

SUMMARY CITATIONS & SCHOOL DISCIPLINE

ACLU-PA & Allegheny County Office of the
Public Defender

Summary Citations – Collateral Consequences

- Summary Citations look similar to a traffic ticket and are issued for minor infractions.
 - *e.g. vaping, disorderly conduct (obscene language/gestures), etc.*
- **Sent in mail.** May take up to two weeks to be received (if at all, especially for youth who are homeless) then several weeks or months before required to appear before the magistrate.
- Can have long term consequences on youth.
 - For starters - they are **ADULT** criminal offenses. There is no distinction between juveniles or adults at the magisterial court level as there are in arrests (where youth are referred to juvenile court).

Summary Citations – Cont'd

- Must appear before a magisterial court judge. **Are not provided an attorney** as they would be in juvenile court with an arrest.
- Summary citations may result in fines, which can place an unnecessary burden on families, who must pay these fines.
 - For some families this means choosing between buying food, paying utilities or paying this fine.
- **Failure to pay these fines can result in a referral to juvenile justice for a “failure to comply” charge** (in addition to the summary charge).
- Summary convictions are not automatically expunged. And cannot be expunged until 6 months after turning 18, only if all conditions have been met.
 - If at 17 or 18 they apply for a job, college or military application, and they are asked if they have ever been convicted of a crime, **they must say yes.**

LEA Allentown City SD
 School Year: 2022 - 2023

Reporting Requirements: PDE Safe Schools

- Pennsylvania Department of Education does require a reporting of summary citations as they do arrests.
- This number is often reported as zero even when we have external data (through a RTK, for example, showing citations were issued).
- Unfortunately, does lump adult and youth citations together.

Incident Place and Time

Incident Place	Incident Time Frame	Total
At a school-sponsored event or at an event within the school's jurisdiction		3
At an offsite alternative placement facility		2
Internet/Online		24
Off school grounds at an activity, function, or event sponsored by the school		12
Off school grounds at an activity under the jurisdiction of another school		0
Off school grounds while en route to or from school		31
On district provided public conveyance providing transportation to a school		1
On district provided public conveyance providing transportation to and from school		10
On school property/grounds	After school hours	201
	Before School hours	47
	During school hours	934
		0

Sanctions

Discipline Response	Total
Detention	7
Expulsion - less than one calendar year	1
Expulsion - more than one calendar year	1
Expulsion - one calendar year	0
In school suspension	405
None	0
Other	0
Out of school suspension	910
Special education student removed to interim alt ed setting by due process hearing officer	0
Special education student removed to an interim alternative educational setting by school personnel	0

Adjudication

Adjudication	Total
Adjudicated delinquent	29
Citation	0
Convicted as Adult	0
Fined	0
Found not guilty	0
Probation	0
Unknown	216
Withdrawal/dismissal of charges	1



Reporting Requirements: Civil Rights Data Collection (CRDC)



RESOURCE DOCUMENT

Referrals to Law Enforcement & School-Related Arrests (ARRS) Module

Definitions

- Referral to law enforcement is an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events (in-person or virtual), or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement.
- School-related arrest refers to an arrest of a student for any activity conducted on school grounds, during off-campus school activities (in-person or virtual) or while taking school transportation, or due to a referral by any school official. All school-related arrests are considered referrals to law enforcement.
 - ✓ Report a cumulative count based on the entire 2020-21 regular school year, not including intersession or summer.
 - ✓ School-related arrest is a subset of referral to law enforcement. Therefore, a student counted in the "school-related arrest" tables should also be counted in the "referred to law enforcement agency" tables.

- The Civil Rights Data Collection requires LEAs to report on summary citations (tickets) as part of referrals to law enforcement.
- This data is required at an intersectional level (by race, sex and disability)
- Unfortunately, most LEAs do not seem to realize this is required and have not accurately reported citations to the CRDC.

While reporting of citations is required, and will provide your district with insight into disparities by race, sex and disability. Data collected from some LEAs already show clear disparities:

In one school district we reviewed:

- Black students were **12 times** more likely to receive a summary citation than white students.
- Black girls were **24 times** more likely to receive a summary citation than white girls.
- While Black boys with disabilities were the most likely to receive a summary citation.

Examples of Citations and Impact

Examples:

- Silly string
- Lollipop throwing
- Playing at the park
- Yelling in hallways



COMMONWEALTH OF PENNSYLVANIA

CITATION NO.

NON-TRAFFIC CITATION R 3284372-0

1. Magisterial District Number 05-2-06		2. District Number NT 240-2021		3. Social Security Number	
4. A. [Redacted]			5. Driver's Number		6. State <input type="checkbox"/> PA
7. Delinquent's Name (First, Middle, Last) [Redacted]					
8. Delinquent's Address (Home, School, Work) [Redacted]					
9. Race/Ethnicity (W) <input type="checkbox"/> White (A) <input type="checkbox"/> Asian (B) <input checked="" type="checkbox"/> Black (H) <input type="checkbox"/> Hispanic (I) <input type="checkbox"/> Native American (U) <input type="checkbox"/> Unknown		10. Sex (M) <input checked="" type="checkbox"/> Male (F) <input type="checkbox"/> Female		11. Date of Birth (MM/DD/YY) 12/31/2010	12. Resident Status (R) <input checked="" type="checkbox"/> Resident (N) <input type="checkbox"/> Non-Resident (U) <input type="checkbox"/> Unknown
13. Case Instituted by (O) <input type="checkbox"/> On-View Arrest (C) <input checked="" type="checkbox"/> Citation/Summons		14. JUVENILE <input checked="" type="checkbox"/> Yes		15. Parents Notified <input checked="" type="checkbox"/> Yes	
16. Charge <input checked="" type="checkbox"/> Disorderly Conduct <input type="checkbox"/> Harassment <input type="checkbox"/> Retail Theft <input type="checkbox"/> Other		<input type="checkbox"/> Criminal Trespass <input type="checkbox"/> Public Drunkenness <input type="checkbox"/> Purchase, Consumption, Possession or Transportation of Liquor or Malt or Brewed Beverages		<input type="checkbox"/> Theft of Services <input type="checkbox"/> Scattering Rubbish	<input type="checkbox"/> Criminal Mischief
20. Nature of Offense The defendant did create a hazardous or physically offensive condition which serves no legitimate purpose by spraying "silly string" on the victims car.			21. Pa. Code	22. <input checked="" type="checkbox"/> CRIMES CODE (TITLE 18) <input type="checkbox"/>	
			23. SECTION 5503	24. SUB SEC. A4	
			25. FINE		
			26. COSTS		
			27. JCP/A/J C/JEA/QAG	\$ 40.25	
			28. TOTAL DUE	\$	
29. Date 06/29/21	30. Time 2110	31. Day Tues	32. Crk/Sp/Boro Penn Hills	33. Code 113	34. Zone 4

Reasons to Not File Summary Citations

- Kids are scared of court and develop distrust of community
- Double punishment
- Kids miss school and parents miss work
- Racial and disability discrimination

Lasting Impact

- Fear of financial impact on family
- Develop distrust of teachers/administrators
- Magistrates may not handle the case as you intended
- Conditions may be implemented that cannot be achieved
- Failure to pay is viewed as court contact



Questions?