



**San Marcos Police Department**  
Stan Standridge | Chief of Police

Bob Klett  
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Monday, September 13, 2021

Mayor and Council,

On August 16, 2021, the San Marcos Consolidated Independent School District Board of Trustees met and unanimously approved the School Resource Officer Program Interlocal Agreement. The Department currently provides (5) School Resource Officers (SROs) to the District, and they are supervised by a Police Sergeant. Council members expressed concerns with the interlocal agreement (ILA), so this memorandum serves as a formal response.

Section 1.0 enumerates goals and objectives. The section does not stipulate that these goals and objectives are in order of importance.

Section 2.5 governs reassignment to another campus or removal from the program. An SRO may be reassigned because he or she may not be a good fit for the campus. Case in point: one of the five campuses is a DAEP campus, meaning it is a disciplinary alternative education campus. This campus poses many difficulties, so Police Administration retains the authority to move officers to various campuses to ensure they are a good fit and fully supported by the onsite school administrators. We also reserve the right to remove SROs from the program if that best serves the needs of the Department and/or District.

Section 5.4 provides a duty of an SRO, with the expectation that they “counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when the officer deems it necessary or it is requested by the Principal...” Given that counsel is defined as advice, it is reasonable and necessary for SRO’s to provide guidance regarding matters of criminal misconduct. A school counselor is not qualified to provide such counsel, and they are not legally obligated to under Texas Education Code 37. I encourage all Council members to review Chapter 37. The Department does not believe that SRO’s are licensed professional counselors, but the Department does believe that SROs should:

- Bridge the gap between law enforcement and students
- Increase positive attitudes toward law enforcement
- Teach the value of our nation’s legal system
- Promote respect for people and property

- Reduce juvenile crime by helping students formulate an awareness of rules, authority and justice
- Teach students how to reduce the likelihood of becoming a victim of crime

In 2013, the State Legislature prohibited the issuance of Class C citations for persons 17 years of age or younger. The bill was sponsored by Senator Royce West in an effort to decriminalize minor behavior in schools. The Department's SROs are not involved in school customs or discipline. They do not enforce violations of school rules related to the student code of conduct. The school utilizes a disciplinary matrix when deciding matters related to violation of their code of conduct. The Department is not part of that decision making, but instead makes independent decisions after consultation with Juvenile Probation and an Assistant District Attorney. Additionally, officers are prohibited by law from inquiring about immigration status, pursuant to *Plyler V. Doe* (1982). I did not understand the contextual reference made by Mr. Baker, but immigration status is irrelevant.

I am not aware of any allegations of sexual abuse at the hands of current SROs. There are no outstanding allegations of misconduct regarding them. As for racially disparate treatment of students by SROs, it is important to distinguish between ISD discipline and criminal investigations / prosecutions. Information related to children under the age of 17 is strictly confidential regarding criminal matters. I spoke to Juvenile Probation on September 7, 2021, and learned that they have a Probationary Supervisory Caution. This is not a "written program", but instead allows Probation to offer rehabilitative classes in lieu of probation. This does not apply to assaultive offenses, and ADA Alexandra Williamson must approve all felony referrals to the program. Lastly, Juvenile Probation has a sex offender program, mental health program, and a general offender program. All are designed to rehabilitate youth in accordance with the Family Code. Probation reports (5) Hays County youth have been sent to the Texas Juvenile Justice Department (formerly TYC) for confinement from 2015-2020. Four of them were charged with murder.

Councilwoman Derrick expressed concerns that the ILA articulates minimum expectations and not maximum. As I said during the Council meeting, these five officers have a combined 16,736 training hours. The ILA is meant to set forth the specific terms and conditions of the services to be performed and provided by SROs, versus the individual officers assigned and their extensive training hours. The Department retains discretion to assign personnel to meet agency and District needs.

Councilwoman Garza wanted a survey conducted of the students regarding the program. I will work with the Superintendent to determine if he and the Board of Trustees are supportive of said survey. Additionally, if there is a group of citizens organizing to express their concerns about the program, it is my hope that they will be specific and provide their written complaints (as required by law – Texas Government Code 614.022) in a timely manner that allows the Department to investigate these matters.

The *President's Task Force on 21<sup>st</sup> Century Policing* suggests reviewing the use of school resource officers to ensure that the use of SROs is not increasing the school-to-prison pipeline but providing effective alternatives to incarceration through constructive interventions. Our SROs regularly work with Communities in Schools, regularly pursue a first offender program that diverts first offenses from Probation, and mentor students on how not to be victimized by crime. In conclusion, this ILA comes at the request of SMCISD. They serve in loco parentis, and they are charged with the care of all students. They have the most intimate knowledge of student and staff needs, and they voted unanimously to approve the ILA because they support peace officers on campus. I support their belief that SROs are a positive addition to the safety and wellness of campus students and staff.

This memo is intended to address some of the specific concerns expressed by Council members during the September 7, 2021, meeting. It is provided in advance of the work session scheduled for October 19, 2021, in hopes of helping Council prepare their questions or concerns for staff prior to that meeting. It is our hope that individual Council members will share their questions or concerns needing to be discussed at the upcoming work session in advance so that staff may prepare adequately for the work session. Those may be communicated directly to Director Stapp and Chief Standridge.

Respectfully,

Stan Standridge

cc: CMO