF will receive $130,000 in revenue from the Kent School District. This equates to a 53% General Fund investment in the current biennium’s expenses.

In future years (beyond 2015/2016), the General Fund will continue to fund approximately 16% of the SRO costs, but the funding will go to the personnel hours and equipment the Deputy will use to Patrol in the unincorporated areas when school is not in session.

The Department has provided a narrative stating that it charges for “backgrounds, IIU, public disclosure, PIO, and a portion of the supervision of the SRO.” The Department has also indicated that every contract pays into overhead costs per deputy, which acts to spread the Sheriff Office costs more evenly over all the contract partners as well as reimbursing KCSO for the additional work placed on the infrastructure of the Sheriff’s Office as a whole. KCSO staff has indicated that this helps to increase affordability through economies of scale.

**Council Question**-**SRO Uniforms** Are there any best practices around the wearing of a “soft uniform” as opposed to a Class A uniform?

**Council Staff Response:** Staff contacted the National Association of School Resource Officers (NASRO) and was told that there are no specific “best practices” for the use of a uniform by a School Resource Officer. The President of the NASRO indicated that, when serving as an SRO, the District’s parents and teachers noted that officers seemed more approachable when wearing a “soft uniform”. He also recommended that a soft uniform not make an attempt to hide a law enforcement officer’s weapon.

The GMU study noted above indicates that SPD School Emphasis Officer Program SEOs attempt to minimize their footprint in schools by wearing a soft uniform, which has a different meaning to each officer but typically involves a t-shirt or polo shirt with police insignia and an attempt to keep the firearms covered and hidden. The study indicates that the soft uniform avoids “establishing any level of power” over students, which is intended to make them feel more comfortable.

As was noted by the testimony of Chief Pingrey at the last Law and Justice meeting on February 23rd, it is the policy of the KCSO to allow the contracting school districts to decide the best way to outfit each SRO. When asked about uniform best practices or regulations, the Sheriff reiterated the department’s policy on letting the school dictate the uniform, “They have their own community (parents and students) to represent. If they want their SRO’s to dress a certain way, we would discuss it with them and either agree or have frank discussions.” He also indicated that the districts have not raised the issue at this point.

**INVITED:**

* Hon. John Urquhart, King County Sheriff
* Chris Barringer, Chief of Staff, King County Sheriff’s Office

**ATTACHMENTS:**

1. Proposed Ordinance 2016-0007 with attachment A
2. Transmittal Letter
3. Fiscal Note
4. Summary of Findings for the SPD School Enforcement Officer process evaluation

1. This section is a staff summary of the literature review appearing in the “Process Evaluation of Seattle’s School Emphasis Officer Program,” Charlotte Gill, GMU, Denise Gottfredson, University of Maryland, Kirsten Hutzell, Lycoming College, September 22, 2015. [↑](#footnote-ref-1)
2. Na and Gottfredson (2013) [↑](#footnote-ref-2)
3. Kupchik (2010), [↑](#footnote-ref-3)
4. Petrosino, Turpin-Petrosino, and Guckenburg (2010) [↑](#footnote-ref-4)
5. The appropriation of $270,000 does not equal the Sheriff’s Office costs of $276,000. This is likely a technical issue rather than a substantive, budget policy issue. [↑](#footnote-ref-5)