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NYCLU, Local 237 Clash Over School Safety Suit

Alleges Agents Abuse Students
By DAVID SIMS



GREGORY FLOYD: Members being unfairly trashed.

The New York Civil Liberties Union Jan. 20 renewed its campaign against School Safety Agents with a class-action lawsuit that seeks system-wide reform in the Police Department's School Safety Division, a move Teamsters Local 237 President Greg Floyd dismissed as "political."

The NYCLU has for years pushed for passage of the Student Safety Act, a City Council bill that would make data on abuses by School Safety Agents easier to access and would streamline the process for complaints against them. Its lawsuit cites five specific cases of alleged abuse and calls for broad reforms of School Safety from the Federal courts.

'They Wouldn't Abuse Kids'

Mr. Floyd said that the NYCLU was barking up the wrong tree in a phone interview. "School Safety Agents are 90 percent African-American and Latino. Of that 90, 70 percent are women who have children in the same school system that they are paid to protect," he said. "The notion that this group would abuse children. . . it does not happen."

He suggested that many of the complaints against School Safety Agents, which number more than 1,000 per year according to the NYCLU, were invented. "We're going to have to go to court, and everyone is going to have to testify, and they're going to have to prove their cases; no more anecdotal stories," he said. "We're talking about individuals who have families, who go to work and make an honest living, who are being trashed by this group continuously."

Catherine Y. Kim, a staff lawyer for the American Civil Liberties Union, said that the complaint rate averaged out to one complaint for every five School Safety Agents, but Mr. Floyd dismissed that claim. "On a daily basis, our SSAs interact with over one million children. This is a low percentage of confrontation if you take into account how many encounters we have to have on a weekly basis with children," he said.

NYCLU: Conscience-Shocking

NYCLU Executive Director Donna Lieberman said that "the abuses documented in this complaint shock the conscience," calling the large volume of complaints "the product of a policy and practice of the City of New York, the Mayor and the Police Department."



CLAIM 'AGENTS' OUT OF CONTROL: New York Civil Liberties Union Executive Director Donna Lieberman (center) announces her organization's class-action lawsuit against the Police Department over incidents of alleged brutality by school security personnel. On the right is one of the students in the suit, whose name was withheld. She was handcuffed and detained by School Safety Agents for waiting outside her school for her mother after she was harassed by older students, according to the NYCLU.

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She also pointed to the high number of complaints as particularly incriminating given that “nobody knows how to file a complaint, and there’s no published way to do so.”

While the lawsuit takes a different tack to the NYCLU’s campaign to pass the Student Safety Act, which it claims has a majority of support in the Council but has still never been voted on, she admitted that she was looking “to increase the likelihood that the City Council will do what it’s supposed to do and protect our kids.”

Among the cases cited in the lawsuit, where the children’s names are kept anonymous, a 6th grader at Hunts Point School in The Bronx who drew on her desk with a marker was handcuffed, perp-walked, taken to the security office and given a pat-down search, and then taken to the local police precinct, where she was handcuffed to a bench.

Beaten for Resisting Search?

Another student alleges that he was accosted and beaten by School Safety Agents after being sent out of class for passing a cell phone from one friend to another. He was punched five times for allegedly resisting a search and was treated in the hospital on the same day.

“Aggressive policing is stripping thousands of New York City students of their dignity and disrupting their ability to learn,” Ms. Lieberman said. “The NYPD refuses to even acknowledge any problems with its school policing practices. We are confident that the courts will compel muchneeded reform.”

The suit demands that the Federal Court “develop a transparent and meaningful mechanism to file complaints against members of the School Safety Division,” as well as developing guidelines to ensure children are not inappropriately arrested, give school administrators more power over their School Safety division, and improve the training process for School Safety Agents “with respect to the use of the power to seize and arrest.”

Mr. Floyd said that the NYCLU’s ultimate goal was to have School Safety taken from the NYPD and put back in the hands of the Department of Education, which controlled it until the second term of the Giuliani administration.

The Teamster leader added the NYPD was a much more structured agency than the DOE when it came to overseeing School Safety Agents. “In the past, the DOE would just take the Agent, put them in a room and leave them for a couple of years, a rubberroom type thing,” rather than the NYPD’s more formal discipline practices, he said.

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