



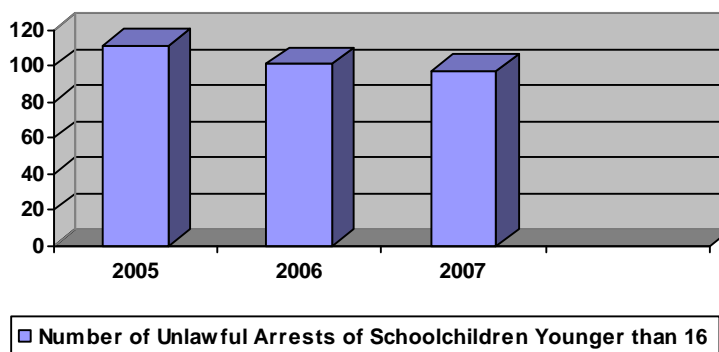
UNLAWFUL ARRESTS OF SCHOOLCHILDREN AT NYC PUBLIC SCHOOLS

New York State law protects children younger than 16 from being arrested at school for minor non-criminal violations such as trespassing or loitering; such conduct does not even amount to a misdemeanor under the law. Acknowledging the stigma and trauma that result from being taken out of the classroom by law enforcement, handcuffed, and hauled to the precinct, the law protects children younger than 16 from being arrested in these circumstances.

Yet, data obtained from the NYPD for 2005 through 2007 demonstrate that police officers routinely violate this right, arresting children as young as eleven years old from our public schools for non-criminal offenses.

Number of children younger than 16 unlawfully arrested at school for non-criminal violations

	2005	2006	2007
Disorderly Conduct	30	21	6
Harassment ¹	17	25	27
Loitering	0	1	0
Possession of Marihuana	24	27	27
Trespass	38	25	37
Fireworks	2	2	0
TOTAL	111	101	97



¹ Depending on the degree, an offense for harassment may qualify as a non-criminal violation for which a child younger than 16 may not be arrested, or it may qualify as a misdemeanor for which a child younger than 16 may permissibly be arrested. Because the NYPD data did not distinguish between degrees of harassment, this analysis assumes that the incidents of harassment were non-criminal violations.