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[Kindergartener Handcuffed For Misbehaving In Class](#)

Posted on Monday, 28 of January , 2008 at 4:40 pm

NEW YORK—The New York Civil Liberties Union has expressed outrage over the treatment of a 5-year-old who was handcuffed for misbehaving in his kindergarten class, saying the incident illustrates the severity of what can happen when discipline is pulled from the hands of educators and taken over by the NYPD.

Denis Rivera, who suffers from speech problems, asthma and attention deficit disorder, threw a temper tantrum in his kindergarten class at Public School 81 in Queens, according to reports in the Daily News. Rather than calling the boy's parents, a school safety agent handcuffed the boy's hands behind his back as if he were a criminal.

"This should be a wake-up call to the mayor, the City Council and the Department of Education: There is a crisis in our schools," said Donna Lieberman, executive director of the NYCLU. "Once upon a time it would have been unthinkable to imagine a five-year-old in handcuffs, but since school discipline has been turned over to the NYPD, behavior problems have turned into criminal matters, and youth of color and children with disabilities are paying the price."

Since taking control of school safety in 1998, the NYPD has assigned more than 5,000 school safety agents and at least 200 armed police officers to the city's public schools. This massive presence would make the NYPD's school safety division the fifth largest police force in the country – larger than Washington DC, Detroit, Boston or Las Vegas.

Sadly, the over-policing of schools often puts students at risk. As documented in the NYCLU's recent Criminalizing the Classroom report, students say that school safety agents often abuse their authority, act belligerently and disrespectfully, and provoke students into confrontations.

There is no effective mechanism to hold school safety agents accountable for this misconduct, and the lack of oversight of police personnel in schools allows abuse to occur unchecked. Even with no effective process to report misconduct, the NYPD received more than 2,700 complaints since 2002 about police abuse in schools.

"It's time for a major overhaul of school discipline practices and the restoration of the nurturing educational environment our children need in order to learn and thrive," Lieberman said. "The Student Safety Act is an important first step toward this goal."

The Student Safety Act would require quarterly reporting by the Department of Education and NYPD to the City Council on school safety issues, including incidents involving the arrest, expulsion or suspension of students. It would provide the public with raw data to study the impact of disciplinary and security policies and practices, and encourage the crafting of more effective policies.

The act also would extend the jurisdiction of the Civilian Complaint Review Board to include complaints of misconduct levied against school safety agents, NYPD personnel assigned to provide security in the schools. More than 5,000 school safety agents are assigned to the city's schools, but there is currently no meaningful mechanism for parents and students to report safety agent abuse.

This act is supported by organizations such as Advocates for Children, Correctional Association, Make the Road New York, National Economic and Social Rights Initiative, New York Civil Liberties Union, Teachers Unite, the Urban Youth Collaborative and Children's Defense Fund – New York. 1-28-08

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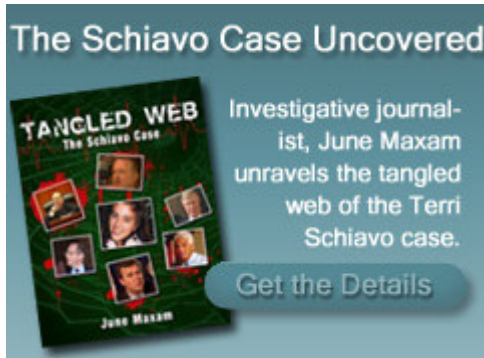
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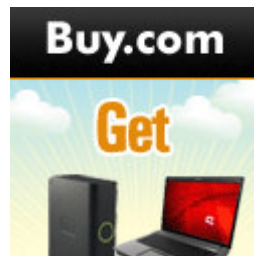
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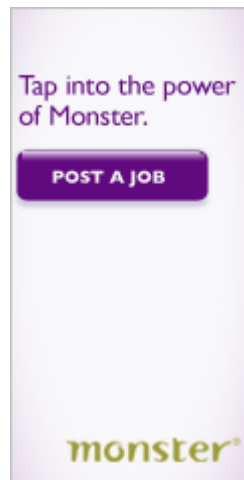
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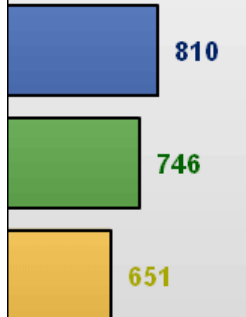


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