

# Do School Resource Officers Really Refer Black Students to the Justice System for Less Serious Offenses?

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**Abstract:** For the past two decades, scholars have argued that School Resource Officers (SROs) have increased the size of the school-to-prison pipeline by referring students to the justice system for minor offenses committed at school. Nevertheless, most of these studies (1) do not clearly distinguish between arrests initiated by the school, law enforcement responding to violations on school property, and those initiated by the SRO and (2) do not provide details on the type of offenses for which Black and White students are referred. In this paper, we use referral data from a southeastern state to begin responding to those questions. Our findings suggest that SROs look similar to schools in terms of the type of incidents for which students are referred to the justice system, Black students are disproportionately referred to the justice system for all types of offenses, and SRO referrals for minor offenses are similar for Black and White students. Implications for policy and future research are discussed.

## Introduction

School safety is a topic that has received close attention in the past few decades. Nevertheless, as May (2014) argues, the term “school safety” may have a variety of definitions, depending on the context of the discussion. For law enforcement, school

safety may mean a school with no serious assaults; for school administrators, a safe school is one with limited or no bullying while an occupational safety specialist might argue that a safe school is one with safe playground equipment and hazardous chemicals stored properly. For our purposes, we follow May (2014), who argues that a safe school is one with little harassment, bullying, and violence within its walls.

Events such as the shootings at Sandy Hook Elementary and Columbine have resulted in a heightened safety awareness for parents and school administrators alike (Irwin *et al.*, 2022). In order to provide safety for students, and quell public fears, schools have implemented a variety of measures to prevent incidents like these from occurring (King & Bracy, 2019; Kupchik, Brent, & Mowen, 2015). Metal detectors, School Resource Officers (SROs), and backpack checks are all examples of methods used in order to attempt to increase safety for students (King & Bracy, 2019).

These increased security measures do have drawbacks and criticisms, however. The well-documented school-to-prison pipeline provides an example of how this increased police presence in schools has not been as beneficial as originally hoped (Flannery, 2015; Gottfredson *et al.*, 2020; Kim, Losen, & Hewitt, 2010; King & Bracy, 2019). Many have argued that the increased presence of police in schools has widened the net of the criminal justice system, bringing many youths into contact with the criminal justice system that otherwise might not have had that contact (Cobbina-Dungy & Jones-Brown, 2023; Eckholm, 2013). Many of these interactions between police officers in schools and students result in arrests for minor misdemeanor offenses (Cobbina-Dungy & Jones-Brown, 2023; Justice Policy Institute, 2011). Numerous sources demonstrate how judges, attorneys, and school administrators believe that these incidents are better handled by principals and other school administrators, not the police (e.g. Eckholm, 2013; Kupchik, 2010; Na & Gottfredson, 2013; Theriot, 2009). In fact, a number of researchers argue that the presence of police in schools increases the number of arrests for minor misdemeanors such as disorderly conduct (Cobbina-Dungy & Jones-Brown, 2023; Gottfredson *et al.*, 2020; Justice Policy Institute, 2011).

Police presence in schools does not affect all children equally. Minority children, especially Blacks, have higher rates of contact with police and arrests than do White children, both on school property and away from school (Alexander, 2010; Anderson, 1999; Crosse *et al.*, 2022; Gottfredson *et al.*, 2020; Hirschfield, 2008). Potential explanations for these differences include a history of discrimination due to slavery, Jim Crow laws, and overt and structural racism that have led to Black students facing more barriers and issues with police officers and the criminal justice system (both inside and outside of school) than their White counterparts. Differential responses by SROs to Black students' behavior could also be a potential explanation for their increased involvement in the criminal justice system (Alexander, 2010).

This relationship between SROs and increased involvement of youths in the criminal justice system for minor offenses has recently come under scrutiny, however. Most studies examining the impact of SROs on the school-to-prison pipeline use large, national datasets (Gottfredson *et al.*, 2020) and are unable to compare actions taken by SROs with those taken separately by school administrators or police outside of the schools. A full understanding of the role of SROs in the school-to-prison pipeline requires that SRO reactions to criminal (and sometimes non-criminal) behaviors by students in the school setting be compared with those of school administrators and law enforcement that are not SROs but are called to schools by school administrators. May *et al.* (2016) began this effort to compare these groups and determined that a relatively low number of minor offenses by students were referred to the criminal justice system by SROs. Furthermore, May and his colleagues demonstrated that the schools themselves were responsible for as many referrals to the justice system as were SROs. The results of their study demonstrate that the victims, the victims' families, and outside law enforcement had more to do with students being referred to the criminal justice system than did SROs. These findings suggest that the school-to-prison pipeline may be more complex and nuanced than originally believed.

In this paper, we review the existing work on the school-to-prison pipeline and the effect of SROs on juvenile involvement in the criminal justice system. We then use referral data from a southern state to examine three research questions.

1. Are Black and White students referred for similar offenses?
2. Are Black students more likely than White students to be referred for minor offenses?
3. Are SROs more likely than other referral sources to refer Black students for minor offenses?

Answers to these questions could contribute to information concerning the relationship between race, schools, and the criminal justice system by analyzing whether or not schools, the police, or other actors are disproportionately targeting Black students. This is important because the arrest of students for misdemeanor and less serious offenses defeats the purpose of the educational system, and further disadvantages some students by contributing to a cycle of more punitive measures faced by these students. Determining which actors play the largest role in this process could lead to a more targeted approach at alleviating these issues.

## Literature Review

### *School-to-prison pipeline*

In 2020, there were 424,300 arrests of juveniles in the United States. Of these arrests, 74,690 (17.6%) were for index property crimes, 42,280 (10.0%) were for drug-related

incidents, and 24,720 (5.8%) were for disorderly conduct (Office of Juvenile Justice and Delinquency Prevention, 2021). Articles in both the popular media and the scholarly research have attributed many of these arrests to arrests made on school property (Cobbina-Dungy & Jones-Brown, 2023). Additionally, authors of these works argue that many of these arrests occur because of minor offenses and misdemeanors, and these arrests push youths into the justice system that would not have been arrested if police were not on school property at the time of the offense. This process has been labeled the “school-to-prison pipeline”

The school-to-prison pipeline is a metaphor for a pathway that forces students, particularly students of color, out of the educational system into the juvenile and criminal justice systems (Novak, 2019; Wald & Losen, 2003). In common vernacular, then, the school-to-prison pipeline generally refers to criminal justice involvement of students for relatively minor offenses. In these situations, students are not punished and processed by the schools themselves but become cases in the criminal justice system. This criminal justice involvement makes students more likely to be suspended, expelled, and drop out of school, which leads many to follow deviant and/or criminal peers and lifestyles (Kim *et al.*, 2010).

Researchers that suggest the school-to-prison pipeline exists argue that involvement in the pipeline can result in continued punitive consequences for these students, amplifying the cumulative disadvantage already experienced by Black and Latinx students and adults and increasing the likelihood of eventual incarceration for these groups (Welch *et al.*, 2022). Though not taking all responsibility away from the students’ and their ability to enact their own agency, they argue that ignoring the structural issues and systemic processes that mold these students and incentivize their actions ignores how those who are in charge of shaping these students’ behaviors (e.g., teachers, school administrators, and SROs) can actually further incite deviance (Hirschfield, 2008). This can be seen in how many students that are from broken households or suffer from issues pertaining to living in impoverished homes and neighborhoods are often labeled “problem children” and are the ones who are most likely to be funneled out of the school system first (May, 2014).

Researchers suggest that there are three main mechanisms of the school-to-prison pipeline in the United States. The first mechanism involves the initial deviant act. When students behave in a manner that is considered deviant, and are then punished because of it, the result often leads to lower grades, less retained knowledge, and an overall lower standard of academic success (Christle *et al.*, 2005, 2007; Council on School Health, 2013; Mattison, 2004). The second mechanism refers to exclusionary disciplinary techniques used to try to prevent reoccurrence of these deviant actions (e.g., out of school suspension, in-school suspension, and alternative schools). These

techniques and the problems associated with them have worsened due to programs such as “Zero Tolerance” policies (Christle *et al.*, 2005; Hirschfield, 2008; Schiff & Bazemore, 2012; Theriot, 2009). These policies effectively remove any discretion the teacher and/or administrator would previously have in implementing less harsh punishments by forcing their hand. The last mechanism in the pipeline process occurs when this school-to-prison pipeline leads to higher rates of students dropping out of school. A number of authors suggest these dropout rates are due to the lack of support and negative stigma these students experience because of the punitive manner in which their misbehavior is treated (Anderson, 2012; Kim *et al.*, 2010; Theriot, 2009; Wald & Losen, 2003).

The third mechanism is especially important. Research has established a link between dropping out of school and behaving in a deviant or criminal manner (Anderson, 2012). One study found that 68% of state inmates in the 1990s had not finished high school (Wald & Losen, 2003). This suggests that dropping out of school could lead to involvement in criminal activity. The relationship between school dropout and deviant activity is likely not unidirectional, however, as other studies have found that students whose behavior resulted in appearances in court were in general more likely to drop out of school (e.g., Petteruti, 2011). This link implies that deviant/criminal behavior, when coupled with harsh punishments, leads to dropping out of school and may lead to an increased chance of imprisonment.

To summarize, both popular and scholarly authors have argued that increasing punitiveness in schools has resulted in an increased juvenile presence in the criminal justice system. Consequently, a growing number of groups oppose the presence of SROs in schools. However, little is known about how SROs actually affect the lives of students in schools or the students’ involvement in the criminal justice system. In the next section, we describe previous research that examines the role of SROs and what this research has said about their contribution to the school-to-prison pipeline.

### *School Resource Officers (SROs)*

School resource officers (SROs) are local sworn law enforcement officers assigned to the local school district who provide services such as traffic control, security, and surveillance within schools (National Association of School Resource Officers, 2021). Although the number of SROs is unknown, the National Association of School Resource Officers (NASRO) estimates that there are approximately 20,000 SROs in the United States (National Association of School Resource Officers, 2021). Nevertheless, some scholars believe that estimate is low for at least two reasons. First, no national census of SROs exists. Secondly, and just as importantly, funding to support SROs comes from a variety of sources (e.g., grants, school districts, local law enforcement agencies). Consequently,

no one agency is responsible for keeping a tally of how many SROs are working in the educational system.

Despite the lack of consensus on how many SROs actually exist, NASRO argues that school-based policing is the most rapidly expanding segment of law enforcement in the country (National Association of School Resource Officers, 2021). NASRO and researchers that work in this area suggest that there are three categories of responsibilities for SROs on school property. These include connecting the gap between law enforcement and students through law-related instruction, fostering cooperation between law enforcement and students through law-related mentoring and counseling, and lowering the amount of deviant behavior and crimes within the schools through law enforcement activities (Kennedy, 2000; National Association of School Resource Officers, 2021). This three-pronged approach is known as the SRO Triad (Hickman & Reaves, 2003; National Association of School Resource Officers, 2021; Petteruti, 2011).

Following this approach, then, SROs are charged with simultaneously enacting the roles of teachers, counselors, and law enforcement officers. First, they are supposed to be law-related educators. This task involves using their authority and knowledge to increase student and staff knowledge about law-related topics, typically through talks/lectures to students in classes. Secondly, they are also law-related counselors, counseling students and staff on issues relating to the law, and guiding students to become more active in citizenship and serving their community. Lastly, they have the power to make arrests in the schools. This “triad” concept allows officers to not only act as a presence of authority to maintain order in schools, but also act as a motivational figure and a role model for the students with whom they work (Gonsoulin, Zablocki, & Leone, 2012).

At first glance, the presence of SROs in schools should act as a deterrent for crime and serve to foster law-abiding behavior. While some researchers support this claim (Brown, 2006; Jennings *et al.*, 2011; Johnson, 1999; May, Fessel, & Means, 2004; Trump, 2001; Virginia Department of Criminal Justice Services, 2001), others argue that this is not the case (e.g., Gottfredson *et al.*, 2020; Jackson, 2002; Mayer & Leone, 1999; Petteruti, 2011; Rimer, 2004). Critics of SRO presence in schools claim that SROs are not beneficial to schools or students and are in fact harmful. A report by the Justice Policy Institute in 2011 determined that having SROs in schools actually increased the arrest rate of students. Additionally, having SROs significantly reduced the agency of school officials and administrators in enforcing disciplinary measures. These critics suggest that SROs alienate students, hinder educational participation, increase deviance, and augment dissent towards law enforcement on the parts of the students (Gottfredson *et al.*, 2020; Jackson, 2002). Others call for SROs to change the way they perform conventional law enforcement duties (e.g., avoid carrying firearms, avoid handcuffing students) because of the school setting (Rimer, 2004).

Despite the concerns outlined above, the primary concern about the presence of SROs in schools remains the use of overly harsh punishments for relatively minor transgressions. Theriot (2009) claimed that what constitutes legitimate and illegitimate threats to the safety of students has now become unclear. SROs have the authority to use discretion in determining what is treated as an assault (as compared to a fight), what is treated as disorderly conduct (as opposed to class disruption), and what might be considered to be a felony robbery, as opposed to a petty larceny were the SRO not present. One researcher found that a large percentage of cases brought to juvenile courts by SROs were for minor, nonviolent offenses (Rimer, 2004). Another example is given by Brooks, Schiraldi, and Zeidenberg (2000), who found that harmless verbal exchanges were sometimes classified as threats of terrorism.

The notion of SROs arresting students unnecessarily is contrary to both the purpose of the educational system and the original goal of including SROs in school settings. Schools are meant to educate students and promote students' well-being to assist them in becoming responsible and productive members of society (Petteruti, 2011; Skiba, 2000). When SROs are present in schools, they may reduce the likelihood of this occurring, particularly for some students involved in rule and minor law violations. Kupchik (2010) reports that SROs are stricter than school administrators regarding less serious offenses. Though proponents of SROs and cracking down on deviant behavior in schools postulate that SROs are maintaining order in schools, opponents of SROs attribute increased school safety to other factors, such as behavior interventions, caring teachers, and other caring adults that promote well-being and safety in schools (May, 2014).

In summary, opponents of SROs claim that SROs push more students out of school than would have otherwise dropped out with traditional discipline measures enacted by school administrators. However, this argument does have a flaw. If SROs are performing their duties properly, then, intuitively, the extra set(s) of eyes in the school setting will lead to more arrests than would have occurred if schools only called outside law enforcement in reaction to particular events because SROs will discover previously undiscovered criminal activity. Additionally, whether or not SROs are solely responsible for this increase in arrests for petty crimes is unclear. May *et al.* (2016), using referral data from a juvenile court data file for a southern state, found that a relatively low number of minor offenses by students were referred to the criminal justice system by SROs. Furthermore, this study showed that the schools themselves were responsible for as many referrals to the justice system as were SROs. The results of this study demonstrate that the victims, the victims' families, and outside law enforcement had more to do with students being referred to the criminal justice system than did SROs. These results indicate that perhaps there is a more complex web affecting the

reporting of (and arrest for) minor offenses than simply just SROs arresting all petty offenses they witness. Research has also indicated that the relationship between SROs, schools, and the criminal justice system is not the same for everyone.

### *Schools, Police, and Race*

Racial disparities have long existed in America. Accounts of racial injustices being committed can be traced back as far as the original massacre of indigenous people during early colonial times. Accounts of mistreatment of Black citizens were crystallized in America with the institution of slavery that lasted for many years until slavery ended after the Civil War. However, the end of slavery did not result in Blacks being treated as equals in America. Even after Blacks were considered citizens, they were not granted the same rights as their White counterparts.

Jim Crow laws created concepts such as “Separate but Equal” and indentured servitude and continued the legacy that was to have ended with slavery (Alexander, 2010). The Civil Rights Era sought to bring an end to the notorious social and legal restraints that bound Blacks in America. This movement brought about legislation that, on the surface, gave equality to Blacks. Nevertheless, post-Civil Rights accounts of racial injustices continue, as evidenced by Reagan’s “War on Drugs” and structural racism in a variety of areas. Both of these give examples of how, even under the guise of legal equality, the social and cultural conditions that Blacks in America were living were far from equal to that of their White counterparts. Alexander (2010) details how the War on Drugs, when coupled with other structural issues in America, has created conditions under which Blacks still face the same barriers and enemies they faced in the Jim Crow Era. She argues that, under the guise of “racially neutral” politics and legislation, the War on Drugs disproportionately affected the lives of lower class African American communities (Alexander, 2010) and led to the creation of the mythological “criminalblackman,” which has delegitimized Black citizens in America (Russell-Brown, 2003; Young, 2006). Through the criminalblackman, Black men are portrayed as dangerous and villainous in America and this portrayal creates an often unconscious bias in the minds of White people against Black men. If the perceptions that Black children, particularly Black boys, are more likely to be criminal hold true for SROs and school administrators, it is possible that they will be more closely scrutinized than their peers will, and thus more likely to be arrested for petty offenses.

Anderson (1993) gives a detailed account of how the conditions under which many African American youth live can generate a culture that is conducive to deviance. He argues that many urban Black youths adopt a code that is contrary to the norms by which conventional, law-abiding society regulates the behaviors of its members. This “code of the street” operates under different assumptions and rules than conventional



society (Anderson, 1999) and is more likely to be prevalent in poor, urban, Black communities.

Anderson (1999) argues that the code of the street teaches youth that they must behave differently than conventional society. These lessons lead to behaviors that compound matters for Black youth, and lead to stereotypes and differential treatment in all areas of their lives, including schools. Rios (2011) argues that cultural and social depictions of minority children as criminals affect how police in schools treat and punish their behavior. Rios describes how the “over policing” (increased attention paid by police to behaviors of certain groups) and criminal stigmatization caused by police in schools affects not only the mindsets of youth in schools, but also the perceptions of these youth in people’s eyes outside of the school.

Rios (2011) argues that actions committed by Black and Latinx youth are often over-policed and responded to harshly by school administrators and school police while the same actions committed by White youth are often overlooked and under-policed. These factors create a similar “code of the street” within the schools. Under this code, conventional attitudes and behaviors are frowned upon while deviant behavior is admired. Nevertheless, this deviant behavior is still punished by school police and administrators, resulting in many students receiving in-school suspension, out of school suspension, expulsion, or even referrals to secure juvenile detention facilities (Rios, 2011).

Rios (2011) argues that the code of the street that informs behaviors for youths in schools leaves them vulnerable to committing acts that will be noticed and punished by school police and administrators. Furthermore, when these youths are out of school, they are both more likely to engage in deviant acts, drop out of school, and enter the vicious cycle of criminality described earlier. This information, when considered alongside the fact that out-of-school suspension rates for African Americans increased from 6 to 14 percent between 1973 to 2013 (Losen & Skiba, 2010; Osher *et al.*, 2012; de Brey *et al.*, 2019), displays how the culture of punitiveness taking place in schools may affect Black students far more negatively than White students.

Therefore, it makes sense that if Alexander, Russell-Brown, and Rios are correct, SROs are likely arresting Black youth for petty offenses more often than White youth. Additionally, in following the findings of May *et al.* (2016), the same trends should be found with school administrators, victims, and victims’ families. In this paper, we seek to answer those questions by considering (1) whether SROs refer Black students more than White students for petty offenses and (2) whether school administrators and other actors engage in these same behaviors. A better understanding of these referrals will help clarify the research around the school-to-prison pipeline and the role of the SRO in that phenomenon.

## Methods

### *Data*

Data for this study were obtained from the Administrative Office of the Courts' in a southern state by the authors. The state system is a web-based application system for the real-time management of the activities of the Youth Court System that allows members working in the justice system throughout the state (e.g., intake officers, youth counselors, court administrators) to track juveniles at various phases of the justice system.

The data under study here captured all referrals to the juvenile justice system in the state from 2009 to 2011. We chose this period because we had access to a full year of data for each of the three years and the data were available to the research team because of a prior evaluation study by one of the coauthors. For the purpose of this research, a referral occurred when any person involved in a youth's case referred that youth to the county youth court. As workers entered the referral into the system, they typically entered the charges for which the youth are referred, the reason for referral, the date of the referral, and the source of the allegation (hereafter referred to as the referral source) into the system.

Multiple referral options were available to the worker entering the data. For example, a juvenile that had skipped school may be referred by their parents, their school, and/or by law enforcement (if they are arrested for truancy). In the data files analyzed herein, each referral source was treated as a separate variable. Thus, the first source listed became "Referral\_Source1," the second became "Referral\_Source2," and so on. Between 2009 and 2011, there were referrals for 72,447 separate offenses entered into MYCIDS.

Across the three-year period, there were 72,447 individual referrals made for 168 separate offenses. We categorized the 168 offenses into one of four categories: (1) status offenses (e.g., truancy, running away),  $N=10$ ; (2) minor offenses (e.g., shoplifting, petit larceny),  $N=25$ ; (3) moderate offenses (e.g., simple assault, probation violations),  $N=68$ ; and (4) serious offenses (e.g., domestic violence, residential burglary),  $N=65$  (Authors previous publications).

Referrals were then disaggregated by race. Of the 72,447 referrals in the dataset, 33.2% were White, 63.3% were Black, and 3.5% were "Other" (e.g. American Indian, Asian, Other, or Unknown). Given the fact that the overwhelming majority of referrals involved White or Black juveniles, the following analysis will focus on variation in referrals only between these two groups. Therefore, we dropped referrals for "Other" juveniles, reducing our sample to 69,922 referrals.

## Results

**Table 1: Most Common Types of Referral Offenses by Seriousness of Offense Category by Race**

Rank	Status		Minor			Moderate			Serious		
	Blacks	Whites	Blacks	Whites	Blacks	Whites	Blacks	Whites	Blacks	Whites	
1	Truancy (5.6%)	Truancy (9.5%)	Larceny: Shoplifting (5.7%)	Larceny: Shoplifting (5.9%)	Probation Violation (8.4%)	Probation Violation (4.3%)	Assault: Simple (11.1%)	Assault: Simple (7.8%)			
2	Ungovernable Behavior/Incorrigible (2.9%)	Child in Need of Supervision (5.1%)	Malicious Mischief (3.0%)	Malicious Mischief (4.8%)	Disturbing Public School Session (4.8%)	Controlled Substance: Possession of Marijuana (4.2%)	Burglary: Dwelling (3.6%)	Assault: Simple, Domestic Violence (3.6%)			
3	Child in Need of Supervision (2.6%)	Ungovernable Behavior/Incorrigible (3.4%)	Larceny: Petit (3.0%)	Larceny: Petit (2.5%)	Disorderly Conduct: Breach of Peace (4.0%)	Disorderly Conduct: Family Peace (3.3%)	Assault: Simple, Domestic Violence (2.9%)	Burglary: Non-Dwelling, Motor Vehicle, Boat (2.2%)			
4	Running Away (2.3%)	Running Away (3.1%)	Trespass (2.2%)	Trespass (2.3%)	Disorderly Conduct: Disturbing Failure to Comply (3.9%)	Disturbing Public School Session (3.0%)	Contempt of Court (2.2%)	Burglary: Dwelling (1.8%)			
5	Curfew Violation (1.1%)	Possessing or Drinking Alcoholic Beverages (2.7%)	Vandalism (0.3%)	Vandalism (0.9%)	Disorderly Conduct: Family Peace (3.5%)	Disorderly Conduct: Breach of Peace (2.2%)	Burglary: Business, Commercial Property (1.3%)	Contempt of Court (1.8%)			

In Table 1, we display the five most common referrals for both Black and White juveniles in our sample. For status offenses, the most common referrals for both Blacks and Whites were for truancy (5.6% of all referrals for Blacks and 9.5% of all referrals for Whites during the three-year period). For Blacks, the next most common status offense referrals were ungovernable behavior/incorrigible (2.9%) and child in need of supervision (2.6%); for Whites, the order was reversed, with child in need of supervision (5.1%) second and ungovernable behavior/incorrigible (3.4%) third. Larceny/shoplifting, malicious mischief, and petit larceny were the most common minor offenses for both groups. For moderate offenses, although probation violation was the most common referral category for both groups, the proportion of all referral offenses that were for probation violations was almost twice as high for Blacks (8.4%) as Whites (4.3%). The next most common referral categories for moderate offenses for Blacks were disturbing public school session (4.8%), and disorderly conduct: breach of peace (4.0%); for Whites, they were possession of marijuana (4.2%), and disturbing family peace (3.3%). Simple assault was the most common serious offense referral for both Blacks and Whites; simple domestic violence was also a common serious offense for both groups.

**Table 2: Coding of Referral Sources**

<i>Only One Referral Source</i>	<i>Second Referral Source</i>	<i>Category</i>
Law Enforcement	--	Law Enforcement only
School	--	School only
Parent, Relative, Other Family Member	--	Family only
DHS	--	DHS only
Law Enforcement	School	SRO
School	Law Enforcement	SRO
Victim	Any other source or no other source	Victim
Law Enforcement	Parent, Relative, Other Family Member	Family only
DHS	Law Enforcement	Law Enforcement
Other	--	Missing

Table 2 presents the referral sources included in the dataset. For the purposes of these analyses, we categorized referrals into one of six categories: law enforcement only, school only, family only, Department of Human Services (DHS) only, victim, and SROs. For the victim category, we included all referral sources that included a victim. Referrals that originated from a law enforcement officer assigned to a school (SRO) were originally coded as having two referral sources- law enforcement and school. Thus,

**Table 3: Comparison of Referral Prevalence between Law Enforcement, Schools, and SROS**

Type	Rank	Law Enforcement Only	School Only	SROs
Status	1	Ungovernable Behavior/ Incorrigible	Truancy	Truancy
	2	Curfew Violation	Possession/Drinking Alcoholic Beverages	Possession/Drinking Alcoholic Beverages
	3	Running Away	Child in Need of Supervision	Ungovernable Behavior/ Incorrigible
	4	Possession or Drinking Alcoholic Beverages	Tobacco: Possession on School Property	Child in Need of Supervision
	5	Child in Need of Supervision	Unsuccessful Informal Adjustment	Tobacco: Possession on School Property
Type	Rank	Law Enforcement Only	School Only	SROs
Minor	1	Larceny-Shoplifting	Larceny-Petit	Larceny-Petit
	2	Malicious Mischief	Trespassing	Trespassing
	3	Larceny-Petit	Malicious Mischief	Malicious Mischief
	4	Trespassing	Vandalism	Vandalism
	5	Vandalism	Larceny-Shoplifting	Larceny-Shoplifting
Type	Rank	Law Enforcement Only	School Only	SROs
Moderate	1	Probation Violation	Disturbing Public School Session	Disturbing Public School Session
	2	Disorderly Conduct: Failure to Comply	Disorderly Conduct: Breach of Peace	Disorderly Conduct: Breach of Peace
	3	Controlled Substance: Marijuana Possession	Disturbing Public Peace	Controlled Substance: Marijuana Possession
	4	Disorderly Conduct: Breach of Peace	Disturbance in Public Place	Disorderly Conduct: Failure to Comply
	5	Disturbing Family Peace	Controlled Substance: Marijuana Possession	Disturbing Public Peace
Type	Rank	Law Enforcement Only	School Only	SROs
Major	1	Assault: Simple	Assault: Simple	Assault: Simple
	2	Burglary: Dwelling	Contempt of Court	Weapons: Possession on School Property
	3	Assault: Simple Domestic Violence	Weapons: Possession on School Property	Assault: Simple, Police Officer, Teacher, etc.
	4	Burglary: Non-dwelling Motor Vehicle, Boat	Assault: Simple, Police Officer, Teacher, etc.	Violation of Drug Laws: All Except Narcotics
	5	Burglary, Business, Commercial Property	Assault, Simple Put in Fear by Physical Menace	Burglary, Business, Commercial Property

any referral that included those two sources was coded as SRO. After excluding any referrals that did not list a referral source, and those that had three or more referral sources or referral sources that could not be categorized in a logical manner (e.g., other, medical personnel, loss prevention personnel), the data analyzed here include approximately 55,101 referrals<sup>1</sup>.

Most studies examining the impact of SROs on the school-to-prison pipeline are unable to tease out the differences in referrals between SROs, school administrators, and police outside of the schools (particularly for those that use arrest data, since only the police can make an arrest). Given the nature of these data, we were able to compare the referrals from each of these three groups by comparing the most common referrals for law enforcement officers that worked outside the school setting (law enforcement only), school administrators (school only), and law enforcement officers that worked in schools (SROs). We present these results in Table 3. Generally, across all types of offenses, referrals from SROs were much more similar to referrals from schools than

**Table 4: Seriousness of Offense by Referral Source with Status Offenses, White and Black Juveniles**

#### White Juveniles

##### *Seriousness of Offense*

<i>Referral Type</i>	<i>Status</i>	<i>Minor</i>	<i>Moderate</i>	<i>Serious</i>	<i>Total</i>
LE Only	1,515 (14%)	2,456 (23%)	3,700 (35%)	3,012 (28%)	10,683
School Only	1,723 (63%)	58 (2%)	585 (21%)	374 (14%)	2,740
SRO	75 (13%)	27 (5%)	285 (49%)	200 (34%)	587
Victim	17 (1%)	451 (36%)	252 (20%)	534 (43%)	1,254
Family	677 (44%)	86 (4%)	467 (30%)	326 (21%)	1,556
DHS	662 (52%)	15 (1%)	452 (35%)	150 (12%)	1,279
Totals	4669 (25.8%)	3093 (17.1%)	5741 (37.1%)	4596 (25.4)	18,099

Chi-Square = 4760 (sig.=.000)

Cramer's V = .296

#### Black Juveniles

##### *Seriousness of Offense*

<i>Referral Type</i>	<i>Status</i>	<i>Minor</i>	<i>Moderate</i>	<i>Serious</i>	<i>Total</i>
LE Only	1,518 (8%)	3,899 (19%)	8,340 (42%)	6,294 (31%)	20,051
School Only	2,043 (36%)	211 (4%)	2,408 (43%)	975 (17%)	5,637
SRO	44 (4%)	66 (6%)	667 (59%)	352 (31%)	1,129
Victim	42 (1%)	1,105 (27%)	441 (11%)	2,526 (61%)	4,114
Family only	1,338 (37%)	162 (5%)	1,219 (34%)	856 (24%)	3,575
DHS only	644 (26%)	22 (1%)	1,353 (54%)	477 (19%)	2,496
Totals	5629 (15.2%)	5465 (14.8%)	14428 (39.0%)	11480 (31.0)	37,002

Chi-Square = 9124 (sig.=.000)

Cramer's V = .287

referrals from law enforcement outside the school setting. In fact, with the exception of the major category where school's second most common referral was contempt of court, the two most prevalent referrals for each category (status, minor, moderate, and major offenses) was the same for both schools and SROs in every category.

In Table 4, we display the results of a cross-tabular analysis comparing the types of offenses by referral sources for both White and Black juveniles. Most referrals, for both White and Black juveniles, were either moderate or serious offenses (37.1% and 25.4%, respectively, for White referrals and 39.0% and 31.0%, respectively, for Black referrals). This was particularly true for referrals made by SROs – more than 80% of their referrals were for moderate or severe offenses for both White and Black students. The differences by race were relatively minor – SROs were slightly more likely to refer White juveniles for status offenses (13% vs. 4% for Black juveniles) and slightly more likely to refer Black juveniles for moderate offenses (59% vs. 49% for White juveniles). For both White and Black juveniles, victims were the most likely source of referrals for minor offenses (36% for White juveniles, 27% for Black juveniles). The largest racial differences, however, were seen in referrals from schools and DHS. For both of these referral sources, White juveniles were much more likely to be referred for status offenses than Black juveniles (63% vs. 36% for schools and 52% vs. 26% for DHS).

Despite some large racial differences across offense types, there were few racial differences across referral types. White and Black juveniles were equally likely to be referred by schools, SROs, families, and DHS, with only slight differences observed in the likelihood of being referred by law enforcement (59% of White referrals, 54% of Black referrals) and victims (11% of Black referrals, 7% of White referrals).

As May *et al.* (2016) suggest, including status offense referrals/arrests in a comparison of referral sources can often be problematic as some sources (e.g., family, schools, DHS) are uniquely positioned to refer youths to the system for status offenses that do not involve law-breaking (e.g., ungovernable behavior/incorrigible, child in need of supervision). To allow for a more direct comparison of referrals for only law-breaking behaviors between SROs and both schools and law enforcement without the interference of status offenses, Table 5 displays the results presented in Table 4 with status offenses excluded. When status offenses are excluded from consideration, racial differences in referrals are dramatically reduced. However, small differences do remain. For instance, White juveniles are more likely to be referred for minor offenses than Black juveniles. This is true for referrals from law enforcement (27% vs. 21%), victims (37% vs. 27%), and family (10% vs. 7%). For SROs in particular, racial differences are nearly identical – we find a less than one percentage point difference before rounding. In contrast to our findings for minor offenses, Black juveniles (46.0% of all Black referrals) are more likely to be referred for moderate offenses than White juveniles (42.7% of all

**Table 5: Seriousness of Offense by Referral Source without Status Offenses, White and Black Juveniles**

<i>Seriousness of Offense- Whites</i>				
Referral Type	Minor	Moderate	Serious	Total
LE Only	2,456 (27%)	3,700 (40%)	3,012 (33%)	9,168
School Only	58 (6%)	585 (58%)	374 (37%)	1,017
SRO	27 (5%)	285 (56%)	200 (39%)	512
Victim	451 (37%)	252 (20%)	534 (43%)	1,237
Family only	86 (10%)	467 (53%)	326 (37%)	879
DHS only	15 (2%)	452 (73%)	150 (24%)	617
Totals	3093 (23.0%)	5741 (42.7%)	4596 (34.2%)	13,430
Chi-Square = 981 (sig.=.000) Cramer's V = .191				
<i>Seriousness of Offense- Blacks</i>				
Referral Type	Minor	Moderate	Serious	Total
LE Only	3,899 (21%)	8,340 (45%)	6,294 (34%)	18,533
School Only	211 (6%)	2,408 (67%)	975 (27%)	3,594
SRO	66 (6%)	667 (62%)	352 (32%)	1,085
Victim	1,105 (27%)	441 (11%)	2,526 (62%)	4,072
Family only	162 (7%)	1,219 (55%)	856 (38%)	2,237
DHS only	22 (1%)	1,353 (73%)	477 (26%)	1,852
Totals	5465 (17.4%)	14428 (46.0%)	11050 (32.2%)	31,373

Chi-Square = 3868 (sig.=.000) Cramer's V = .248

White referrals). This is true for referrals from law enforcement (45% vs. 40%), schools (67% vs. 58%), SROs (62% vs. 56%), and family (55% vs. 53%). The only exception is for referrals from victims – in this case, White juveniles were more likely to be referred than Black juveniles (20% vs. 11%). Lastly, regarding serious offenses, White juveniles were more likely than Black juveniles to be referred by schools and SROs, while Black juveniles were more likely to be referred by victims.

Overall, after status offenses were removed, White juveniles were more likely to be referred by law enforcement, while Black juveniles were more likely to be referred by most other sources. Surprisingly, the smallest racial difference between referral sources was for SROs – 3.8% of White referrals and 3.4% of Black referrals were initiated by SROs.

To begin this effort, we posed three research questions. The first question asked whether Black and White students were referred to the justice system for similar offenses. Based on the data presented here, our findings suggest that the answer to that question is “it depends.” Both Black and White youths were likely to be referred for simple assault, probation violations, shoplifting, and truancy but there were some



differences after that. The most notable racial differences had to do with simple assault (for which Blacks were more likely to be referred) and truancy (for which Whites were likely to be referred). As stated above, in general, White juveniles were more likely to be referred for status offenses than Black youths and Black youths were more likely to be referred for serious offenses.

Our second questions asked whether Black students were more likely to be referred to the justice system for minor offenses. Again, the answer depends on how one operationalizes “more likely to be referred.” In terms of sheer numbers, Black juveniles were significantly more likely than White students to be referred for minor offenses (5,645 Black offenses compared to 3,093 White offenses) and almost three times as likely to be referred to the justice system for moderate offenses (14,428 v. 5,741). However, in terms of proportions, Blacks and Whites were about equally as likely to be referred for minor or moderate offenses.

Finally, our third question asked whether SROs were more likely than other referral sources to refer Black students for minor offenses. The answer to that question again depends on how “more likely” is operationalized. SROs referred more than twice as many Black juveniles than White juveniles for both minor offenses (66 and 27, respectively) and moderate offenses (667 and 285, respectively). However, in terms of the proportion of total offenses referred, SROs and schools were less likely than other groups to refer students to the justice system for moderate and minor offenses for both Black and White referrals.

## Discussion

In this study, we used referrals obtained from the Administrative Office of the Courts in a southeastern state to examine differences and similarities in referrals for both Black and White juveniles and to explore whether SROs were more likely than other referral sources to refer Black students to the justice system for minor offenses. The data analyzed in this paper (all referrals from a statewide juvenile justice system) allow us to dig much deeper into these referrals than most extant research around SROs and SRO practices currently allow. Consequently, the conclusions outlined below provide a unique contribution to discussions of the roles of police in school and the effect that SROs have on the school-to-prison pipeline.

The analyses presented here suggest that, at least in the southeastern state during the years for which we have data for this study, both Black and White juveniles were referred to the justice system for many of the same offenses. For both groups, some combination of simple assault, probation violations, shoplifting, and truancy were four of the six most frequent referral offenses, although there was variation across all types in terms of frequency of referrals. Nevertheless, there were noticeable racial differences

in the types of offenses for which Black and White juveniles were referred to the juvenile courts system. More than one in 10 Black juveniles (11.1%) were referred to the juvenile courts for the crime of simple assault; the most prevalent referral for White juveniles was truancy (9.5%). In general, White juveniles were more likely to be referred for status offenses than Black youths, and Black youths were more likely to be referred for serious offenses. Furthermore, these data also suggest that, at least within the moderately serious crime category, Black juveniles were more likely to be referred to the justice system for “disorderly” crimes. In fact, almost one in six referrals for Black juveniles were for disturbing public school sessions (4.8%), breach of peace (4.0%), failure to comply (3.9%), and disturbing family peace (3.5%). These offenses made up a much smaller proportion of referrals for White juveniles. Consequently, it appears that Blacks are more likely to be referred to the justice system for violent and disorderly crimes than Whites are and Whites are more likely than Blacks to be referred for status offenses.

A second finding that emerged from these data suggests that referrals from SROs look much more similar to referrals from school administrators than referrals from police outside of the school setting. In fact, for minor and moderate offenses (categories most likely to be viewed as less serious offenses by the public, schools, and law enforcement officers), the referral offenses (and their rank order within categories) were identical for minor offenses. Furthermore, the categories were almost identical for moderate offenses (disturbing public school sessions and breach of peace were the two most prevalent offenses for both groups, while marijuana possession and disturbing public peace were in the top five referral offenses in the moderate category for both groups). The only referral offense appearing in the top five for SROs that did not appear for schools was failure to comply, which was the fourth most frequent referral for SROs but the second most common referral in the moderate category for law enforcement officers outside of schools. Thus, referral offenses for schools and for SROs were very similar.

Another research question examined herein revolves around SROs, and whether or not SROs were more likely to refer Black students (as compared to White students) to the justice system for less serious offenses. The analyses presented herein suggest that, in this sample, SROs largely referred students (both Black and White) to the justice system for moderate and serious offenses. In fact, approximately one in three SRO referrals of White (34%) and Black (31%) students were for serious offenses, and approximately half of SRO referrals for White (49%) and Black (59%) students were for moderate offenses. These proportions became even more similar when status offenses were removed from consideration. In fact, after removal of status offenses, SRO referrals largely mirrored those of the school for both White and Black juveniles.

If anything, SROs were less likely to refer juveniles (both Black and White) to the justice system than their law enforcement counterparts outside the school setting where fully two thirds of their referrals (for both Black and White juveniles) were for minor or moderate offenses.

An alternate explanation might exist. It is possible that SROs are “inflating” the offense for Black (but not White) students. In those scenarios, Black students might get in trouble at school for a lesser offense (e.g., defiance of authority that might be charged for White students as disorderly conduct or disturbing the peace but something more serious for Black students). The fact that failure to comply was one of the top five referrals for SROs but not for schools suggests this might be possible, but the referral data used here do not allow us to make an informed argument whether or not that is the case. Further research (much of which might be qualitative) is necessary to understand this finding.

The unique nature of the data analyzed here also allows us to uncover other important findings. Despite the fact that over half (52%) of students enrolled in public school in the state under study here were Black (after removing all students whose race is other than Black or White) (Mississippi Department of Education, 2023), Black students were still disproportionately represented in SRO referrals (68% of all SRO referrals were for Black students). However, the disproportionality was less for SROs than for schools (77% of all referrals were for Black students) and was roughly equivalent to referrals by law enforcement officers outside of schools (66.9%). Thus, as May *et al.* (2016) have previously argued, these findings suggest that the increased presence of Black students in the school-to-prison pipeline is a school issue, rather than an SRO issue.

The findings presented here thus confirm those of previous studies using referral data (May *et al.*, 2016). Schools play a more important role in shaping the school-to-prison pipeline than do SROs, although SROs are certainly not blameless in this regard. When using referral data including status offenses, SROs are more likely than schools to refer juveniles to the justice system for moderate and serious offenses and schools are much more likely to refer students for status offenses. Consequently, if schools were able to deal with truancy (the most frequently referred status offense for both Black and White juveniles) by diverting them to programs other than the justice system, this would significantly reduce the number of youths involved in the justice system.

Our findings also mirror those of May and his colleagues that reveal that law enforcement officers outside of school refer juveniles for less serious offenses than SROs. Thus, as May *et al.* (2016) suggest, in jurisdictions where SROs are not present in schools, school officials call law enforcement for minor offenses and the arriving law enforcement officer makes the referral for the minor offense instead of the school.

In fact, referrals from victims and families also are higher than referrals from SROs for minor offenses, even after status offenses are removed from consideration. Future research should continue to explore these situations to offer better explanations than those provided here for the divergent findings that appear to exist when referral data are used.

### Limitations

There are a number of limitations to this study. First, the referral data used herein do not include any measures of school characteristics. Thus, we do not know the characteristics of the schools (e.g., enrollment, urbanicity, racial heterogeneity) from which the referrals involving schools or SROs emerged. Future research should consider these school characteristics, as these are likely important variables in mediating referrals and their sources. Additionally, May (2014) argues that SRO characteristics are extremely important in predicting how they will handle various situations with students. Because the data analyzed here only allow us to distinguish between SROs and other sources, we were unable to control for any of the SRO characteristics that might influence these referral decisions (e.g., years in law enforcement, education, gender). Consequently, future researchers should examine SRO characteristics to determine if these characteristics affect SRO decisions on (1) whether or not to refer a student to the justice system in general, and, more specifically, (2) whether SROs with certain attributes (e.g., males, college graduates) refer students for less serious offenses than SROs without those attributes. Additionally, the data are from one state over a three-year period. Consequently, any generalization outside of this state or time period should be done with caution. Future researchers should examine longitudinal data over several years to determine if referrals vary by time and, if they do, what factors might influence these changes. Finally, the data included in this study are purely quantitative data. As suggested earlier, interviews and focus groups of SROs, students, and school administrators are needed to better understand the decision-making processes behind referrals and their outcomes. Despite these limitations, however, we believe the findings presented here provide more nuance to the discussion about the role of SROs in expanding the school-to-prison pipeline, despite these limitations.

### Conclusion

In sum, then, this research may have raised more questions than answers. Our findings, at the very least, suggest that Blacks were disproportionately referred to the justice system by all referral sources, not just schools and SROs. In fact, 7 in 10 referrals in the three years under study involved Black students, a proportion much higher than the 52% of students that were Black enrolled in public schools. The findings regarding the

referral sources are less clear but the evidence suggests that SROs were no more likely than other sources (and perhaps less likely than many) to refer students to the justice system for minor offenses. While this finding somewhat contradicts extant research, this is one of only a limited number of studies to be able to distinguish the source of referrals to the justice system to examine this topic. Based on the findings presented here, researchers should continue to develop better measures of entrance into the justice system and sources that have sparked that entrance before arguing for the removal (or addition) of SROs in the school environment

### Note

1. Other referrals with multiple sources include (a) both DHS and law enforcement, which was categorized as Law Enforcement since they have the final say in determining whether to make an arrest or take informal action, (b) both family (e.g. relatives, parents, other family members) and law enforcement, which was categorized as Family since these referrals would not have occurred had the family not reported the situation to law enforcement, and (c) both victim and law enforcement, which was categorized as Victim since those referrals also would not have appeared had the victim not contacted law enforcement to make them aware of the offense.

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