

## Kami L. Lynch

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**From:** Todd L. Thomas  
**Sent:** Monday, April 1, 2019 1:32 PM  
**To:** Bob Baker; Cathy Spears; Christine Williams; Christopher Croatt; Curt Konetzke; Ed Baranowski; Joe Martin; Kathleen Plank; Keir Dvorachek; Kyle Lobner; Matthew Reed; Patti Coenen; Rachel Raasch; Vered Meltzer; William Siebers  
**Cc:** Kami L. Lynch; Tim Hanna; Darrin M. Glad; Mike Frisch  
**Subject:** Council Packet Amendment - Truancy Resolution  
**Attachments:** Truancy Resolution.pdf

Council Members;

Attached is a late addition to your council packets, this was speaking points from the Safety and Licensing Committee meeting regarding the Truancy Ordinance Resolution.

This is only being provided to give you the department's opinion on what the impact will be of approving or denying this resolution.

One point to clarify, when I speak of "criminalizing", it is in the context of juvenile law; a juvenile can't be charged with a "crime" for truancy, but a juvenile referral is done under state statute, and not a city ordinance, and is generally considered more severe.

Feel free to contact me with any questions or if you need any more information,

Thanks

Todd

**Todd L. Thomas**  
**Chief of Police**

**Appleton Police Department**  
**222 South Walnut Street**  
**Appleton, WI 54911**  
**920-832-5512**  
[Todd.thomas@appleton.org](mailto:Todd.thomas@appleton.org)

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This is a very complicated and important issue so I put together a document of our thoughts and will share it with the rest of the council and make sure it is in their packets for next week.

**We all know the impact of truancy on a child and the community.** Short term effects are increased delinquency and criminal behavior, and a lack of mental health or other services being provided to them because most of them don't have any other services outside of the school. And long term effects like poor physical and mental health, poverty, and a higher risk of addiction and incarceration.

**I know we all want the same thing:** We all have the same goal: that is to help struggling kids to be successful and engaged in school, their families engaged in their lives, breaking family cycles of educational failures, and keeping them out of the criminal justice system as much as possible.

**But this resolution will actually do more harm than good, and will do the opposite of what I think is intended, our strong recommendation is to not approve this resolution.**

There is currently a task force put together by the SD that is reviewing their processes and programs, and will be making advisory recommendations on truancy abatement. That group includes parents, students, and a police department representative. They should be allowed to develop a plan based on unbiased data and best practices, before any decisions are made.

**One of our questions is, what problem are we trying to solve with this change?**

If it is to “decriminalize” truancy and contributing to truancy – in an effort to keep kids out of the criminal justice system, it doesn't do that. It is the law in WI, that doesn't change. In fact, if this resolution passes it will eliminate one of the lowest levels of sanctions we have available, a ticket, that we use to try and engage parents and kids, and replaces it with a criminal referral to circuit court or a juvenile intake referral.

This is destructive in two ways:

#1 it accelerates them into the CJ system: and #2 It would then take weeks and even months for a student's attendance issue to be addressed. The referrals will sit in a stack in an already overworked intake worker or assistant district attorneys desk, and the student will continue to be truant.

One of my more experienced SRO's told me that before we had truancy citation options the referrals went in front of a court commissioner. In her words, "this was unhelpful because the goal was to get their children in school now, not four months down the road." The data has shown that the longer a child is out of school, the harder it is to get them back connected again.

**One of the other comments that have been made is that this is a SD issue:** I would hope that we have learned that collaboration and multi-disciplinary approaches are the best way to solve complex social and criminal problems. Truancy is not a school district issue, that philosophy is outdated and has failed: truancy is a community issue that needs a multi-disciplinary approach to it.

That is what we have done in Appleton, through partnerships with the SD, Boys and Girls Club, social workers and mental health providers, non-profits and faith based organizations, and the courts.

Truancy is frequently a result of other problems, and the cause of many additional problems including involvement in the criminal justice system. And like other issues involving children there are a lot of contributing factors to truancy: school factors, home and community factors, and personal factors. And there is not only one group responsible to solve it, we all need to be involved.

Another argument I have heard from a community member who is advocating for this change is that if a child doesn't want to go to school we shouldn't make them; they are just disrupting it for the rest of the students. We have heard those comments before, our answer to that is we don't have any throw away kids in this community, we need them all to succeed.

### **Why do we need this tool in our tool belt? It comes down to Rewards and timely Consequences**

What we know, based on data and reputable studies, is that we need a wide range of options to address truancy and keep our kids engaged in school, which includes sanctions and consequences. (National Center for School Engagement, NEA, Office of Juvenile Justice Delinquency Prevention).

And rewards alone do not always work, much like the rest of our society, there is always a small group that needs consequences to conform. Almost all the studies I have seen going back almost 15 years that I've been involved in this specific area of truancy abatement, talk about the importance of rewards and consequences – some call it the carrot and the stick. The focus has been and should always be on

positive reinforcement and connecting with kids, but there are always some students, and frequently parents, who are not motivated until they know they know there may be a court consequence.

Since Truancy Court was halted we stopped issuing citations while we are in this review period, to allow the SD Task Force to develop their new process. We have already noticed an increase in truancy.

An SRO in a high school told me this just this week, “ we are already seeing what the consequences of not having Truancy enforced are. Just in the last week the Dean of Students and Associate Principal...were commenting on how the number of pages of students with Truancy issues has multiplied a couple times over.” “If this ordinance is eliminated we will continue to see a rapid decline in school attendance.”

An elementary school SRO shared with me the following, “Since we have stopped enforcing the truancy/contributing to truancy ordinances and statues, I have seen an uptick in the lack of compliance with the law. I have also heard, on many occasions, parents state that they are not making their kids go to school anymore because there are no consequences for them being truant.”

A school administrator told me today, they have high school students who are brazenly telling staff members that they aren’t going to class because they know they are not enforcing truancy anymore.

That’s the reality and the consequence of eliminating what we had in place with nothing in place to fill the void. That is the path we are on now, and it only took a couple months.

**So how had we been doing? How do we compare to others and is the perception of the problem bigger than the problem?**

The most recent data from WI Dept. of Public Instruction website and performance report is from 2015-16 school year. Looking at the top ten school districts in the state (not including Milwaukee) Appleton, Eau Claire, GB, Sheboygan, Janesville, etc.. The average Truancy Rate is 10.2% - Appleton’s is less than half that, 4.8% ...the lowest in the top 10 and significantly lower than the rest. The majority are 10-14%, and ours has gone down since we have had the systems in place that we had and is the only one under 5%. That should be recognized, we are doing things that are making our rates significantly better than our peers.

**What we do, and how the citation is used, is very misunderstood. There are many steps that are followed before a citation is issued.**

The SD, SRO, and school social workers are all involved at various times with the student and family when a student is identified as being truant. Frequently that means home visits and repeated calls or meetings with the student and their parent.

**Before citations are issued a Truancy conference is held** with the student, parent, guidance counselor, and any special education case managers. They follow an agenda and checklist that asks about possible schedule changes, any IEP's, is there a social worker, is there a mental health plan, do they have medical or aoda concerns, are they involved in the Boys and Girls Club TRAC program, do they have concerns with peers, do they have transportation concerns, housing concerns, child care concerns, or grade concerns.

So a perception that citations are issued frequently and randomly, and that we are not focusing on the root causes and trying to understand the issues, is absolutely false and is unfair to all those social workers, SRO's, mental health providers, and teachers who are working compassionately to help these children succeed.

We only issue around 100 citations a year for truancy violations, this for an enrollment of over 15,000 kids. And I am sure many of those are issued to multiple siblings in the same family. So the actual number of families is much less.

In 2015-16 there were 730 students who were habitually truant, we also know there were thousands of other days students were truant. What that means is it is very rare to issue a citation, even to those kids who are habitually truant. Only 100 citations, but over 700 kids who were habitally truant.

And when they are issued they are very frequently used as a tool and held over the head of the child or the parent. They reach an informal agreement with the SRO that they will vacate the ticket if the child can attend for so many days...so it is frequently used as positive re-enforcement for good behavior.

### **When it comes to the Accuracy of Information**

There is a lot of in accurate information out there now about truancy. What I would remind everyone of is that when we hear stories about truancy, you are only hearing one side because the other side isn't allowed to disclose what may or may not be true. There has been a lot of incomplete information, but we have no

recourse to address it or correct the narrative. It is unfortunate that opinions are being formed on inaccurate information.

I appreciate those that have been very vocal on the topic locally, but we must keep in mind that our paradigms and perspectives are shaped by our own experiences. If you only work in a certain area, whether that's social work or the law enforcement side, that is your perspective, we all need to keep that in mind.

That is why we should look to best practices - and all the best practices will tell you that you need some court consequences for that small number of students and their families. Not having that will guarantee more students dropping out and perpetuating that cycle in many of their families. It is a form of a safety net; to try and keep those kids that nothing else works for, back to school. To eliminate this option will guarantee a higher truancy rate and we know that leads to a higher propensity to become involved in the CJ system.

**Data takes the emotions out of decision making**, and with all the discussion locally on this topic I haven't seen a lot of data. I shared with you the data on truancy rates, lowest in the state for comparable school districts, and data on the number of citations we actually issue; a miniscule amount considering the number of students actually truant, and the actual checklist and process that is followed to identify all those other contributing factors affecting a child before a citation is issued.

Some other important DATA - When I became Chief in 2015 we rolled out a 5 pillar initiative to engage our strategic plan. One of the pillars was Youth Intervention and Mentoring: working on opportunity gaps, and clarifying the roles of the SRO in the schools to not criminalize behavior and promote a philosophy of delaying contact with the criminal justice system as long as possible, and only if needed. Since then our number of yearly juvenile arrests has gone from 984 to 549...in 2017 dropped 14.8%, 2018 dropped 8.2%...since 2015 dropped a total of 44%...that isn't an accident that is an intentional philosophy.

Summer of Service – around 70% of those students are there because they had truancy and habitual truancy citations and community service they were working off. We all know how successful that program has been, they would not have been in that program if they had not be facing consequences and sanctions.

This is an important tool used to address truancy and decisions on how to address it that shouldn't be rushed. It needs to be a process that is done deliberately, with

educational professionals, social workers, mental health providers, law enforcement, and families involved. That is being done now with the task force formed by the SD. We need to allow them to finish their work