

**Committee:** Legal Committee (GA6)

**Issue:** Establishing a legal framework for the use of proactive policing in educational institutions

**Student Officer:** Spyros Chronis

**Position:** Co-Chair

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## PERSONAL INTRODUCTION

Dear Delegates,

My name is Spyros Chronis, am 15 years old and a 10th grade student at the German School of Athens and I have the honor to serve as one of the co-Chairs of the Legal Committee (GA6) in the 6<sup>th</sup> annual ACGMUN conference. To begin with, I would like to congratulate you on your participation at ACGMUN. ACGMUN is a conference that will provide you the opportunity to not only expand your knowledge of international affairs and relations but help you propose realistic solutions and debate them. Seeing as this is the Legal Committee, you will specifically have the chance to examine legal matters and work out solutions towards an international security regime.

The purpose of this study guide is to introduce you to the issue of "Establishing a legal framework for the use of proactive policing in educational institutions". Even though this study guide will offer you an outline of the topic, you must research the topic furtherly, so that you are sufficiently prepared. To that end, you shouldn't only familiarize yourself with your country's policy on the topic at hand, but also other countries' policies that are alliances to your country and are heavily involved in the issue and general progress on the matter up-to-date. Finally, in order to be fully prepared for the upcoming conference, you may find the Rules of Procedure on the official website of the conference. Your work in this upcoming conference will be demanding since we will be debating upon challenging topics that need the fullest extent of preparation through reliable sources for your work. Ultimately, if you are thoroughly prepared and actively participate on all days of the conference, I can guarantee that the ACGMUN conference will be an unforgettable experience for all.

Providing that any question arises concerning this topic, the rules of procedure or anything having to do with the GA6, do not hesitate to contact me via email at [spyroschronis0@gmail.com](mailto:spyroschronis0@gmail.com).

I look forward to meeting you all!

Kind regards,

Spyros Chronis

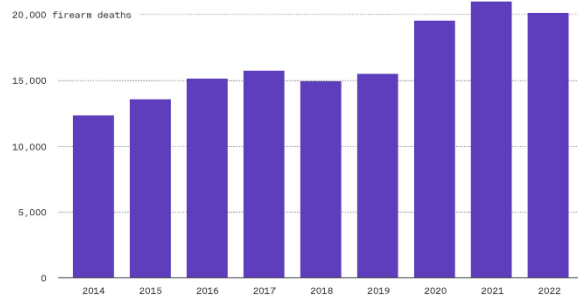
## TOPIC INTRODUCTION

Proactive policing, also known as community policing, is a strategy that aims to prevent crime and maintain public safety by building relationships between law enforcement and the community, in this case in an educational institution's community. In recent years, there has been a growing interest in applying this approach to educational institutions, such as schools and universities, seeing as gun violence and crime rates have significantly risen in the past years in major cities with educational institutes being the targets of such violence. The precedent was set by major US cities facing crime in communities and gun deaths tolling over 20,000 in 2021 and just over 20,00 last year.<sup>1</sup>

However, the use of proactive policing in educational institutions raises several legal and ethical concerns that must be addressed in order to ensure that the rights and well-being of students, staff, and community members are protected. Establishing a legal framework for the use of proactive policing in educational institutions is essential to ensure that these efforts are effective and fair and align with border goals of social justice and equity. This topic will explore apart from the abovementioned the key legal and policy issues related to proactive policing in educational institutions, including the scope of law enforcement power, the rights and responsibilities of school officers, and the potential impact on student and community well-being. With a plethora of different issues arising in the legal system of every country, lawmakers and policing organs must learn to cope with them and find solutions. In the modern era with the progress of human rights and the uncertain nature of tomorrow educational institutions are brought to the limelight and give hope to new generations of citizens. Educational systems may differ from country to country, but all share the same goal: smoothly transitioning students to new citizens that are aware of all rising issues and are prepared to tackle them and the instability of our society.

### Gun deaths declined slightly in 2022

The Gun Violence Archive recorded slightly fewer **gun deaths**, excluding suicides, in 2022, after 2021 recorded more gun deaths than any year since the archive's founding.



THE TRACE

Source: Gun Violence Archive

Figure 1: Statistics on gun deaths in the United States from 2014-2022 by THE TRACE

<sup>1</sup> Brownlee, Chip. "Gun Violence in 2022, by the Numbers." The Trace, 30 Dec. 2022, <https://www.thetrace.org/2022/12/gun-violence-deaths-statistics-america/>.

The guiding principles of proactive policing must diminish the public's fear of crime by maintaining a visible and proactive police presence in neighborhoods that will also discourage crime and criminal activity. Police officers must actively enforce the law in such settings, even for minor offenses and violations. This means, that young people will learn the role of the law and from early on will understand that their actions have impacts and thus, in the future, more serious crimes will be avoided thanks to this. Priority setting, strategic planning, and the use of strategic planning tools are all part of modern policing and the fight against organized crime.

## **DEFINITION OF KEY TERMS**

### **Proactive policing**

The need of law enforcement so as to prevent a crime before it takes place. Proactive policing is the strategical work of the police that law enforcement agencies apply to stop a crime in a particular area.

### **Reactive policing**

The need for law enforcement after a crime has been reported. Compared to proactive policing, reactive policing is a more distinct and standalone system of law enforcement. In reactive policing, a law enforcement organization patrols wait for a crime to be reported and responds to the need for assistance in their community.

### **Criminal justice**

The system of law enforcement, involving police, lawyers, courts, and corrections, used for all stages of criminal proceedings and punishment.

### **School Resource Office (SRO)**

Specially trained police officers who are assigned to work in schools. They may be responsible for a wide range of duties, such as providing security, teaching classes on crime prevention, and mentoring students.

### **Community policing**

The practice of assigning police officers to specific areas for them to become acquainted with the locals.

### **Marginalized communities**

Marginalized groups and communities face discrimination and exclusion (social, political, and economic) because of unequal power dynamics across economic, political, social, and cultural dimensions.

## **BACKGROUND INFORMATION**

### **Historical Background**

Proactive policing in educational institutions has its roots in the 1960s and 1970s when concerns about crime and violence in schools began to rise. In response, many schools and universities began to establish their own police departments or hire private security firms to provide protection and security on campus.

One of the first major efforts to establish a legal framework for proactive policing in educational institutions came in the form of the Gun-Free Schools Act of 1994. This law, which was passed as part of the larger Violent Crime Control and Law Enforcement Act, mandated that schools receiving federal funding must have a zero-tolerance policy for firearms on campus and that any student found to be in possession of a firearm must be expelled for at least one year.

In the years that followed, several other laws and policies were put in place to further strengthen the legal framework for proactive policing in educational institutions. These included the Campus Safety and Security Act of 2000, which required colleges and universities to disclose crime statistics and emergency plans to the public; the Higher Education Opportunity Act of 2008, which mandated that colleges and universities have emergency response plans in place; and the Clery Act, which requires institutions of higher education to publicly disclose information about crime on and around their campuses.

In addition to these laws, many states and localities have also enacted their own regulations and guidelines for proactive policing in educational institutions. These can include policies on the use of force, training requirements for campus police officers, and procedures for responding to and reporting crimes on campus.

Overall, the legal framework for proactive policing in educational institutions has evolved over time to reflect growing concerns about crime and violence in schools, as well as the need to ensure the safety and security of students, faculty, and staff.

### **Geographical Background**

Proactive policing in educational institutions is a complex issue that is affected by a variety of factors, including geography, culture, and local laws. The legal framework for proactive policing in educational institutions varies from country to country and even within regions within a country.

In the United States, for example, the legal framework for proactive policing in educational institutions is established at the state and local levels. Each state has its laws and regulations regarding school security, and local school boards are responsible for implementing these laws. Some states have laws that require schools to have

resource officers (law enforcement officers assigned to schools) while others do not. Additionally, some states have laws that allow teachers and staff to carry firearms on school grounds while others do not.

In other countries, the legal framework for proactive policing in educational institutions is established at the national level. For example, in Canada, the federal government sets guidelines for school security, but it is up to each province and territory to implement these guidelines. In some countries, like the United Kingdom, schools do not have resource officers, and the responsibility for security is primarily the responsibility of school staff.

Geography also plays a role in establishing a legal framework for proactive policing in educational institutions. In urban areas, schools may have more resources and police presence compared to rural areas. Additionally, in areas with a history of violence or crime, laws may be stricter, and schools may have more security measures in place.

In summary, the legal framework for proactive policing in educational institutions varies based on geography, culture, and local laws. It is important for schools and law enforcement agencies to work together to establish a legal framework that is effective and appropriate for their specific community.

### **The social and cultural factor**

Proactive policing in educational institutions is a complex issue that is influenced by a variety of social and cultural factors. These factors include the historical relationship between law enforcement and marginalized communities, the role of schools in promoting safety and security, and the impact of societal attitudes towards crime and punishment.

One important social factor that affects the establishment of a legal framework for proactive policing in educational institutions is the historical relationship between law enforcement and marginalized communities. Historically, law enforcement agencies have been criticized for disproportionately targeting and criminalizing members of marginalized communities, particularly communities of color. This has led to mistrust and skepticism towards law enforcement among these communities, making it difficult to establish a legal framework for proactive policing in schools that are perceived as fair and just.

Another important social factor is the role of schools in promoting safety and security. Schools are often considered to be safe spaces for students, and parents and educators expect them to be free from violence and crime. However, schools are also sites of social and economic inequality, and students from marginalized communities may be more likely to experience violence and crime. Proactive policing in schools can

be seen as a way to address these issues, but it must be done in a way that is sensitive to the needs and perspectives of students and families.

Finally, societal attitudes towards crime and punishment also play a role in establishing a legal framework for proactive policing in educational institutions. In some communities, there may be a strong belief that harsher punishment is necessary to deter crime, while in others there may be a greater emphasis on rehabilitation and restorative justice. These differing attitudes can affect the type of legal framework that is established for proactive policing in schools and can also influence public opinion and support for such measures.

Overall, establishing a legal framework for proactive policing in educational institutions requires a careful balancing of various social and cultural factors. It is important to consider the historical relationship between law enforcement and marginalized communities, the role of schools in promoting safety and security, and societal attitudes towards crime and punishment. Additionally, it is essential to involve students, parents, educators, and community members in the process of creating this framework to ensure that it is inclusive and responsive to the needs of all stakeholders.

### **Is proactive policing in educational institutions ethical?**

Proactive policing in educational institutions can be seen as both ethical and unethical depending on the specific circumstances and methods used.

On one hand, proactive policing can be seen as ethical if it is done with the goal of creating a safe and secure learning environment for students and staff. This can include measures such as regular patrols, threat assessments, and emergency response protocols.

However, if proactive policing in educational institutions involves practices such as racial profiling, excessive use of force, or violation of civil rights, it can be seen as unethical. This can lead to mistrust and harm towards marginalized communities and can create a hostile and oppressive environment for students and staff.

Overall, the ethics of proactive policing in educational institutions depend on the specific practices and methods used and the impact they have on students, staff, and the community. Institutions need to have clear policies and protocols in place that prioritize the safety and well-being of all individuals while also respecting and protecting their rights.

## **Social security**

Proactive policing in educational institutions refers to efforts taken by school administrators and law enforcement agencies to prevent crime and maintain a safe and secure environment for students, faculty, and staff. This can include measures such as surveillance cameras, metal detectors, and regular patrols by security personnel or police officers.

One key aspect of proactive policing in educational institutions is the use of social security data to identify potential threats. This can involve cross-referencing student and staff records with criminal databases to identify individuals with a history of violence or other criminal activity. This information can then be used to develop targeted interventions, such as increased monitoring or counseling services, to prevent potential incidents before they occur.

Additionally, proactive policing in educational institutions often involves the use of community policing strategies, such as working closely with local law enforcement agencies and community organizations to address issues that may contribute to crime or safety concerns on campus. This can include initiatives such as crime prevention programs, youth mentoring programs, and community outreach efforts to address issues such as gang activity or drug abuse.

Overall, proactive policing in educational institutions is an essential component of ensuring a safe and secure learning environment for students and staff. By using social security data and other tools to identify potential threats and working closely with community partners, schools and law enforcement agencies can take a proactive approach to prevent crime and maintain a safe and secure environment for all.

## **MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED**

### **United States Of America**

In the United States, the development of a legal framework for proactive policing in educational institutions is typically the responsibility of individual states, with each state having its laws and regulations governing school safety and law enforcement. The U.S. Department of Justice also provides guidance and resources on school safety and policing.

### **United Kingdom**

In the United Kingdom, the government has established a legal framework for proactive policing in educational institutions through the Anti-Social Behaviour, Crime, and Policing Act 2014. This act includes provisions on school security, including the use

of CCTV cameras and metal detectors, and the ability for police officers to enter school grounds without a warrant in certain circumstances.

## **Nigeria**

Nigeria, like many countries, is faced with the challenge of providing a safe and secure learning environment for students and staff in its educational institutions. In recent years, there have been reports of crime, violence, and other security issues in Nigerian schools, which has led to calls for increased proactive policing measures.

The Nigerian government has taken steps to address these concerns by establishing a legal framework for proactive policing in educational institutions. The Nigerian Police Force, for example, has implemented several measures aimed at improving security in schools, such as increasing patrols, deploying mobile police units, and establishing police posts on school grounds.

Additionally, the Nigerian government has also taken steps to address the underlying causes of crime and violence in schools, such as poverty, unemployment, and social inequality. This has included initiatives such as providing support for at-risk youth, improving access to education, and investing in community development programs.

The Nigerian police force have been known to have a poor reputation when it comes to human rights, and some have criticized the government's approach to proactive policing in schools as heavy-handed and lacking in transparency. This led to calls for greater oversight and accountability mechanisms, such as independent investigations, to ensure that proactive policing measures are being implemented lawfully and responsibly.

Overall, while Nigeria has taken steps to establish a legal framework for proactive policing in educational institutions, there are ongoing concerns about the effectiveness and human rights-compliant nature of these measures, and the need for ongoing monitoring and evaluations to ensure that they are achieving the intended results.

## **Department of Education (DOE)**

The DOE is responsible for setting policies and guidelines for schools and law enforcement agencies to follow when it comes to proactive policing in educational institutions. This can include guidelines on the use of surveillance cameras, metal detectors, and other security measures, as well as policies on how student and staff records are used for security purposes. Apart from that it is responsible for providing funding and resources. The DOE may also provide funding and resources to schools and law enforcement agencies to support the implementation of a legal framework



for proactive policing in educational institutions. This can include funding for training, equipment, and personnel to support security efforts on campus. Finally, it is responsible for providing technical assistance.

The DOE may also provide technical assistance to schools and law enforcement agencies to help them understand and comply with the legal framework for proactive policing in educational institutions. This can include providing resources and guidance on best practices for preventing crime and maintaining a safe and secure environment on campus.

## UNESCO

UNESCO does not have a specific program or initiative that establishes a legal framework for proactive policing in educational institutions. However, UNESCO does promote the development of safe and inclusive educational environments through its work on education for all, the promotion of human rights, and the prevention of discrimination and violence. In this context, UNESCO may provide guidance and support to Member States in developing policies and laws that promote the safety and security of schools and other educational institutions.

Additionally, UNESCO may work with law enforcement and other organizations to support the safety and security of schools and other educational institutions. However, the actual establishment of a legal framework for proactive policing in educational institutions would be the responsibility of individual Member States and their respective legal systems.

## TIMELINE OF EVENTS

Date	Description of event
22 February 1990	The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was passed by the US Senate
31 March 1994	Gun-Free Schools Act was signed and ratified
13 September 1994	Violent Crime Control and Law Enforcement Act was signed and adopted
14 August 2008	Higher Education Opportunity Act was signed
13 March 2014	Anti-Social Behaviour, Crime, and Policing Act was signed

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Proactive policing in educational institutions is a complex issue that involves a range of stakeholders, including schools, law enforcement, parents, and students. Different countries and regions may have implemented different approaches to addressing the issue. One approach that has been used is the use of school resource officers (SROs), who are trained law enforcement officers assigned to work in schools. The goal of SROs is to provide a safe and secure learning environment by preventing crime, reducing fear of crime, and providing positive interactions between law enforcement and students.

Another approach that has been implemented is the use of alternative forms of discipline, such as restorative justice programs, which aim to address the underlying issues that lead to disruptive or criminal behavior. Additionally, policies have been implemented that limit the use of law enforcement in schools, and instead focus on providing support and resources to schools to address issues related to safety and security. It should be noted that the effectiveness of these attempts varies, and it depends on many factors including the political, social, cultural, and economic context of the country and the specific implementation of the program.

As already mentioned, the issue at hand is heavily noticeable in the United States of America and therefore, all Previous Attempts mentioned have been observed there. However, all of them can be set as examples for the establishment of the legal framework for the use of proactive policing in educational institutions in other countries on a global level.

## POSSIBLE SOLUTIONS

### Campus patrols

Campus patrols are a possible solution for proactive policing in educational institutions because they provide a visible presence on campus, which can deter criminal activity. Campus patrols can also quickly respond to any incidents or suspicious activity that may occur on campus. Campus patrols also work closely with local law enforcement to ensure the safety and security of the campus community. Community policing is a policing solution for proactive policing in educational institutions because it emphasizes the importance of building positive relationships between law enforcement and the community. This approach encourages officers to work closely with students, staff, and parents to identify and address potential safety concerns before they become serious issues. By building trust and collaborations with the community, community policing can help to create a safer and more secure environment for students and staff in educational institutions. Additionally, community policing can help to reduce the likelihood of negative interactions

between law enforcement and students, which can lead to increased safety and improved relationships between law enforcement and the community.

### **Establishment of SROs**

Establishing a school resource officer (SRO) program is a possible solution for proactive policing in educational institutions because it allows for a dedicated law enforcement officer to be present in the school regularly. This officer can act as a liaison between the school and the police department, providing a direct line of communication for any safety concerns or potential criminal activity. Additionally, an SRO can serve as a mentor and role model for students, building positive relationships and fostering trust between law enforcement and the community. They can also provide training and education on topics such as bullying, drug prevention and emergency preparedness. Overall, a school resource officer program can help create a safer learning environment for students, while also promoting positive interactions between law enforcement and the community.

### **Effective surveillance**

Technology and surveillance can be a possible solution for proactive policing in educational institutions because it allows for real-time monitoring of potential safety threats and suspicious activity. This can include the use of cameras, alarms, and other security systems to detect and respond to potential dangers. Additionally, technology such as facial recognition software can be used to identify individuals who may pose a threat and can alert security personnel to their presence. This proactive approach can help to prevent incidents before they occur and can make schools and colleges safer for students, staff, and faculty.

### **UN-organized conferences**

International gatherings or representatives in UN sessions or within countries can be a possible solution for proactive policing in educational institutions because they provide a platform for sharing best practices and strategies for preventing and addressing issues related to school safety and security. These gatherings also allow for the exchange of ideas and information between different countries and cultures, which can lead to the development of more effective and culturally sensitive approaches to policing in educational institutions. Additionally, having representatives from different countries and cultures at these and such gatherings can help to promote understanding and cooperation among different groups, which can help to prevent conflicts and promote a safer and more inclusive learning environment.

### **Raising awareness**

A possible solution to the abovementioned issue is raising awareness. Through awareness raising people get educated on certain topics which are completely new to them and urge them to highly participate in upcoming change. And in this case, if people start learning about proactive policies in educational institutions change will occur. How can this be efficiently done? Newspaper agencies and the media should include in their forthcoming publications the importance of this topic and how all countries, either more economically developed or less economically developed, should acknowledge preparedness when it comes to dealing with such issues. This, of course, should be done via the rules each country follows when it comes to publications of national importance, conferences, and the role of the media.

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