



Texas Municipal Police Association  
The Voice for ALL Texas Law Enforcement  
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Members of the Senate Criminal Justice and Senate Education Committees,

We, The Texas Municipal Police Association, represent over 18,000 peace officers, including more than 1,000 School District peace officers, from all areas of the state of Texas. Considering the numerous pieces of legislation and interim committee charges relating to the role of peace officers on public school campuses, we wanted to take the opportunity to inform you of our position on a few of the primary issues being studied.

We believe a safe and secure learning environment for students, faculty and visitors to public school campuses is imperative. We also acknowledge the rise in violent crime and active shooters on public school campuses and therefore the need for specially trained law enforcement personnel.

Generally speaking, the overall concern the committees are addressing is the potential negative impact to specific students who are involved in an ISD police action. It is our understanding that resolutions will be designed to limit or reduce peace officer/law enforcement interaction with students. We agree. We want to make clear that we DO NOT support peace officers engaging in school policy enforcement or discipline matters. Peace officers are trained to know and uphold the laws of our state and their role on public school campuses should be clear, consistent throughout the system, and based on the well-vetted laws of the Texas Penal Code.

The majority of the matters under review have to do with the line between discipline and law enforcement and thresholds for enforcement intervention. Our attached recommendations have been compiled by over 50 ISD peace officers representing almost as many individual districts. Our stated positions are designed to draw a clear and consistent line between campus policies, discipline, responsibility, and law enforcement.

We will be working diligently through the interim with the many committees studying these issues and invite you to contact us if you have any questions, concerns or thoughts on these most important matters. Thank you.

Sincerely,

Kevin Lawrence  
Executive Director, TMPA

## SUGGESTED CHANGES REGARDING LAW ENFORCEMENT ROLE ON PUBLIC SCHOOL CAMPUSES

- Currently, a public school superintendent may designate someone to be “in charge” (designee) of law enforcement on a specific campus. The current policy creates several undesirable issues. 1. It creates inconsistencies between campuses and districts because not all superintendents actually appoint a designee. 2. It dilutes responsibility for ordering or initiating law enforcement actions. 3. There are no requirements for the “designee” to be even reasonably familiar with the duties and liabilities of licensed, commissioned peace officers.

We recommend the superintendent be the designee for each ISD system, or appoint one chief administrator for the entire district. This policy change will instill responsibility of the entire law enforcement team with one individual who is answerable to an elected body (school board) and ultimately the voters. TMPA believes that one person being responsible for all campus law enforcement presence will naturally create consistencies from campus to campus.

- Each ISD should develop a policy that clearly outlines discipline thresholds and procedures and establish responsible parties for the enforcement of those discipline policies. The discipline policy shall define an ISD peace officer’s role as “law enforcement.” The policy procedures shall include education of all campus staff, peace officers, and administration on the differences between discipline and law enforcement and the respective roles of all stakeholders on campus. In the same respect, Ch.37 of the education should be reviewed and modified to remove any reference to peace officers participating in administrative or discipline actions.
- Prohibit issuing citations to certain students. Current law (enacted Sept. 2011) prohibits issuing certain “disorderly conduct” citations to students in the 6<sup>th</sup> grade or below. TMPA recommends a change of this policy in order to be consistent with the Texas Penal Code. Because of the recently enacted legislation (HB359, Allen), there is now disparity regarding when a violation is a violation. Now, fighting in public is a violation of the Penal Code except when a person is in 6<sup>th</sup> grade and at school. We also recommend that when considering ticketing prohibitions, consider the age and not the grade of student.
- Currently, there are areas of public school campuses that are not designated “public”. Because of the designation, enforcement of illegal activity has become inconsistent and therefore, the areas have become known sanctuaries for illegal behavior. For the purpose of safety and enforcement we propose the grounds where a public school is located be designated a “public place.”