

Memorandum



rights & vandalism

Subject: Guiding Principles for SRO Deployment.	Date: May 9, 2013
To: Mark S. Watson City Manager	From: James T. Akagi Chief of Police

The primary guiding principal for deployment of School Resource Officers (SROs) is that their primary role must be one oriented towards public safety and not security. An SRO is an integral part of school security, but not the only answer. Other factors that affect overall school security are physical facility security (hardening a target), staff awareness training and practices, and student education. A SRO cannot be everywhere at once – there are much more staff and students than SROs, and they are more familiar with their classrooms and facilities than an SRO. The first role of an SRO must be crime prevention through presence, visibility and establishment of rapport with students and staff. The other (lesser) roles are crime detection and solving crimes, followed by projecting a positive role model for children.

Integral to this is the clear definition of the role of the SRO through an agreed-upon Memorandum of Understanding (MOU) between the Oak Ridge Police Department (ORPD) and the Oak Ridge Schools (ORS). Currently several drafts are being discussed between Senior Staff Attorney Tammy Dunn and ORS attorneys. In whatever form, it finally takes, the MOU must first state the role and responsibilities of the SRO, preferably in order of priority. Of equal importance is the requirement of what ORS should and must report to ORPD. Too often in the past school year, ORS staff neglected to report potential crimes to ORPD in a timely manner, or in some cases, at all. The ability of a SRO or other ORPD components to solve crimes are severely impaired, sometime irreparably so, when crimes are not reported. Evidence is lost, witness statements are altered as memories fade and suspects sometimes disappear. Although an MOU cannot possibly cover every contingency for reporting – the most important concept must be that criminal investigations take precedence over ORS administrative policies and procedures. ORPD personnel are bound by constitutional law and state statutes when investigating crime, which are much more stringent than ORS administrative guideline (i.e. Miranda warning, search and seizure law, etc.) When ORS staff seizes evidence and take victim/witness/suspect statements and do not comply with the law, everything they do is useless, and possibly damaging to the prosecution, in a criminal case. ORS administrative procedure can be followed, but only after a prompt and completed criminal investigation.

The primary contentious issue over the past year between ORPD and ORS is lack of communication. ORS staff has been reluctant at best, and in some instances obstructive in their interaction with ORPD personnel. This has to be solved and can be initiated through training of ORPD personnel on ORS administrative policies and concerns, as well as training for ORS staff on the law and criminal investigations. This must be followed up with consistent and constant communication and coordination between ORS staff and ORPD personnel. Further, ORPD must continue to aggressively pass intelligence regarding real and implied threats and issues to ORS staff in a prompt manner. I have numerous examples of these issues over the past year, if needed. Please refer further questions to me regarding these issues at 425-3506.

Note from the City Manager: Pursuant to the Police Chief's summary, I would offer several examples of areas that require further clarification and cooperation.

- A disagreement brought two sets of parents to the school who assaulted each other and then assaulted the current lone High School SRO. No assistance provided by school officials.
- Disciplinary matters were attempted to be handled "in house" by school officials and when it came to the attention of the Police Department and information was requested for criminal concern review, info was denied.
- Timely reporting of matters of drugs, guns or other dangers in school, most times occurring the day after or through informal notifications by students.
- Reluctancy to share information by school officials for fear of violating Family Educational Right to Privacy Act (FERPA) rules now requires approvals from higher level school officials or attorneys.
- Recognition of Police Department responsibilities to investigate actions outside of, but involving school system. (i.e. past employee suicide by employee outside of school grounds)
- Responsibility of schools to report all abuse matters to Child Protective Services should be coordinated with Police Department to insure safety of student off campus.
- Trespassing in school at inappropriate hours was not report or pursued by schools officials when known
- School staff witnessing of events must be approved before talking to SRO when reviewing cases
- SRO was not included in disciplinary hearing authority reviews of assault on SRO nor advised of student readmission to school.
- Delays for obtaining information requiring formal "subpoena-style" processes to be used.

As we consider additional SROs inclusion in the Police staffing, clarification must occur on more efficient methods of cooperation to keep our schools safe.