

A Report on the Findings and Recommendations
of the Special Committee on School Safety
Established under the provisions of
Senate Concurrent Resolution No. 83,
presented to the Governor,
The President Pro Tempore of the Senate,
and the Speaker of the House
on the 14th Day of October, 2016

Enacted by the 148th General Assembly
of the State of Delaware,
SCR 83 passed the Senate on June 23, 2016, and
the House of Representatives on July 1, 2016.

The concurrent resolution was sponsored by
Senators Robert Marshall and David Sokola
and Representatives John L. "Larry" Mitchell, Jr.
and Earl G. Jaques, Jr.

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The work of the Special Committee on School Safety,
established under the provisions of Senate Concurrent Resolution No. 83,
its findings and recommendations, and a report on ad hoc meetings
of the Senate Public Safety Committee which led to enactment of SCR 83

The deaths of two Delaware high school students in the spring of 2016, one a young woman who died as the result of an attack by other female students in a school restroom and the other, the shooting of a 15-year-old student in a city street as he made his way home from school, were the impetus for two special meetings to discuss school safety called by Senator Robert Marshall, chair of the Senate Public Safety Committee. These meetings, which were held on June 6 and June 13, 2016, at Wilmington's Woodlawn Library, served as the impetus for the drafting of Senate Concurrent Resolution No. 83, which provided for the creation of a Special Committee on School Safety. The special committee held two regular meetings and a series of "information gathering sessions" in Dover and Wilmington. This report on the findings and recommendations of the Special Committee, includes detailed notes on the two preliminary Senate Public Safety Committee special meetings, a copy of Senate Concurrent Resolution No. 83, detailed minutes of the two regular meetings of the Special Committee on School Safety, and notes on several of the committee's information gathering sessions.

Findings and Recommendations

The Special Committee on School Safety was established under the provisions of Senate Concurrent Resolution No. 83, the sponsors of which were Senators Marshall and Sokola and Representatives Mitchell and Jaques. The resolution was enacted in response to the deaths of two Delaware high school students in April and May and other instances of violence in and around Delaware schools. The resolution itself and a list of the members of the committee are included in this report, as are detailed minutes of the two committee meetings held, those of August 10 and September 21, 2016, as well as an account of public comments that were received by the committee.

Several findings and recommendations were reached in the course of the committee's work. These include the following:

Finding No. 1: The issue of school violence is complex and growing in both severity and extent. It is caused in part by significant societal changes in recent decades. The behavior patterns that lead to school violence originate in the home, where children learn at an early age the behavior that they later bring with them to school.

If we are to have a chance to reduce and reverse this type of behavior, it is necessary to begin early and to start in the home. Efforts must be made to reach out students and to provide them with positive new directions in elementary school. Several committee members pointed out that "middle school is too late." The committee strongly supports employing more mental health

professionals both within schools and, where possible, in students' home environments and the use of early intervention strategies. It is also suggested that consideration be given to providing teachers with training in suicide prevention and in recognizing warning signs shown by potentially suicidal students.

Recommendation: Increase the number of early intervention and conflict resolution programs and professionals in our schools. Increase networking among mental health professionals, counselors and school security personnel to improve information sharing for the benefit of students and teachers. Explore mechanisms for early intervention to families of troubled students by family crisis therapists to build self-confidence and encourage positive behavior.

Finding No. 2: The committee strongly supports the expansion of “school resource officers” [SROs] and school constables into all school districts.

SROs are active members of state and local police forces specially trained to work with students. Specially-trained school constables, almost all of whom are retired law enforcement officers, have many of the same skills but are less expensive. School resource officers have arrest powers. Constables have the power to detain, but not to arrest. At the present time, most costs for these programs are paid by school districts out of local funds.

Committee member Preston Lewis, Administrator of Student Services in the Indian River School District, heads the state's largest such program, the Indian River Safety Monitor Program, which has a constable (known as a “safety monitor”) in each of the district's school buildings. Now in its third year, the program employs 17 licensed school constables—15 full-time and two substitutes. The district also has the services of five school resource officers, three of whom are Delaware State Police officers and two of whom are town police officers. The constables/monitors work directly under the principal and assistant principal in each school building. Each SRO costs the district approximately \$75,000 per year and each school constable costs approximately \$37,000 per year. Mr. Lewis noted that the constables are pension-eligible unless they are Delaware State Police retirees. Someone on the faculty or staff of every school building is bilingual to assist in cases of students or families with poor English language skills. The constables are paid out of the district's local funds and they participate in school crisis teams in each school.

The Capital School District has implemented a program based on the Indian River model district-wide beginning with the 2016-2017 school year. Red Clay School District has five school resource officers [police officers] and four constables. All agree that in order to be effective, such programs must emphasize the development of positive relationships with students and all must work closely with family crisis therapists and other specialists.

One key to success with such programs is the building of positive relationships with students apart from the law enforcement component. Numerous police officers around the state are actively involved in a volunteer capacity on their own time in after school and weekend programs to provide safe recreational outlets for children while at the same time helping to instill in them positive role models. Many are doing so at their own expense. Others go into the schools in the morning to greet students on their arrival.

Gang membership and its influence on school violence was also discussed. It was noted that in some parts of the state there has been “an explosion in gang violence.” Gang membership often appeals to young people, particularly those with troubled home lives and a lack of positive

role models. “If joining a gang is the only way to survive, the kids will join gangs,” one committee member said, adding, “A lot of teachers don’t know who gang members are. You, as a teacher, should know how to interact with kids and parents because kids and parents may not have the ability to interact with us.” New strategies for educating teachers and identifying students associated with gangs should be implemented in order to help students find positive new alternatives to gang activity. The earlier the intervention by family crisis therapists, the greater the likelihood of more positive outcomes in students’ lives.

Recommendation: Provide more school resource officers and constables in our public schools and support alternative opportunities for students who have demonstrated an inability to function in the regular school setting. Such opportunities may include alternate learning models like the Red Clay School District’s Positive Change Academy or a special trade school to build self-confidence and useful skills for students who have shown serious difficulties in working within the regular school environment. Encourage close cooperation between SROs, constables and counselors and therapists in the school setting and support opportunities for them to build positive relationships with students.

Finding No. 3: Cyber Bullying and Cell Phones—cyber bullying, cyber security and social networking through the use of cell phones have become major problems both statewide and across the nation. The proliferation of cell phone use in schools can have the effect of exacerbating existing problems with school violence. Cyber bullying often occurs without parents even knowing it is happening.

One committee member said that these devices “are now like a part of the kid’s body.” Many schools now have “green zones” and “red zones.” In green zones, such as in the school cafeteria during lunch, students are allowed to use their phones. In red zones, including in the classroom, cell phone use is prohibited. The committee discussed the possibility of cell phone bans in schools, but public schools in Delaware have not done so because parents want to be able to reach their children by phone.

Recommendation: Provide funding for technology and training programs to help teachers and administrative personnel deal more effectively with cyber bullying over social media and other cell phone-related problems. Consider implementation of a pilot program in one or more school districts at the local building level to ban or significantly limit cell phone use during the school day, including students, parents and teachers in the program design. Create a system for measuring “before and after” benchmarks to gauge the effectiveness of the pilot program on student performance, school environment and behavior patterns.

Finding No. 4: Committee members emphasized the need for additional input on the subject of how to improve school safety and the overall school environment from students, parents and teachers. While the Special Committee tried several strategies to gather such views and opinions, this proved very difficult, given time constraints under which the committee worked.

Recommendation: Provide funding for the Delaware Department of Education to conduct a voluntary, statewide survey among students, parents, and teachers to get their thoughts on improving the learning environment and ways to make our schools safer. The surveys should be confidential and should be conducted outside of the regular school administrative structure, with an opportunity for respondents to text or e-mail responses or send them back to the department through conventional mail. Anonymous responses should be allowed, since some may not wish to participate if they are required to give their names. In designing the survey, Department of Education officials should work with the Department of Safety and Homeland Security, the Department of Services for Children, Youth and Their Families and others with special knowledge of these issues.

In conclusion, as we have noted, the deaths in the Spring of 2016 of two Delaware high school students led to the creation of this special committee. The issues of school safety and school violence are growing in frequency and severity in our state. Committee members have suggested a number of approaches to dealing with these issues more effectively. Many of their ideas involve common sense approaches, such as closer coordination among existing programs or redrawing program parameters to better tailor services to present-day societal needs. We respectfully urge serious consideration of these findings and recommendations as the Governor and the General Assembly begin work on the Fiscal Year 2018 budget.

Respectfully submitted,

Senator Robert I. Marshall
Co-Chair

Representative John L. Mitchell, Jr.
Co-Chair



SPONSOR: Sen. Marshall & Rep. Mitchell
Sen. Sokola; Rep. Jaques

DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 83

ESTABLISHING A SPECIAL COMMITTEE TO EXAMINE ISSUES RELATED TO SCHOOL SAFETY AND TO MAKE FINDINGS AND RECOMMENDATIONS TO ENHANCE SAFETY FOR SCHOOL STUDENTS IN AND AROUND DELAWARE SCHOOLS.

1 WHEREAS, violence and bullying in and around Delaware's schools continue to present major concerns for the
2 safety of our children; and

3 WHEREAS, recent incidents of violence and bullying highlight the seriousness of this problem as well as the
4 difficulty of adequately ensuring public safety in and around our schools; and

5 WHEREAS, incidents of violence and bullying are a concern at schools throughout the State of Delaware; and

6 WHEREAS, incidents of violence and bullying appear to have been exacerbated in recent years by the growth of
7 social media, so that problems that were once largely confined to schools during school hours have now become something
8 that may occur around the clock, seven days a week; and

9 WHEREAS, during a recent meeting on this subject, one representative of Delaware law enforcement made the
10 point, in relation to social media, that texting and other forms of electronic communication occurring after school and away
11 from school property can create problems that the schools must deal with first thing in the morning when students arrive at
12 school the following day; and

13 WHEREAS, while Delaware educators and law enforcement personnel are doing their best to deal with the
14 problems of school violence and bullying, it has grown increasingly clear that the difficulties now faced by all those
15 involved in the effort to maintain adequate levels of safety in and around our schools, most especially in relation to our
16 school children, require greater study and corrective action; and

17 WHEREAS, greater attention should be given to the social media environment in which our school children must
18 now live their lives, both at school and elsewhere; and

19 WHEREAS, suicide is the second leading cause of death for students who are 10-18 years of age; and

20 WHEREAS, student safety also requires a careful study and concrete recommendations to address the mental
21 health problems faced by Delaware's school students; and

22 WHEREAS, it has become clear that there is a need for those involved in various capacities in public education,
23 law enforcement, and in the General Assembly to take a careful look at the issues of school safety and school-related
24 violence, and the difficulties students face in coping with mental health problems, to see what is being done, and can be
25 done, in response to these matters, to assess the effectiveness of current measure now in place, and to make specific,
26 concrete recommendations for improvements;

27 NOW, THEREFORE:

28 BE IT RESOLVED by the Senate of the 148th General Assembly of the State of Delaware, the House of
29 Representatives concurring therein, that a special committee be established to examine issues related to school safety,
30 including violence and bullying in Delaware schools, and the mental health problems faced by Delaware school students
31 and to make findings and recommendations to enhance and improve safety for students, and access to treatment for mental
32 health conditions in our schools.

33 BE IT FURTHER RESOLVED that the Special Committee shall be composed of the following members:

- 34 • A member of the Senate appointed by the President Pro Tempore of the Senate, with the appointment to be
35 made on or before July 18, 2016;
- 36 • A member of the House of Representatives appointed by the Speaker of the House, with the appointment to be
37 made on or before July 18, 2016;
- 38 • The Chairs of the Senate and House Committees on Education;
- 39 • The Superintendents of the Indian River, Red Clay, Christina, Dover, and New Castle County Vo-Tech
40 School Districts;
- 41 • The Secretary of the Department of Education or designee;
- 42 • A representative from the Delaware Charter Schools Network to be designated on or before July 18, 2016;
- 43 • A representative from the Delaware State Education Association to be designated on or before July 18, 2016;
- 44 • The Attorney General of the State of Delaware or designee;
- 45 • The Secretary of the Department of Safety and Homeland Security or designee;
- 46 • The Chief of the Wilmington Police Department or designee;
- 47 • The Superintendent of the Delaware State Police or designee;
- 48 • Three experienced teachers, one from each county, who currently teach in Delaware's public schools, to be
49 appointed by the Delaware State Education Association on or before July 18, 2016;

- 50 • Two individuals with experience in mental health issues facing students, one being appointed by the President
51 Pro Tempore of the Senate, and one being appointed by the Speaker of the House, with the appointments to be
52 made on or before July 18, 2016;
- 53 • An experienced teacher from one of Delaware’s Charter Schools to be appointed by the Delaware Charter
54 Schools Network on or before July 18, 2016;
- 55 • A School Resource Officer to be appointed by the Superintendent of the Delaware State Police on or before
56 July 18, 2016.

57 BE IT FURTHER RESOLVED that the Committee shall select a Chair and a Vice-Chair from among its
58 members.

59 BE IT FURTHER RESOLVED that the Committee shall, to the extent feasible, survey, interview, and receive
60 comment from teachers, students, administrators, recognized experts in relevant fields, and other interested persons about
61 the subjects of the Committee’s work in order to learn more about issues related to violence, bullying, and mental health
62 challenges facing Delaware students, and arrive at recommendations.

63 BE IT FURTHER RESOLVED that the Committee shall take such other actions as it deems advisable to carry out
64 its objectives.

65 BE IT FURTHER RESOLVED that, among its other tasks, the Committee shall consider and make
66 recommendations concerning the following: a) Making meaningful recommendations about social media and its effect upon
67 and relationship to school safety; b) Mental Health problems facing students and recommendations for treatment.

68 BE IT FURTHER RESOLVED that the Department of Education and all state and local agencies shall provide
69 access to information and resources that may be useful to the work of the Committee, as requested by the Committee.

70 BE IT FURTHER RESOLVED that the Committee shall reports it findings and recommendations to the Governor
71 and the General Assembly on or before October 17, 2016.

SYNOPSIS

This resolution establishes a special committee to study and made recommendations about school safety issues, with the committee to provide its report and recommendations on or before October 17, 2016.

Author: Senator Marshall

Membership of the Special Committee on School Safety
Established under the provisions of
Senate Concurrent Resolution No. 83

General Assembly:

Senator Robert I. Marshall, Chair, Senate Public Safety Committee

Representative John L. “Larry” Mitchell, Jr., Chair, House Public Safety and
Homeland Security Committee

Senator David P. Sokola, Chair, Senate Education Committee

Representative Earl G. Jaques, Jr., Chair, House Education Committee

Department of Justice:

Kim Siegel, Legislative Affairs Manager, Delaware Department of Justice

Designee of Attorney General Matthew Denn

Department of Safety and Homeland Security:

Evelyn Brown, Director, Comprehensive School Safety Program

Willie Patrick, Deputy Director, Comprehensive School Safety Program

Designees of Secretary James Mosley, Department of Safety and Homeland Security

Department of Education:

John Sadowski, Supervisor, School Climate and Discipline Program

Designee of Secretary Steven H. Godowsky

Red Clay Consolidated School District:

Brian Moore, Safety Supervisor

Designee of Superintendent Mervin B. Daugherty, Ed.D.

Indian River School District:

Preston A. Lewis, Administrator of Student Services

Designee of Superintendent Susan S. Bunting, Ed.D.

New Castle County Vo-Tech School District:

Gerald L. Allen, Director of Human Resources and School Operations

Designee of Superintendent Victoria C. Gehrt, Ed.D.

Christina School District:

Edward L. Mayfield, Jr., Assistant to the Superintendent, Director of Operations

Harold “Butch” Ingram, Principal, Bancroft Elementary School

Designees of Dr. Robert J. Andrzejewski, Acting Superintendent

Capital School District:

Superintendent, Dr. Dan Shelton, Ed.D.

Delaware State Education Association:

Emily Klein, school psychologist at Wilmington Manor Elementary School,
Designee of the Delaware State Education Association

Delaware Charter Schools Network:

Executive Director Kendall Massett

Delaware State Police:

Captain Pete Sawyer
Designee of Colonel Nathaniel McQueen, Superintendent

Wilmington Department of Police:

Inspector Clayton A. Smith
Lieutenant Ruth Townsend
Senior Lieutenant Tashawn Counts
Designees of Chief Bobby Cummings

Persons with experience in mental health Issues facing students:

Linda C. Wolfe, Ed.D., Director of School Health Services, Del. Dept. of Education
Appointee of President Pro Tempore Patricia M. Blevins

Cyndi McLaughlin, Foundation for a Better Tomorrow
Appointee of Speaker of the House Peter C. Schwartzkopf

3 teens charged in death of Howard High School student

Brittany Horn and Esteban Parra , The News Journal, May 10, 2016

Amy Inita Joyner-Francis, the 16-year-old fatally assaulted in the girls bathroom at Howard High School of Technology, did not die of injuries sustained in the beating, but from a pre-existing heart condition exacerbated by the attack.

The state Attorney General's Office is pushing to have one of three girls involved tried as an adult. Trinity Carr, 16, seen in a video punching Joyner-Francis in the head and chest, is charged with criminally negligent homicide, punishable by up to eight years in prison.

The two other girls, Zion Snow and Chakeira Wright, will be charged with third-degree criminal conspiracy, punishable by up to one year in prison.

Investigators determined the April 21 fight was a planned confrontation in the girl's bathroom, but only one girl – Carr – actually hit Amy, according to a statement by the Attorney General's Office.

The fight was filmed, according to court documents, and shows Carr hitting Amy repeatedly in the head and torso area with "what appears to be a closed fist."

The video shows Carr leave and Amy try to stand up; then Amy appears disoriented and collapses back onto the floor, the court documents show. When paramedics found her, she was unresponsive and shortly after went into cardiac arrest.

Communication between the three girls showed that they planned the assault in the 20 hours prior to the attack, according to court documents. The three girls followed Amy into the bathroom and then began the assault, court papers say.

Because neither of the other two girls hit Amy nor had prior arrests, they will be tried as juveniles in Family Court. Snow was released on \$3,000 unsecured bail and home confinement. She was also issued a no contact order with social media and the Joyner-Francis family, according to court documents.

An arraignment for Snow is scheduled for 9 a.m. on May 19.

Carr was released on \$13,000 unsecured bail and put on home confinement. She also received a no contact order with social media, other girls charged, the Joyner-Francis family and possible witnesses.

The state Medical Examiner's Office played a large role in deciding on the charges, the Attorney General's Office said. The autopsy determined Amy died of "sudden cardiac death due to large atrial septal defect with a contributing factor of physical and emotional stress due to physical assault."

An autopsy showed she did not die of blunt force trauma.

"In layman's terms, the Medical Examiner determined that Amy died from a cardiac incident that she was vulnerable to because of a pre-existing heart condition, but the cardiac incident would not have occurred if she had not been assaulted," the statement reads.

Dr. George Moutsatsos, a New Castle County based cardiologist and president of Delaware's branch of

the American College of Cardiology, said an atrial septal defect is a hole in the wall that separates the top left and right chambers of the heart. The condition causes freshly oxygenated blood to mix with deoxygenated blood.

“You are really sending out very low oxygenated blood to the body which under stress needs a lot of oxygen,” Moutsatsos said. “She was a vulnerable person. She fell into the wrong circumstances and unfortunately no one knew this.”

The charges are a reflection of the “maximum degree permissible by Delaware law,” according to the Attorney General’s Office. All charges were reviewed with Amy’s mother and older brother.

They come more than two weeks after the attack shook the city and state and gained national attention. Wilmington police completed their investigation Thursday and turned over evidence to the Attorney’s General Office to determine the charges. Their spokesman, Carl Kanefsky, said late Thursday the state intended to deliver charges promptly.

Judith Ritter, a professor at the Delaware Law School, said Carr’s charge is a “low-level homicide.”

“What it comes down to is what would a reasonable person have recognized about the risk of death here,” she said.

Ritter said they were probably not charged with an intentional killing because a reasonable person doesn’t believe a fistfight is likely to cause death.

“It sounds like the facts may not support proof that the assailant, or assailants, intended to kill her,” Ritter said. “They probably intended to hurt her, but she died.”

While there was an outcry for immediate and swift punishment for the three girls shortly after Amy’s death, some local activists called the charges just.

“That sounds fair and balanced,” said Mahkeib Booker, who launched the local chapter of Black Lives Matter last year. Because there were no apparent signs that the girls intended to kill Amy, Booker said he would have had a problem with them being charged with first-degree murder.

“I used to jump the gun and say sentence them,” Booker said. “But I have to really look at their background and check their upbringing, who created the type of environment that would make them want to bully and beat people.”

Booker said the girls need to be punished, but it has to be an appropriate punishment.

“Throw the book is a typical response for those who act out of emotions,” said Ty Johnson, former president of Wilmington’s Interdenominational Ministers Action Council.

Johnson said he is sure the girls did not intend to kill Amy.

“It’s not only their fault, we have failed,” he said. “Any time girls get into a bathroom and they begin to act out the way they did we have failed as a society. And we can and must do better.”

New Castle County Vo-Tech School District will “follow through with necessary actions for the students involved in the incident based on the school district’s Code of Conduct,” said Superintendent Vicki Gehrt in a statement Monday.

“Our responsibility is to follow school board policy and procedures for all students involved,” she said. The school did not offer further comment.

Wilmington Mayor Dennis P. Williams said in a statement Monday that the Howard High incident is a tragedy.

“From the beginning, the Wilmington Police Department and the Department of Justice worked hand-and-hand to determine the appropriate charges,” he said. “This is just the first step toward providing Amy’s family and our community with closure. As this process moves forward, I ask that we keep the family and loved ones of everyone involved in our thoughts and prayers.”

Friends and family described Joyner-Francis as a compassionate, soft-spoken student who always worked to disrupt violence and reduce fighting. Many said the sophomore at Howard High was never the type of girl to be caught up in high school drama. She was enrolled in the dental assistant program.

In a bookmark-sized card handed out to those who attended Amy’s memorial service May 1 at St. Paul Union American Methodist Episcopal Church in Wilmington, Joyner-Francis’ mom described her as “extremely beautiful, so very thoughtful, awesomely intelligent, very, very talented and definitely one of a kind.”

“You are simply marvelous my dear!!!” the memorial card read. “Hugs and smooches, you will be my heart always and forever, my beautiful sweetpea.”

The family has not commented publicly on the attack and has not spoken directly with the media. Through various spokespeople representing them, the family has called for peace following Amy’s death, as well as an end to social media lies that spread viciously in the days following the assault. All other services honoring Amy were private.

Gyheim Fitzgerald, 17, lives across the street from Amy. Her death still troubles him, he said Monday.

“I was just hoping they caught them and hoping they got charged with something good,” Fitzgerald said.

Dan Cooke, who lives across the street from Howard on Clifford Brown Walk and has a teenage son, said parents need to monitor their kids on social media. He said he regularly views his 14-year-old’s SnapChat and Instagram accounts.

Fake accounts on social media sites like Twitter and Instagram impersonated people believed to be involved in the attack. Police did not confirm any photos or videos directly, but said they were reviewing social media as part of the investigation.

“The social media is killing our kids,” Cooke said. “It starts at home, parents need to get more involved with what their children are doing.”

Carr “has to deal with this trauma the rest of her life,” Cooke said, “but then again you have to be held responsible for what you do,” he said.

Wilmington Police Chief Bobby Cummings said in the week following the attack, investigators had more than 3,000 pages of data to review, as well as interviews and other forms on online communication. Experts said verifying social media accounts and determining the validity of posts, texts and other online communication can take weeks.

Ritter, the law professor, said while it may have taken police longer to go through the electronic communication, it also gives them insight into what the assailants may have been thinking.

“In some ways, it gives them some more evidence of what’s in the mind of the defendants, which is usually hard to come by,” she said.

In cases where criminal charges can be brought, investigators have an even tougher time connecting phone communication to specific incidents in order to prove premeditation or intent to harm, said Mike Harris, an investigator with the Colorado District Attorney’s Office First Judicial District, who specializes in internet crimes.

“You need to tie it specifically to the incident and then tie the phone to them,” Harris said. “Then there is the secret language of emojis. ... It’s very difficult and always changing.”

“At a certain point with this technology, we have to take control as parents,” he said. “Probably 90 percent of kids sleep with technology.”

Staff reporters Karl Baker, Adam Duvernay and Jen Rini contributed to this story.

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Police charge death of Brandon Wingo was gang-related

Esteban Parra , Jessica Masulli Reyes and Karl Baker , The News Journal, June 23, 2016

Three men with gang affiliations were charged with murder and other crimes in the slaying of 15-year-old Brandon Wingo and for violent criminal acts against at least seven other people in the days before and after the May 19 fatal shooting, according to court records.

Kevon Harris-Dickerson, 20, of Newark; Zaahir Smith, 19, of Newark; and Diamonte Taylor, 18, of Wilmington, were indicted by a grand jury Monday on multiple charges including murder, possession of a firearm during the commission of a felony, and conspiracy.

A woman was also indicted on charges she supplied a gun to one of the men and then lied to police.

The indictment provides a glimpse not only into Wingo’s killing, but into the assaults, threats, robberies and endangering of seven other victims. In one incident on May 16, shots were fired from a handgun in close proximity to two of the victims. Other incidents occurred over four other days in May and June.

The Attorney General’s Office would not elaborate beyond the indictment.

“We can’t comment on any further details,” said Carl Kanefsky, a spokesman for the department.

Kanefsky also would not say who investigators say the shooter was or why Wingo was shot.

He was coming home from Howard High School of Technology, where he was a freshman, when a man wearing a winter coat approached him along Clifford Brown Walk and shot him three times. The man then fled on foot.

The charges against the three men include gang participation. Police and prosecutors believe they are members of the Shoot To Kill, or STK, gang, Kanefsky said.

Marcos Velez, a commander in the Wilmington Guardian Angels, a volunteer group that walks the streets in an effort to reduce crime, said he’s seen a surge of STK graffiti in his Hedgeville patrol area during the past three

months. The graffiti can be seen on stop signs, store fronts and electrical poles, on Harrison, Chestnut and Van Buren streets, he said.

“They are a new gang,” he said. “A lot of these gangs are groups of friends, and they make up names.”

Prosecutors did not say if Wingo was involved in a gang. A search through Family Court records found that the 4-foot-10 boy had been charged with several crimes, including trying to steal a bike and car theft.

Wingo was charged last year with second-degree attempted robbery, second-degree conspiracy and third-degree assault when he and two others shoved a 53-year-old man off his bike, then kicked and punched him while trying to take his bicycle and wallet, records show. Another man intervened, stopping the robbery, according to court records.

The charges were dropped when the victim failed to appear in court on Aug. 25.

Earlier this year, Wingo was charged with motor vehicle theft and receiving stolen property in connection with the April 10 theft of a 2013 Volkswagen Beetle convertible.

News of the indictment spreads

At the time of the indictment, Harris-Dickerson, Smith and Taylor were in custody on charges related to other incidents. Pierce was arrested Thursday morning, Kanefsky said.

Bail was set at \$1.5 million for Harris-Dickerson and Taylor and \$2 million for Smith.

“The case against these individuals continues to be built, but Wilmington police and [Delaware Department of Justice] prosecutors felt there was probable cause for each charge, and it was necessary to bring these indictments now to try to disrupt some of the violence being perpetrated by gangs on Wilmington streets,” state Attorney General Matt

Clifford Brown Walk was relatively quiet Thursday afternoon after news of the indictment broke. Children played on the sidewalk, riding scooters and drawing with chalk, while adults sat outside on their front stoops. The stuffed animals and balloons laid out to memorialize Wingo following his death were gone. Many seemed to be proceeding with life normally.

Residents of the block where Wingo was killed were reluctant to talk to reporters, but many commented that they were thankful that the four individuals had been indicted.

One resident, who declined to give her name out of fear of retaliation, said she was happy that the suspects were in custody, but said further action from the police was needed.

Stephan L. Fullman, who works on the block where Wingo was shot, expressed concern with the number of shootings in the city and pointed at community members, not politicians and city officials, as the ones who have the power to stop the violence.

“It’s not so much the city,” Fullman said. “It’s us who live in the city who have to come together and do all that we can to put an end to this killing. We just have to grab our children and talk to them and really start monitoring our kids.”

Harris-Dickerson is charged with first-degree murder, gang participation, possession of a firearm during the commission of a felony, first- and second-degree conspiracy, possession of a firearm by a person prohibited and aggravated possession.

Smith is charged with first-degree murder, gang participation, three counts of possession of a firearm during the commission of a felony, first-degree conspiracy, four counts of possession of a firearm by a person prohibited, two counts of aggravated menacing, second-degree conspiracy, first-degree robbery and carrying a concealed deadly weapon.

Taylor is charged with first-degree murder, gang participation, five counts of possession of a firearm during the commission of a felony, first-degree conspiracy, possession of a firearm by a person prohibited, two counts of aggravated menacing, second-degree conspiracy, two counts of first-degree assault, first-degree robbery and two counts of first-degree reckless endangering.

Latasha Pierce, 34, of Wilmington was charged with giving a firearm to a person prohibited, second-degree conspiracy, falsely reporting an incident and providing a false statement to law enforcement. Her bail amount was not available.

“The Wilmington Police Criminal Investigations Division works diligently to solve all homicides,” Wilmington Police Chief Bobby Cummings said in a statement. “As a result of the hard work put forward by our detectives and the Attorney General’s Office, we are pleased that indictments could be issued for the tragic taking of this young man’s life.”

Court records obtained by The News Journal show that all four defendants have had run-ins with the law – either as adults or juveniles.

Harris-Dickerson has a lengthy record that includes two escapes from a Delaware Department of Correction facility and an incident in 2012 in which a Wilmington police officer shot Harris-Dickerson as he fled in a stolen vehicle.

As a teen, he was found delinquent for theft and third-degree conspiracy in 2008; third-degree assault and escape in 2010; and second-degree assault, resisting arrest, no valid license, not stopping for a police signal and offensive touching in 2013.

His adult criminal record began when he was convicted of first-degree reckless endangerment stemming from the May 2012 police shooting.

Court records show that Harris-Dickerson, driving a stolen 1994 Jeep Cherokee, attempted to strike a city police officer in the 2900 block of N. Van Buren Street. The officer fired his handgun in response.

Officers later found the Jeep with bullet holes in the driver’s side and found Harris-Dickerson suffering from gunshot wounds to his legs on the front porch of a house on North Washington Street.

While serving a six-month stint in the state’s work-release program for that crime, Harris-Dickerson escaped from the Plummer Community Corrections Center. Officers noticed he was missing after he was not at his assigned bunk for head count, and fresh footprints were seen in the snow near the center’s fence line, court records showed.

He was given an additional nine months of work-release for the escape, but he escaped again in 2015, court records said. A camera caught him climbing over a fence at the same facility.

Harris-Dickerson was sentenced to 90 days in prison followed by six months of home confinement for the escape, according to court records.

He was most recently arrested in April and has pending charges for driving with a suspended license and failure to stop.

The other defendants also have criminal histories. Taylor was found delinquent of first-degree robbery in Family Court in 2014. Conspiracy and gun-related charges were dropped, according to court records.

Also in juvenile court, Smith was found delinquent in 2014 of theft and of having a handgun in 2015. His first adult arrest occurred in March when he was charged with disorderly conduct.

Likewise, Pierce has been arrested a half-dozen times between 2006 and 2009 but has been convicted only of driving with a suspended license and fictitious registration or tag. Other charges for burglary, assault, criminal trespassing and offensive touching were dropped, according to court records.

Reporter Jordan McBride contributed to this report.

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Excerpt from a comment posted after a May 20 News Journal article by a school bus driver reporting on shots fired in the street near Wilmington’s Stubbs Elementary School:

“... I’m a school bus driver for Stubbs Elementary School* and last week as I waited on 11th Street for the light so that I could turn onto Pine Street two young black men rounded the corner from Pine onto 11th and started shooting down 11th. The elementary school had just let out so a lot of children were in the area. The shooters were also right outside my bus door as we had to hit the floor. This week more shots were fired around the school because the children once again were ran inside and were told to hit the floor... What struck me the most that day last week was how totally oblivious the two shooters were to the innocent lives around them. By the grace of God and much luck, nobody was hit. Innocent lives in the line of fire are the people I care about, not the ones who engage in these shootings.”

** A Christina District school located at 1100 N Pine Street in Wilmington*

Notes on the First Senate Public Safety Committee School Safety Discussion

Monday, June 6, 2016
Woodlawn Public Library
2020 West Ninth Street
Wilmington, Delaware

Present:

Senator Robert I. Marshall, Chair
Senate Public Safety Committee

Dept. of Safety and Homeland Security

Secretary James N. Mosley

Willie Patrick

Evelyn Brown

Terry Pepper

Kimberley Chandler

Delaware State Police

Sgt. Kevin Bordley

Sgt. Joe Gardner

Capt. Peter Sawyer

Wilmington Police Dept.

Lt. Ruth A. Townsend

Sgt. Anthony Harris

Dept. of Education

John Sadowski

Red Clay School District

Brian Moore

Christina School District

Harold "Butch" Ingram

Edward Mayfield

Members of the public

Rhonda Denny

Nicole Byers

Robert Moody

Delaware State Senate Staff

Debbie Allen (representing Sen. Nicole Poore)

Francis J. Murphy, Esq., Senate Attorney

Dick Carter

Senator Marshall opened the meeting and made introductory remarks, defining the problems of violence in and around our public schools. He referred to the statement posted on the Delawareonline.com website by a Christina District school bus driver about having witnessed several incidents of young men shooting firearms indiscriminately in the streets while school children were present.

After his introduction, Senator Marshall invited those in attendance to make introductory remarks.

Mr. Harold "Butch" Ingram said that he is the principal of Bancroft Elementary School, one of three Christina District schools in the city.

Mr. Edward Mayfield of the Christina School District emphasized the need for everyone--school officials, public safety officials and parents--to work together on the problem of school violence. He said that his district is committed to the use of School Resource Officers.

Ms. Nicole Byers noted that although she is on the staff of the Dept. of Justice, she was attending the meeting as a private citizen, who is a Christina District alumna and is mentoring an elementary school student in the city.

Master Corporal Anthony Harris and Lt. Ruth Townsend of the Wilmington Police Department are both directly involved with the School Resource Officer (SRO) program. Cpl. Harris serves in that capacity at Howard High School. Lt. Townsend, with the department's Special Operations Division, helps to oversee the program.

Mr. Willie Patrick of the Dept. of Safety and Homeland Security noted that he oversees the department's school safety programs.

Rhonda Denny introduced herself as a former Deputy Attorney General, now retired, who was formerly the person in the Dept. of Justice who drafted regulations regarding school reporting requirements for school assaults and other crimes and who oversaw the disposition of these cases for the department. She said that she was attending the meeting because of her strong opposition to Senate Bills 207 and 239, which would, if enacted, have the effect of easing school reporting requirements.

Mr. John Sadowski said that he was there to represent Secretary of Education Steven H. Godowsky. He briefly discussed the “Compassionate Schools Model.”

Mr. Terry Pepper of DSHS said that he supervises the department’s School Safety Program.

Ms. Evelyn Brown said that she coordinates the School Safety Program for DSHS.

Delaware State Police Sgt. Kevin Bordley supervises the department’s School Resource Officers.

Brian Moore is the Supervisor of School Safety for the Red Clay School District.

Del. State Police Sgt. Joe Gardner helps to supervise School Resource Officers.

Del. State Police Capt. Peter Sawyer supervises the DSP Criminal Investigation Unit for New Castle County, which includes the department’s School Resource Officer program.

Secretary Jim Mosley of the Dept. of Safety and Homeland Security, noted that his department operates the Comprehensive School Safety Program, and, with over 250 schools in the state, “we have a pretty good pulse on what’s happening in our schools.

As the overall discussion began, Sen. Marshall asked the Wilmington police officers present if it was true that the Wilmington PD has “a form of radar that detects shots fired,” and was the “shot spotter” technology able to detect the shots fired at the 15-year-old student who was shot several blocks away from Howard High School on May 19.

Lt. Townsend responded that while the department doesn’t have the ability to detect shots fired in all areas of the city, she believes they were able to detect the shots in that particular instance. “Sometimes it doesn’t give an exact location. When we do get an alert it is almost instantaneous. If a shot is detected, a patrol car is sent.” She noted that sometimes people in the area don’t call when shots are fired, sometimes because they don’t hear them.

Sen. Marshall asked if any thought is being given to having daytime foot patrols in areas around schools.

Lt. Townsend said that additional foot patrols are among a number of things being considered by the department. She said that foot patrols have been effective in reducing violence in “hot spots” in the city.

Mr. Ingram of Bancroft Elementary School asked if schools are notified as soon as possible of shots fired in the vicinity of the school. “If we have students out at recess when shots are fired, we want to get them inside as soon as possible.”

Mr. Mayfield noted that there are protocols in place requiring rapid notification of schools in such cases.

Sen. Marshall then asked the participants to suggest some possible courses of action which might help.

Mr. Patrick of DSHS suggested that all schools adopt a “comprehensive school safety policy” for notification of incidents around schools.

Mr. Moore of Red Clay said that his office monitors all regional communications and if they hear anything, “we’ll have a preventive lockdown and notify parents.”

He noted that “that’s one thing we need to do better: working together with schools and public safety. If we get information in the school that would impact the community, we would let them know. Openness of constant communication is crucial.” He also said that the district’s school resource officers have “an outstanding relationship” with students and that the SRO program is key.

Sen. Marshall asked how often schools are locked down. Mr. Moore responded that schools are required to have two lockdowns per year and that in actual practice they have what are known as “preventive lockdowns” “at least once every week or two.”

He said that, in the case of preventive lockdowns, all outside activity ceases immediately and that no one is allowed to enter the school without providing proper identification. He explained that in such cases, regular activity is allowed to continue inside the school. He compared this to an “internal lockdown,” which would be put in place in an instance where an unwarranted person is known to be inside the school building, in which case children would be locked into their classrooms.

Mr. Mayfield said that school districts do a lot of training with what is known as the “Emergency Response Information Portal (ERIP).” He said that SROs are important, but so are cameras and that “we stress to students: ‘you see something, you say something.’”

Secretary Mosley said that emergency procedures such as the physical locking of schools need to be adopted as standardized procedures. He pointed out that the ERIP program is not mandatory and that “stricter guidance” needs to be looked at. He said that schools can modify the ERIP to adapt to their individual physical layouts. This would enable emergency responders to know before they arrive at a school where the problem is located within the layout of the school. “There needs to be more ‘buy-in’ from schools,” he said.

Rhonda Denny said that minor incidents do not require police involvement. She said that S.B. 207, which changes school reporting requirements, applies to cases where there has been a physical assault, which would no longer need to be reported to the police.

She said, “I met with thousands of kids who were beaten, and not just physical—if a kid gets a broken nose or concussion and ends up in the hospital, it would no longer have to be reported to the police. To me, it’s a human rights issue.”

Ms. Denny said that, as a deputy AG, she also handled truancy cases and many of them involved students who had been bullied or beaten and were afraid to go to school. “If we are going to require them to go to school, we have a responsibility to ensure their safety,” she said, adding that, “if you take away the reporting requirement, a lot of victim services will no longer be available. We’ll be removing assistance from victims. Unfortunately, a lot of assaults do go unreported. They are called ‘offensive touching’ and are not reported.” Ms. Denny said that many offensive touching cases are actually more serious assault cases.

Ms. Denny reiterated her opposition to SB 207, one of the provisions of which would require the parents of children who are bullied at school to be provided with the contact information for an ombudsman in the Department of Justice, who would be tasked with “advocating for bullying victims.” If the bill is enacted, she said, “every single assault in the state would have only one person to call.”

Lt. Townsend expressed the view that “this bill might be a knee-jerk reaction to concerns about ‘a good kid’ getting a criminal record.” She said that all assaults, bullying or offensive touching should always be reported. She noted that school resource officers are sometimes “pulled both ways.” She said that there should be a database in which all such cases would be listed, whether or not they result in an arrest. She also spoke against Senate Bill 207.

She said that “we need an ‘Early Warning System.’ I’ve been a police officer for 32 years. People get less time when they assault a child or kill a child than when they injure an adult. When you’re afraid to go to school it hurts.”

Ms. Denny pointed out that “not only will [SB 207] not require reporting to police. It also won’t require report to the Department of Education.”

Lt. Townsend said that she would more recommend SROs, both male and female, if funding can be found. She pointed out that not all schools have SROs.

It was noted that SROs work eight hours per day but start times vary from 6:30 to 8:00 a.m. for most officers.

The subject of data collection was discussed, and Mr. Sadowski of the Dept. of Education said that his department collects data on various issues in what is known as the “Pupil Management Accounting System.” Schools are given five days to report incidents from the time they occur. The information is recorded under students name and includes both information for which the reporting is mandatory and other types.

Secretary Mosley noted that this data is open to the public.

Mr. Ingram of Bancroft Elementary School said that if SROs were in every school, “we would be one leg up.” He said that elementary schools such as Bancroft do not have access to SROs on a regular basis.

Sgt. Bordley of the Delaware State Police said that some schools have both an SRO and a probation officer and that the combination works very well. He noted that 20 out of the 29 SROs in New Castle County are state police.

[NOTE: At the present time, there are a total of 47 School Resource Officers statewide. Of these, 29 are members of the Delaware State Police and six are members of the Wilmington Police, with the remainder being officers of various other municipal police forces. Some SROs cover multiple schools. More than 80 schools from among the 193 public schools and 30 charter schools have some level of SRO presence. Indian River School District in Sussex County has a constable assigned to each of its school buildings and Red Clay School District in New Castle County has four constables. SROs, as police officers, have arrest powers, while constables have “the power of detention.” Constables do not wear badges or uniforms. Funding for SROs and constables comes from school district budgets. – based on information discussed at the 6-10-2016 meeting]

Brian Moore of Red Clay School District said that schools are caught in the middle between the Dept. of Education, the police and the General Assembly. He said that schools downplay occurrences out of fear that they will be labeled as a “dangerous school.” He said that often the reaction of school officials to problems is “don’t suspend, don’t report to police.” He said that school climate and school safety are inherently connected. “Many of these [bad] actors have acted out since elementary school. When a student body knows you have a weak enforcement system, the level of violence increases.

Lt. Townsend: “when you have principals or school administrators who are afraid for their livelihoods if they have high discipline numbers, you are inviting trouble. Let administrators deal with situations. We’re all in this together.”

Ms. Denny noted that “[under the provisions of SB 207] you can only suspend kids under three different conditions. Among the conditions for which you cannot be suspended are arson, robbery and rape.”

Sen. Marshall asked, “do we have an effective pipeline to redirect these students who are detected as problems?”

It was noted that funding for safe haven programs is decreasing. It is also crucial that more parents and members of the public get involved.

Mr. Sadowski noted that the department recently had \$240,000 in federal grant money available for delinquency prevention projects. “We had \$1.4 million in requests.”

Senator Marshall said that Casimir Pulaski Elementary School will be open this summer with programs for teen and preteen children.

Mr. Mayfield said that his school district “has the ability to work with partners. We have the facilities, but not the money.”

Senator Marshall asked what the Department of Education’s data collection efforts are used for, to which Mr. Sadowski responded that the schools use the information for grant writing.

Mr. Sadowski emphasized the importance of creating positive relationships with kids. When a problem happens, he said, there is a better chance of deescalating violence. SROs are much more proactive than reactive, he said.

Lt. Townsend: “We need to try to get beyond the limitations of the times. People don’t care. They don’t think. They think they’re not going to get caught. The teacher who tries to break up a fight gets fired because they hit a kid.”

Ms. Denny: “There’s not a lot we can do about what’s going on in the home, but kids need to learn that

school is different. Only when kids know that adults have the power to protect them, and will use it, will they come forward to talk.”

Mr. Mayfield: “There is a need for SROs in all the buildings. Figure out a way to truly address the anger and hurt that these students are feeling. Give them tools they can take home to deal with the daily anger, trauma and hurt these kids are feeling.”

Sgt. Bordley said in reference to social media, “a lot of these things are occurring at home, but school has to deal with them first thing in the morning.”

Master Corporal Harris: “In the city of Wilmington, officers are called to bus stops in the afternoons to deal with fighting.”

Mr. Patrick: “It is incumbent on our schools to be able to assess the threats and climates in the school buildings. This includes laptops, iPads, etc.”

It was generally agreed that social media creates serious problems for schools.

Mr. Moore: “We have created fictitious social media accounts to monitor the social media situation.”

Sen. Marshall: “Is there technology to do that?”

Mr. Mayfield: “There is, but it’s illegal.”

Lt. Townsend: “A lot of parents want to be able to contact their kids as soon as they hear something is wrong [at their school].”

Master Corporal Harris: “We need to educate parents regarding their rights to monitor their kids’ phones and other devices.”

Sen. Marshall asked those in attendance to identify one issue of importance.

Secretary Mosley: The Emergency Response Information Portal (ERIP).

Captain Pete Sawyer of the Delaware State Police: Enhancement and development of the SRO program. We need more SROs earlier.

Sgt. Joe Gardner, Delaware State Police: SROs are worth their weight in gold.

Sgt. Bordley: SROs are vital. We need mandatory reporting, not mandatory arrest.

Evelyn Brown of the Dept. of Safety and Homeland Security also stressed the importance of SRO enhancement. She noted that “elementary schools can be rough places.”

A member of the public in attendance, Robert Moody, said that he is a retired state trooper and a former SRO at a Middletown school. “I was one of the Middletown PD’s best police officers, but I wasn’t on the payroll,” he said.

Mr. Terry Pepper of DSHS noted that, “if more SROs are going to be used, funding has to be increased to police departments to replace the people becoming SROs.

Mr. Sadowski emphasized the importance of building relationships with additional SROs and mental health professionals. He also stressed the importance of “the parental component.” “Where is any parental accountability?” he asked. “Training for parents in social media is important. The parental component is essential.”

Lt. Townsend recounted her experience in setting up a meeting with parents at one of the schools she covered to discuss school problems. “Three parents showed up.”

Sen. Marshall: “We may need to shift the battlefield to the new age of social media.”

Ms. Denny, in raising her important points: “Vote no on SB 207; vote no on SB 239; more support for SROs.”

Mr. Patrick noted that schools always hold fire drills despite the fact that there has not been a school death from fire in decades. “From now on it should be lockdown drills, intruder drills.”

Master Corporal Harris: Educate parents and kids on social media.

Mr. Moody: stop the two bills and get perpetrators out of the schools.

Ms. Nicole Byers, a member of the public, emphasized the need for building good parenting skills and cited programs offered by the organization, Children and Families First. Start early, she said.

Mr. Mayfield said kids need more SROs and mental health professionals. They also need counselors. He also stressed the impact that homelessness and hunger problems have on conditions in our schools. "We need more community advocates, more parents and mentors." He said that some parents walk kids to schools in groups to protect them.

He also said that "the media needs to report on positive things that are happening in schools, rather than focusing on negative things. Kids need more options, more things like 'Scared Straight' programs."

Sen. Marshall: "Could we augment SROs with civilians as an untapped human resource?"

Lt. Townsend speaks of programs held at the Community Education Building. She cites officers who volunteer to come into schools during their off-duty hours to interact with kids.

The meeting adjourned at 12:50 p.m. A follow-up meeting will be held on Monday, June 13, at 10:30 a.m. at the Woodlawn Library.

Action Items (recorded by Debbie Allen of the Senate staff):

- Create Statewide Standards
- DSP governing police agency
- DOE should be able to work with DSP to create an Early Warning System databank by combining DOE data with ERIP (Must consider FERPA)
- Increase number of school Ombudspersons from 1 to 3 – 1 for each county or 1 for Kent and Sussex and 2 for New Castle.
- Increase number of SROs and/or team them up with Probation Officers
- Create an education seminar for parents and middle and high school students

Notes compiled by Dick Carter, Senate staff

Notes on the Second Senate Public Safety Committee School Safety Discussion

Monday, June 13, 2016
Woodlawn Public Library
2020 West Ninth Street
Wilmington, Delaware

Present:

Senator Robert I. Marshall, Chair
Senate Public Safety Committee

Boys and Girls Club of Delaware
George Krupanski

Dept. of Safety and Homeland Security
Willie Patrick
Evelyn Brown
Kimberley Chandler

Office of the Controller General
Art Jenkins

Delaware State Police
Capt. Peter Sawyer

Members of the public
Paul Falkowski
Bruce Brunozzi
Hal Follett

Dept. of Education
John Sadowski

Delaware State Senate Staff
Francis J. Murphy, Esq., Senate Attorney
Taylor Hawk

Senator Marshall welcomed all of the attendees to the meeting. He thanked everyone for coming and invited each attendee to introduce himself or herself.

Senator Marshall first introduced Taylor Hawk as a Legislative Fellow from the University of Delaware.

Bruce Brunozzi said that he is a resident of Bayard Square.

Art Jenkins stated that he is a Senior Legislative Analyst from the Office of the Controller General.

Paul Falkowski stated that he is a retired teacher and city resident. He commented that he challenged the meeting attendees to know Title 14 of state law. He also stated that from his point of view, if you aren't enforcing disciplinary standards in schools, you aren't supporting teachers.

Willie Patrick stated that he works for the Dept. of Safety and Homeland Security (DSHS).

Evelyn Brown said that she works for the DSHS and coordinates the School Safety Program for DSHS.

Kimberley Chandler stated that she is an employee of the DSHS.

George Krupanski stated that he works for the Boys and Girls Club of Delaware.

Del. State Police Capt. Peter Sawyer stated that he supervises the DSP Criminal Investigation Unit for New Castle County and the School Resource Officer program.

Hal Follett introduced himself as a retired Red Clay Teacher who had stopped an active shooter during his time as an educator.

Mr. John Sadowski introduced himself as an employee of the Delaware Department of Education (DOE).

Frank Murphy introduced himself as an attorney from the Delaware State Senate.

Following introductions, Senator Marshall thanked everyone in attendance and extended a special recognition to the attendees of the previous week's meeting. He remarked that the last meeting led to a strong and

unprecedented public conversation about school safety. He asked the previous meeting's attendees if they had a chance to review the notes from the last meeting. Senator Marshall also passed out a draft copy of the three-part plan resulting from the prior meeting, which included the DOE's increased SRO and constable recommendation, the social media and texting tip line recommendations, and the draft resolution to create a special committee on school safety. He commented that the committee would be composed of major stakeholders who would submit a report to the Governor and General Assembly. Senator Marshall remarked that the committee would meet two to three times, starting in late August. He stated that there would be opportunities for public comment during the meetings, and the committee would help provide insight to the incoming Governor and General Assembly. The committee, he remarked, would pay special attention to areas with high rates of community violence. He mentioned that he heard that there is a constable in every building in the Indian River School District. He asked if anyone in attendance could confirm that statement.

John Sadowski confirmed that this is true, and the school district used local funds to do this following the tragedy at Sandy Hook Elementary. He stated that most of the constables are retired law enforcement.

Senator Marshall referenced the school accountability data bank and asked if there was any analysis of Indian River's initiative.

Mr. Sadowski replied that it was not something that has been analyzed but the Department is required to publish annual school profiles. He remarked that this type of information would not be included in the profile, but the data is there to be analyzed.

Senator Marshall asked if the data could be analyzed from the past two years.

Mr. Sadowski replied that it could and also could include this past school year.

Senator Marshall asked attendees if they had time to consider Lt. Townsend's recommendation of an information portal with early warning signs from the last meeting.

Mr. Sadowski remarked that there were several problems with FERPA rights. He commented that data sharing becomes difficult when sharing information with individuals outside of the school.

Senator Marshall stated that the issue of data sharing could be explored in the committee's report.

Kimberley Chandler echoed concerns about data sharing. She stated that it would be too difficult to control access to private information regarding school discipline if the data were to be meshed with the DSHS's databases.

Senator Marshall asked how the DSHS's data benefits the school safety environment.

Ms. Chandler remarked that the Department works with schools on the front-end in a preventative manner to instruct schools on what to do in emergency situations. She stated that this purpose differed from addressing individual incidents like school bullying.

Mr. Sadowski added that this was an all-hazard, more broad approach.

Capt. Peter Sawyer stated that there was a recent incident at a school near Troop 2 that had a heater fire, and school officials knew exactly what to do because of the DSHS's plans.

Mr. Sadowski added that it includes plans on how to reunify students with their parents, which is a major problem in emergency situations.

Senator Marshall asked what plans are in place for lone wolf shooters. He asked what safeguards are in place in regards to detection and response.

Capt. Sawyer replied that detection does back to see something, say something; students are encouraged to call law enforcement if they have any information. Next, he stated that the intruder should not be able to enter the building in the first place because the doors should be locked; however, schools are drilled on responses to active shooters. Capt. Sawyer also mentioned that there is a unified and standardized police response to active shooters based on national standards, so that police officers from multiple departments would be able to all respond to the same emergency incident.

Ms. Chandler commented that schools are required to conduct intruder drills.

Mr. Sadowski also remarked that schools are required to conduct table top exercises, where they sit at a table and discuss what to do in hypothetical situations.

Senator Marshall asked if there are ever unannounced inspections by schools conducted by the State Police or the DSHS. He mentioned that we expect compliance but asked if compliance is actually evaluated.

Capt. Sawyer replied that this does happen. He referenced an incident in which a troop commander conducted a drill and tried to gain entry to the building. Capt. Sawyer stated that the officer did gain entry to the building but was challenged immediately upon entry.

Mr. Sadowski added that there is no regulation for this at the state level, but SROs sometimes go above and beyond and conduct evaluations.

Mr. Patrick remarked that the DSHS can track compliance with table top exercises and intruder safety drills.

Mr. Sadowski added that this is included in the Omnibus School Safety Plan.

Senator Marshall remarked that it appears that state agencies have absorbed recent history and mobilized more active response plans.

Mr. Sadowski agreed with Senator Marshall's statement.

Senator Marshall remarked in reference to the drafted concurrent resolution that the committee's recommendations would need to be finalized by the end of October and reflect the knowledge of the present administration. He said it would be short sighted to extend the deadline further because it would not capture the present administration's expertise. He asked the attendees to review the draft of the resolution and provide feedback.

Mr. Sadowski referenced item "b" on page two, which mentioned mental health. He commented that it would be useful to have a mental health professional included on the committee if they were going to explore that in the recommendations.

Senator Marshall remarked that Ms. Brown had recommended that as well.

Paul Falkowski expressed concern that there were no teachers or individuals from the public included on the committee.

Senator Marshall replied that this concern was previously discussed and emphasized that this was a first draft. He also referenced epilogue language for the Delaware Department of Safety and Homeland Security for increasing the number of SROs in priority zones in the state.

Ms. Chandler commented that he had not had the chance to look at this piece.

Mr. Sadowski remarked that he went to his finance department and made notes as to parameters of priority schools. Mr. Sadowski mentioned that he wanted to look at the percentage of reportable crimes as well as DOE's unsafe school designation policies.

Art Jenkins added that he would communicate with John Sadowski and Frank Murphy to tighten up the language.

Ms. Chandler commented that after meeting with Ms. Brown and Mr. Patrick, they looked at police departments with tip lines in place and explored using those to increase self-reporting. She commented that the epilogue requires monitoring. She stated that she could encourage school districts to advertise numbers but emphasized that numbers are not monitored 24/7. She stated that expanding this to allow for 24/7 monitoring would require a huge lift. Lastly, Ms. Chandler remarked that the Department needs more time to research how this works in other districts that have implemented similar initiatives like Anne Arundel County.

Capt. Sawyer remarked that the state uses DIAC to process and receive vetted tips in relation to terrorism and crime through a 1-800 number. He mentioned that there's also an online mechanism for reporting tips as well as the Crime Stoppers number. He states that tips are investigated and preventative measures are taken in conjunction with local police departments. He also stated that DIAC analysts then go to social media for more information.

Mr. Sadowski commented that there are requirements in statute mandating schools to distribute the bullying and sexual abuse report line. He stated that if they were looking for an easy lift, the crime stoppers number could be added to the list and promoted.

Capt. Sawyer stated that the mechanisms are in place but more promotion is needed. He commented that teachers and school administrators know school environments better than the police.

Ms. Chandler remarked that students could call, text, or email in threats.

Senator Marshall asked what percentage of reported tips is false. He also asked how tips are evaluated for substance.

Capt. Sawyer replied that each threat receives a response but the level of response varies according to the level of the threat. He commented that the police are trained to investigate and vet tips.

Mr. Sadowski stated that schools have threat assessment teams as well, which determine the level of threat posed.

Capt. Sawyer highlighted that every threat receives a response.

Senator Marshall asked from whom the response comes from.

Capt. Sawyer responded that it depends on the threat; if the school has an SRO, and what police department has jurisdiction.

Ms. Chandler stated that self-reporting should be encouraged and that promoting the reporting numbers could be accomplished in a short time frame but a campaign might be needed.

Senator Marshall asked what guidelines need to be established in order for this plan to become prescriptive. He asked when the promotion will be implemented Senator Marshall also asked what agency will spearhead the campaign.

Mr. Sadowski remarked that the campaign will probably come from DOE, and he stated that he will cover this in the training.

Ms. Chandler added that the DSHS could support DOE by providing numbers.

Mr. Sadowski said that he would like to see a sheet with all of the reporting numbers are in one place.

Capt. Sawyer commented that the messaging should be similar to the “see something, say something” campaign.

Senator Marshall added that the campaign should use simple, accessible language. He also asked if DOE needed additional money to accomplish this.

Mr. Sadowski replied that schools would appreciate additional funding to come up with simple signage displaying all of the numbers.

Senator Marshall stated that the media monitoring aspect of the plan would be tabled in lieu of encouraging the promotion of reporting numbers.

Ms. Chandler asked if the DSHS would be the best agency to review data and information on school SROs and constables since they do not collect data about individual incidents within schools.

Mr. Sadowski replied that the DSHS would be the best agency to review that information.

Senator Marshall concluded the committee discussion and yielded the floor to public comment.

Bruce Brunozzi commented that the discussion around school safety focuses on reactionary measures. He also commented that students in schools are discouraged from reporting incidents of violence. Mr. Brunozzi also emphasized that teachers should be included in discussion groups because they are the primary point of contact in classrooms and should be encouraged to call in and report warnings and incidents.

Senator Marshall stated that everyone agrees that teachers are the first line of relief and will be involved in future discussions.

Mr. Brunozzi also remarked that the committee should go a step further and look into the home environments of at-risk students. He suggested that parents should have to pay fines when children miss school and emphasized that many children do not receive support at home.

Senator Marshall remarked that the Boys and Girls Club of Delaware does a lot of good in this area, but more needs to be done.

Mr. Brunozzi stated that he felt that a lot of resources are wasted on kids who “do not want to learn”.

Paul Falkowski commented that the problem of violence in schools starts at home. He stated that he has recently been published in The News Journal and handed out two handouts containing his op-ed, his testimony, and a copy of Title 14, Chapter 7 of the Delaware code. See attached. Mr. Falkowski also remarked, “Why do you pay parents to feed kids but kids still come to schools hungry”. He also commented that there is a culture and violence and disrespect arising, and teachers are challenged in schools by students who do not respect them. Mr. Falkowski commented “we need to start trusting teachers and let kids know that they are not in control.” He stated that he was not here to argue but asked all attendees to review the provided materials.

George Krupanski thanked Senator Marshall for his leadership and expressed appreciation for the opportunity to attend the meeting.

Hal Follett stated that he is a retired teacher from A.I. DuPont High School who stopped a handgun shooting during his time teaching. He remarked that during the incident, which happened over a short several minutes, the principal was so shook up that he did not immediately suspect anyone. He commented that Delmarva Power had recently purchased bulletproof whiteboard shields in the Colonial School District, which was a good start. However, he proposed that each school start supplying the “9/11 School Shield” in each classroom. He handed out a packet describing the shield. See attached. He provided an overview of the shield’s features and displayed its compressible grip and overhead LED light.

Senator Marshall remarked that Mr. Follett should follow up with DSHS and Delaware State Police representatives and present his recommendations.

Mr. Follett commented that the New Castle County Police could not put a bullet through the shield.

Senator Marshall asked how much the shield weighs.

Mr. Follett said that it weighs six pounds.

Mr. Patrick asked what material the shield is made out of.

Mr. Follett replied that it is made out of polycarbonate.

Senator Marshall asked how much the shield costs.

Mr. Follett could not provide an exact dollar amount but stated that it would cost several hundred dollars at least.

Senator Marshall stated that the shield could be useful in many sectors. He then closed the meeting and thanked all in attendance.

The meeting adjourned at 12:00 p.m.

Meeting notes compiled by Taylor Hawk

Special Committee on School Safety
Established under the Provisions of
Senate Concurrent Resolution No. 83

Minutes for Meeting of
Wednesday, August 10, 2016
Grass Dale State Conference Center
Fort DuPont State Park
Delaware City, Delaware

Present:

Committee Members:

Senator Robert I. Marshall, *Chair*
Senate Public Safety Committee

Art Jenkins
Controller General's Office

Kim Siegel
Dept. of Justice

Evelyn Brown
Dept. of Safety and Homeland Security

Capt. Peter Sawyer
Delaware State Police

Sr. Lieut. Tashawn Counts
Wilmington Police Dept.

John Sadowski
Dept. of Education

Brian Moore
Red Clay School District

Emily Klein,
School Psychologist, Colonial School District
Delaware State Education Association

Cyndi McLaughlin,
Foundation for a Better Tomorrow
Designee of House Speaker Pete Schwartzkopf

Linda C. Wolfe
Dept. of Education
Designee of President Pro Tempore Patti Blevins

Edward Mayfield
Harold "Butch" Ingram
Christina School District

Dr. Dan Shelton, Superintendent
Capital School District

Preston Lewis
Indian River School District

Kendall Massett
Arleen Vargas
Delaware Charter Schools Network

Member of the Public:

Jon Offredo,
Legislative Liaison/Public Information Officer
Office of Defense Services

Delaware State Senate Staff:

Dick Carter
Shannon Reeder

Senator Marshall called the meeting to order at 11:30 a.m. and made introductory remarks, defining the problems of violence in and around our public schools. He initiated a discussion of the type of violence that occurs in and around public schools, citing the example of reports of shots being fired in the vicinity of Wilmington's Stubbs Elementary School at a time when young students were present in the area.

John Sadowski of the Dept. of Education said that this and similar problems are an issue affecting the entire community, not just schools and that there is a need to address the root causes of this type of behavior.

Dr. Dan Shelton said that there are several different groups around the state working on this problem at the present time, including the Kent County court system and law enforcement and mental health agencies. He said that there needs to be better coordination and a more comprehensive approach to dealing with the problem. He added that many of the cuts in educational funding in the years since the onset of the "Great Recession" (2008-2009) have been aimed at programs that were addressing issues of school violence. He said that the model for educational funding in Delaware "hasn't been touched in years" and conditions are now much different.

Dr. Shelton said that "we can't discount mental health. Most big issues were started at home or in the community and then brought into school because they [the students] know it will stop there because they know there are people there who know how to handle it.

Senator Marshall asked about the cuts in federal funding for education. It was noted that \$65 million in federal funding has been replaced by only \$22 million in federal block grant money.

Linda Wolfe noted that "safe and drug-free coordinators," which were mandated by the federal government are no longer funded and that Mr. Sadowski "now does a lot of this work along with his other duties."

Evelyn Brown of the Dept. of Safety and Homeland Security spoke of having attended school safety conferences during the summer and said that cyber security, cyber bullying and social networking were frequent subjects of discussion. She emphasized the cost of training and technology to enable schools to more effectively deal with these problems. She said that cyber bullying happens without parents even knowing it is going on.

She also spoke of the shooting incidents reported by the Stubbs Elementary School bus driver, saying that we need to address the mental health needs of the kids who were affected by the incidents, and who are experiencing anxiety and trauma as a result.

Ms. Brown said that behavioral health is "a huge part of the issue," noting that the presence of cell phones exacerbates problems "a hundredfold." Another contributing factor is drug activities in schools.

She said that teachers are trying to educate children in the midst of all these social problems that are being brought into the schools from the home and community.

Senator Marshall asked "how do we get young people to respect authority?"

Bancroft Elementary School Principal Harold Ingram said that students bring the attitudes they are taught in the home into the schools. He added, "I can look at kindergarten kids and tell you which ones will have problems in coming years. You have to deal with kids' problems early—middle school is way too late."

Senator Marshall spoke about the need to open school buildings for longer hours and providing more after school activities for students in a safe environment.

Colonial School District psychologist Emily Klein, designee of the DSEA, circulated copies of a document entitled "Framework for Safe and Successful Schools." She emphasized the interrelationship between physical safety and psychological safety, and told the group to "be mindful of unintended consequences."

She spoke of the need for building positive skills, teaching resiliency and said that working to improve students' mental and behavioral health is also helping them to develop positive skills.

Sr. Lieut. Tashawn Counts of the Wilmington Police Dept. spoke about police officers going into the schools to greet students in the morning. He talked about seeing students carrying sodas early in the morning, saying, "kids can't learn because they're all wired up."

He spoke of the need to get everyone on the same page: what are police issues and what are school issues. He said that safety at bus stops must also be addressed. He said that he "grew up in a high crime area of Trenton, NJ, with a loving mother who put a belt to me when I got out of line. I had a father who was on the other end of the spectrum."

"The way some kids talk to their parents would never happen in my house," he said. He spoke about the after school program run by Wilmington Police Sgt. Anthony Harris and his wife: "That will have a big impact on schools in Wilmington. They are bringing kids into contact with cops at an early age in a positive way."

Senator Marshall said, "the more positive interaction between authority figures and kids, the better."

Mr. Sadowski said, "building positive relationships and respect for authority is what is needed."

The committee discussed parental accountability and school truancy. Mr. Sadowski said that there is a state task force on truancy and said people try hard to avoid extreme reactions to student absences.

Edward Mayfield of Christina School District said that it is not a good idea to bring parents in in handcuffs. He said that it can be harmful to kids to try too hard to get at parents over accountability issues. "Don't take out parental negligence on kids. The kids are the best they can be, given the challenges they have been given."

Brian Moore of Red Clay School District recounted his experience meeting with a parent and a 12-year-old student who had joined a gang. "He was a great kid," Mr. Moore said. "There has been an explosion in gang violence." He spoke of the appeal of gangs and what they provide for kids who join them, noting that "gangs have a great approach."

"If joining a gang is the only way to survive, the kids will join gangs," he said.

Mr. Moore added, "There's going to be a shooting in a school. Kids are now shooting at police cars. By the time I get them in middle school, it's too late. I have three now in Smyrna [prison] for murder that I met in the sixth grade. The gangs are beating us. Nobody says anymore, 'I want to be a cop.' Parents now see cops as the enemy."

He added that Red Clay District has five school resource officers [police officers] and four constables. "Our arrests go down every year. We now prevent more crimes from happening."

Mr. Mayfield said, "We need to make a distinction: let's not get school safety confused with school violence. They aren't necessarily the same. They come in with a certain look on their face—'where's your smile?' I call it 'code switching.' More positive interaction is needed. The more positive interaction you get, the more it changes you. The more times I intervene, they start acting in a different way. They have to act hard because of the environment they live in. Some kids don't know when to turn code-switching off."

He added, "a lot of teachers don't know who gang members are. You, as a teacher, should know how to interact with kids and parents because kids and parents may not have the ability to interact with us."

He emphasized the need for more funding not just for school resource officers and constables, but also for mental health professionals, noting that "our kids do need behavioral help."

Ms. Wolfe said that "students are there to learn. We can't do it all—there are only so many hours in the day.

How can we be respectful of kids and what they bring to school? We should also bring someone in from the Kids Dept. They have the real expertise.

Ms. Cyndi McLaughlin of the Foundation for a Better Tomorrow introduced herself as the mother of an 8th grade student who took his own life. She spoke of her strong support for legislation to require suicide prevention training among educators.

She said that her son had been particularly close to one of his teachers and said that perhaps, if that teacher had been trained in warning signals of suicidal students, her son's story might have had a different outcome.

Both Ms. Kendall Massett of the Delaware Charter School Network and Dr. Shelton spoke of the funding that has been cut for these kinds of training programs.

PowerPoint on Indian River School District Safety Monitor Program

Mr. Preston Lewis of Indian River School District presented a PowerPoint program about the Indian River School District School Safety Monitor Program, which he heads [Note: If you would like a copy of the PowerPoint, please contact Dick Carter of the Senate Staff]. Mr. Lewis said that the program is in its third year and that at present there are 17 school safety monitors—15 fulltime and two substitutes, who are constables. In addition the district also has the services of five school resource officers—three Delaware State Police officers and two town police officers. The monitors work directly under the principal and assistant principal of the district's school buildings. The SROs cost the district \$75,000 per year and the school safety monitors cost \$37,000 per year. Mr. Lewis noted that the monitors are pension-eligible unless they are Delaware State Police retirees. He said that none of the constables are bilingual, but that someone on the faculty or staff of every school building is. The constables are paid out of the district's local funds and they participate in school crisis teams in each school.

Dr. Shelton said that Capital School District, which he heads, is in the process of implementing a similar program.

RECOMMENDATIONS:

At the conclusion of Mr. Lewis's presentation, Senator Marshall invited each of those in attendance to list their two most important considerations in finding solutions to the school safety issue.

Ms. Arleen Vargas, Delaware Charter School Network: dealing more effectively with students' mental health issues and conflict resolution programs.

Ms. Kendall Massett, Delaware Charter School Network: funding and conflict resolution.

Preston Lewis, Indian River School District: funding and building security.

Captain Peter Sawyer, Delaware State Police: building security and early intervention programs.

John Sadowski, Dept. of Education: funding and mental health programs.

Dan Shelton, Capital School District: funding and mental health programs.

Ms. Evelyn Brown, Dept. of Safety and Homeland Security: mental health programs and cyber bullying.

Art Jenkins, Office of the Controller General: dollars and dollars.

Harold Ingram, Christina School District: early intervention programs and funding.

Emily Klein, Colonial School District, DSEA: use of evidence-based practices and mental health programs.

Sr. Lieut. Tashawn Counts, Wilmington Police Department: early intervention programs and funding for after school programs.

Brian Moore, Red Clay School District: funding and mental health programs.

Edward Mayfield, Christina School District: funding sustainability and relationship building with students.

Ms. Linda Wolfe, Dept. of Education: compassionate schools and early intervention programs.

Ms. Cyndi McLaughlin, Foundation for a Better Tomorrow: early intervention programs and early intervention programs—make it broad and respect for everyone.

It was also suggested that the Department of Services for Children, Youth and Families be brought into the process because they have a lot of expertise that would be useful in dealing with these issues.

School Safety Committee Notes

Aug. 15 Listening Session at Riverfront Market, Wilmington

Committee Member[s] Present:

Sen. Robert Marshall, D-Wilmington West

Committee Staff Present: Dick Carter, Patrick Jackson

Public Participants: A School Psychologist

The school psychologist, who is the sole psychologist on staff at a very large middle school, noted that she and other trained support personnel are often assigned to duties, such as hall monitoring which, while important, hamper their ability to do their primary jobs.

The psychologist noted that school climate is an important element of school safety and that greater efforts need to be made to help train teachers and staff to spot possible signs of mental health issues so students can receive treatment be it formal, some form of counseling or work with the student and their family. Prevention before the fact, she noted, is more effective than dealing with issues once they become a problem.

Training, she noted in response to a question, is especially important for School Resource Officers and other people coming into schools from the outside. They not only need acclimatization to the kinds of mental health issues they may encounter but also to the broader culture of the environment they're entering.

There are challenges to this, however. She noted that one of the toughest calls a school psychologist has to make is to the family, telling them that there may be an issue and that they need to meet. This is because there's a stigma to mental issues that are hard for families to grapple with. Related to that is the issue of follow up. She noted that, due to federal medical privacy laws [which she supports], school psychologists can't find out whether families who are referred to outside agencies for counseling or support are actually using the services.

In answer to another question, she said the 24-7 nature of the culture, especially the online culture, is a factor that leads to problems because now young people can be bullied in social media without the respite they once had when they got home. It increases the power of the bully as well as the stress on their victims.

Sen. Marshall asked about the general breakdown in respect for authority be it for the authority of parents, law enforcement or school officials and the disruptive activities of thugs and gangs in schools.

The psychologist agreed that it is an issue and that many young people are drawn to gangs, at first, because they find acceptance and camaraderie that they don't find in other settings.

Some of this could be offset, if educators were better trained in spotting warning signs and getting people to help before things get out of hand. She noted that teachers, and in some cases, even guidance counselor are unsure of themselves and unwilling to alert school psychologists of potential issues.

Again, spotting a problem early on and taking corrective steps through getting a young person the help they need, she said is the needed action.

Instead, a lot of work [albeit, she noted needed work] is focused on tabletop response drills for various crisis situations. The focus is reactive instead of being proactive and she said there needs to be greater balance.

One proactive step being used on a limited basis elsewhere and that might be tried here would be screening students for possible issues in much the same way they're screened now for proficiency in English, science or math. Students whose screenings indicate potential issues wouldn't necessarily be shunted into special classes, but they might be provided additional services and counseling to help them thrive in the school setting.

She also discussed current pilot programs moving the state's school wellness center program into middle and grade schools. Currently, wellness centers – which serve a multitude of functions – are based in high schools. She thinks expanding the program [**eds note, which, due to funding constraints, will take time**] will make those services more accessible and more

importantly will make them available to younger students and their families which has the potential to catch problems and deal with them early on.

While she agreed that SROs or school-based constables may be a necessity in the modern world, she repeatedly emphasized the need for better training in spotting mental health issues and better access to services. She noted that, in grade schools and in some cases middle schools, psychologists must divide their time among multiple locations. In one school she observed there was one fulltime school psychologist for a student body of 2,500 and noted the problems associated with one person servicing such a large potential clientele.

Sen. Marshall asked her to talk with leadership in the state's school psychologist association to come up with recommendations for the committee to consider and she said she would do so.

School Safety Committee Notes

Aug. 24, 6:00 p.m. -- Listening Session at Woodlawn Library, Wilmington

Committee Members Present:

Sen. Robert Marshall, D-Wilmington West;

Kim Siegel, Delaware Dept. of Justice

Willie Patrick, Delaware Dept. of Safety and Homeland Security

Committee Staff Present: Dick Carter, Patrick Jackson

Public Participants: a public school teacher, a pastor, a community youth group leader; a library security guard, approximately 10 other members of the community

Senator Marshall began the session by reading an e-mail he had received, asking him to look into whether present school staff members are available either at the beginning or at the end of school days, when many incidents take place as students are arriving or leaving the school.

The senator discussed a bill to make witness intimidation a felony offense, saying that he believes this is ineffective, and that what is needed is more uniformed officers.

A security officer from the Woodlawn Library who was present said that many school buildings are not secure.

Committee member Willie Patrick of DSHS responded that each school is required by state law to have a school safety plan. He added, however, that many downstate schools have not done this and that people can open the door and walk right into the school building.

A Red Clay School District teacher said that that district recently passed a referendum which will provide funds to "secure every school."

The leader of a youth program in the city said that "doors being locked isn't the issue—it is bullying and violence inside the school. The children in school are dealing with violence every day. Teachers are not trained to be security guards." He added that he does not believe that "hall monitors" do not have conflict resolution skills, and expressed the opinion that the Superintendent of Colonial School District "needs to put in more people trained in conflict resolution."

He also expressed the view that "officers may be doing more harm than good."

Senator Marshall raised the issue of cyber-bullying and asked how it can be controlled.

The Red Clay teacher said that “we’re not going to fix this problem by adding more cops and metal detectors,” and echoed the view expressed by the youth program leader that more people trained in conflict resolution are needed. He concluded, “the state keeps giving us more mandates but no more resources.”

The youth program leader said that each school district needs a “response team” with the kinds of specialized skills to be able to deal with the kinds of situations that arise.

Another young man present reported on what he had observed in schools in another city. He said that schools there had “intervention specialists” who would break up fights. He added that “the only time an SRO [**School Resource Officer**] would get involved is if a crime was committed.” He said that “putting more and more police officers in schools just intimidates students. Then students react with violence.”

Senator Marshall expressed the view that often “young teenagers dominate and influence their parents. They carry these attitudes to school.”

The library security guard said that “what the kids see now is real-life murder, shootings—they see it every day. These children are suffering from PTSD [**post traumatic stress disorder**]. When they get to school, they are talked down to and disrespected. It’s tearing them apart. They see so much [violence] they don’t even feel it. No one at school is trained to talk to children. The kids act it out.”

The view was expressed by another attendee that many children are bullied at home, saying, “sometimes bullying doesn’t look like bullying. Some kids are hungry, or wearing the wrong clothes, and they get bullied for that.”

The Red Clay teacher said that in some schools, teachers have a washer and dryer. When kids are not coming to school because their clothes are dirty and are being bullied because of it, this is one way to help alleviate the situation.

The view was expressed that “if one church or community organization would adopt that philosophy and meet kids at bus stops and walk them to school or home, that would help. Sometimes kids don’t even hear a kind word. We’ve got to get some people to engage. It doesn’t take a lot of money to do that.”

“It doesn’t have to be a lot of folks. Get five who will show up and walk with these children. So they can see somebody they can talk to, confide in.”

“When you have that ‘Back on Track’ program, the ones who were bullies become the ambassadors. The reason these kids are bullies is because they’re going home to a crack house. It’s not politics—it’s community. It’s untapped community spirit.”

Senator Marshall expressed the view that it would be helpful to keep schools open late, to let the kids have dinner there and activities. “The longer we can leave some buildings open and have activities, the better.”

He mentioned the Pulaski School summer youth program, which gave kids a chance to engage in games and activities in a safe environment, and said that the Boys and Girls Clubs also do a lot of good.

Another attendee said, “there should be some type of program where teachers could work with parents who aren’t well equipped to deal with kids, sort of like a social worker. The person could get information from the child, try to find out what’s going on, and then reach out to the parents. Then there should be some type of consequences for parents if they don’t do what they’re supposed to do.”

Another person said, “We need more resources in the community to keep children active. They need more positive influences.”

Another person expressed the view that many older kids who need help are not being helped, saying, “when you turn 13, 14, 15, 16 in the City of Wilmington, there’s no help.”

Mr. Patrick expressed the view that “there is too much focus on enforcement rather than prevention. You’re not going to address the problem if you just think about enforcement.”

Another attendee said, “You have to look at the community, at the kids who don’t know where their next meal is coming from. You’ve got to look at the way kids in the city are disciplined, and the way kids in the suburbs are disciplined. It’s completely different. Some kids are better off getting locked up at Ferris. At least they know where their next meal is coming from.”

Another person: “You’ve got to get school and parents on the same page. A lot of parents today are supporting what their children are doing—or not facing reality.”

“If a child gets in trouble, you have all kinds of services. If the child is not yet in trouble, there are no services.”

Senator Marshall asked each of those in attendance to make a recommendation.

1. “A response team that could respond to problems in school and at home. A kid or parent could call—at night or whenever. It would be made up of civilians.”
2. “Bridge the gap between more social services for schools and for families. So many parents are un-equipped.”
3. “Look at hiring practices—who is held accountable.”
4. “Listen to young people more as far as what actual issues are. The media won’t cover you when you’re standing up against your own community, but they will cover it when you stand up against police. We’ve got to have the conversation with the right people.”
5. “We need a response team at all levels.”
6. One attendee expressed the view that the system is not properly designed to react to situations in ways that are positive and helpful. All too often, he said, the official response makes things worse. He recounted an incident from his own childhood. He was in the 3rd Grade and went to his teacher and talked about the pain and grief he was feeling about his grandfather’s death. He expressed to the teacher that he felt like he wanted to hurt himself. The teacher, he recalled, “went to the state, and they tried to take us kids away from our mother.”

Special Committee on School Safety
Established under the Provisions of
Senate Concurrent Resolution No. 83

Minutes for Meeting of Wednesday, Sept. 21, 2016
Grass Dale State Conference Center
Fort DuPont State Park
Delaware City, Delaware

Present:

Senator Robert I. Marshall, Chair
Senate Public Safety Committee

John Sadowski
Dept. of Education

Representative J. Larry Mitchell, Chair
*House Public Safety and Homeland Security
Committee*

Dr. Dan Shelton
Capital School District

Kim Siegel
Dept. of Justice

Gerald L. Allen
New Castle County Vo-Tech School District

Willie Patrick
Dept. of Safety and Homeland Security

Preston Lewis
Indian River School District

Sergeant Evan Holmes
Delaware State Police

Dick Carter
Sarah Meyer
Delaware State Senate Staff

Lieut. Ruth Townsend
Wilmington Police Dept.

Senator Marshall called the meeting to order at 10:10 a.m. The senator noted that Governor Markell's budget recommendations come before the General Assembly in January, 2017. The new governor will have time to alter the budget to reflect his own preferences. It was noted that, according to the Office of the Controller General, the Special Committee's report and recommendations would need to be presented to the General Assembly and the Governor's Office by Oct. 15. in order to be fully considered for the governor's budget recommendations.

Mr. Sadowski noted that with the start of the new school year there have been reports of violent behaviors escalating. There has been more violence and many more off campus weapons offenses.

Dr. Shelton said that the number of instances of family members calling police to report other family members speaks to the need for more support for families. He noted two instances where a mother had called to report a son who was a high school sophomore or junior. He said that the family received help for their son through an expulsion hearing. The fact that the case went to an expulsion hearing meant that services became available. "Now the family has family crisis therapists (FCTs) and additional guidance counselor services."

It was observed by a committee member that "you don't get services *until* you get in trouble."

Mr. Sadowski said that these kinds of alternative programs have not received any additional funding since their inception. He said that now some downstate school districts are paying more than their mandated share of the cost of such programs—up to 100 percent in some cases. He noted that Red Clay School District has a successful

program known as the “Positive Change Academy” and that it is funded entirely with local funds. He said that this and similar programs have received high praise from parents and that it is not uncommon for students who are in such programs to request to stay in them when their time in the program is up.

Dr. Shelton said that consortium schools in Kent County, offering such intensive services for problem students, “are maxed out. That’s why we started an evening program” in Capital School District.

Lt. Townsend asked if there had been consideration given to “tapping into any of the anti-violence grant money.”

“Sustainability is the major issue,” Mr. Sadowski said.

“It is very hard to get local funding for these programs,” Dr. Shelton said.

Lt. Townsend responded that there are “so many parochial, private and charter schools in Delaware that it makes it harder to pass school referendums.”

Senator Marshall asked committee members for their thoughts on ways to eliminate or reduce the use of cell phones by students during class time.

Mr. Allen noted that “cell phones are now like a part of the kid’s body. Schools now have green and red zones—in green zones you can use them, like during lunch. In red zones, including in the classroom, you can’t use them.” He added that “schools don’t touch them because of parental complaints.” He said that many parents are supportive of their child’s behavior, even when it is in violation of school regulations.

It was noted that no school districts in the state have a “no cell phone” rule.

Mr. Patrick said that he had witnessed a recent school lock-down drill in Springer Middle School and that many students called their parents to report the school lock-down.

Mr. Allen said that many students now are able to use I-pads as cell phones.

Dr. Shelton said that the “bigger issue with cell phones” (i.e., bullying, etc.) is not happening in classrooms.

Mr. Sadowski said that “up until a harassment charge and no contact order is issued, there is not much that can be done.”

The question was asked, “Is there any way a “no contact” order can be issued without someone being arrested?”

Ms. Siegel cited the process of petitioning Family Court for a “Protection from Abuse” order, which is a civil procedure.

Mr. Sadowski pointed out that “no contact” orders pose an extra burden for schools because they have to provide alternate services for students until such time as the “no contact” order is lifted.

Dr. Shelton cited the case of a female middle school student “who sent out pornographic pictures to her boyfriend, who then sent them out to his friends. At the school level she is a bullying victim, but legally she bears the burden for sending out [illegal] material.”

He noted that “there have been four suspensions” in the case. The girl has been reported to law enforcement and is receiving major psychological assistance and help from school guidance counselors. “The school resource officer and the school administrators are now digging into it and it’s getting wider and wider.”

Mr. Allen said that “if that girl was a special needs student, that is a whole different issue.”

Dr. Shelton said, “There is this feeling that schools are trying to hide things. This is not true. Documenting, documenting, documenting, investigating, investigating, investigating.”

“These things are extremely time-consuming,” Mr. Sadowski observed.

Senator Marshall asked for any new recommendations committee members might have.

Lt. Townsend asked if it is illegal for schools to “scramble cell phone signals.”

Mr. Lewis, head of the Indian River School District Safety Monitor Program, said, “we looked into that at Indian River and there was some sort of F.C.C. [Federal Communications Commission] rule against it.

Mr. Allen said, “Schools have a system now where students come in and talk to principals about their needs. We have committees set up to hear students’ ideas about improvements that are needed.”

Dr. Shelton said that according to the results of a survey conducted among parents and students in the Capital School District, a majority of the respondents said “kick all the discipline problems out of school.” The problem with that approach, he said, is that “we have to serve these students and if we just kick them out, they’re going to be a much bigger problem down the road.”

Mr. Sadowski suggested appointing some students and classroom teachers to the kinds of committees Mr. Allen spoke about.

Mr. Lewis said that he believes that schools are doing an excellent job, “but some students will never buy into the program because of the culture they’re growing up in. They’re going through it because they have to, but as they get older, they are facing criminal arrests. Maybe some will change but many won’t.”

Mr. Sadowski said that “now there is a whole paradigm shift to trying to keep kids in school and address their needs.”

Senator Marshall asked if there is a way to “create something positive in how to redirect a child?”

Mr. Sadowski replied that “I would recommend that you get a group together and go and see Red Clay’s Positive Change Academy.”

Dr. Shelton said that a lot of needs are being identified in our schools. “If we only look at school buildings, we’re never going to solve the problem. A lot of kids and families are screaming for help with mental health services. We could fix a lot of this if we could get mental health services to people who are screaming for it.”

Senator Marshall asked if it would work to divide student populations up and have the problem students come in at a different time of day and provide them with more intensive services than are normally available.

Dr. Shelton and Mr. Sadowski said that this sounds like the consortium school approach. Mr. Sadowski added, “you’re describing what Brian Moore is doing in Red Clay with the Positive Change Academy—K-5 and early intervention in the same building.

He noted that money for school-based intervention services was cut after 2008. Family crisis therapists, he said, have made a huge difference with kids, but “only a few FCTs are left.”

Dr. Shelton said, “if we think we’re going to solve this issue inside school buildings, then we get nowhere.”

Representative Mitchell said, “a good portion of the issue starts with the family. We need to make funding available for family services.” He added that “legislators need to be educated. It’s not about not having funds. It’s how we choose to allocate and provide funding for those services. We need to let legislators know these are tough issues and we need help.”

Mr. Allen said that problems start in the home and then are transferred to the schools. “There used to be a sense of community pride,” he said. “We don’t have that today, but you can still build a sense of pride. “We [the vo-tech schools] build pride through your trade. It gives you some type of pride.”

Lt. Townsend said “we can’t necessarily control some of the things that are going on. The same day as the shootings by Stubbs Elementary School, a young man was shot and killed two blocks away.”

Representative Mitchell recounted his experience as head of public safety for Delaware Technical and Community College, where, he said, issues of violence also arise.

Senator Marshall asked the group for their recommendations about things that can be done:

Asking “Why can’t every kid have the ‘band experience’ — provide them with a sense of identity?” Mr. Sadowski said, “the most immediate thing you can do is visit the Positive Change Academy.” The second thing, he said, is to add more family crisis therapists.

Dr. Shelton said, “Two years ago, Bancroft Elementary School still didn’t have their Family crisis therapist back. There might be the need for two of them, but the school needs at least one. A family crisis therapist may have 15 to 18 cases on the books at one time. Wrap-around services are needed not just at school but at home. We need to get some funding through the Joint Finance Committee or the Dept. of Education to get some follow-up help at schools like Bancroft. Professionals who can go out into homes can really help.”

Kim Siegel said that her top priority is “putting Family crisis therapists back into schools.”

John Sadowski said, “the earlier you intervene, the better chance you have of a positive impact.”

Mr. Patrick: “I have to echo Dr. Shelton. What we’re doing isn’t working. The home component is critical. What schools are doing is pretty good, but people have said, ‘you need to provide more services to our kids.’”

Lt. Townsend said, “Safe havens are good, but in some of them there are no programs or services for people. We have the locations. We have the officers who are going out on their own to help kids, but they’re not trained. We need funding for services.”

Mr. Sadowski suggested “getting college kids to volunteer to provide services in return for elective credit.”

Representative Mitchell said that “kids from the Red Clay program are now coming to the George Campus of Del Tech.”

Dr. Shelton said that Capital School District added a school resource officer to the staff of Kent County Secondary Intensive Learning Center, an alternate school located at ILC Dover and “the addition of the SRO was amazing. It makes a huge difference. The changing culture is unbelievable.”

Mr. Sadowski said, “In the vast majority of cases, SRO’s are building positive relationships with kids. My recommendation is an SRO and a constable in every public school.”

Representative Mitchell said, “I now support the SRO program. In the past I did not support it.”

Mr. Allen said, “I don’t know what we would do if we didn’t have SRO’s.”

Senator Marshall adjourned the second meeting of the Special Committee on School Safety at 12:10 p.m.