



THREATS TO SCHOOLS

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IMPACT OF THREATS

- Threats made to schools can result in precautionary measures such as a student lock-in, school lockdown, or school closure.
- Someone who makes a threat against a school may be charged with a number of different crimes depending on the circumstances.
- Charges against someone under age 18 at the time of the crime would be adjudicated in juvenile court in most instances.
- No agency tracks threats against schools, but the State Department of Education (SDE) tracks threats that result in disciplinary action against students.

ISSUES

This report explains:

1. existing laws that pertain to threats to schools and
2. state agency efforts to track the number and nature of threats made to schools.

SUMMARY

When someone threatens to harm a school, the school district takes precautionary measures to protect students and staff including (1) lock-ins (conducting classes while refusing building entrance or exit), (2) lockdowns (confining students and staff to hiding positions in secure rooms), and (3) school closures with class cancellations. State criminal laws and school disciplinary measures are available to punish someone who makes such threats. The State Department of Education (SDE) only tracks the number of threat incidents that result in student discipline.

Existing state law does not explicitly single out threats to schools as a crime but, depending on the circumstances, a person who makes a threat against a school or falsely reports a threat about a school could be charged with a number of crimes. For adults, the penalties for these crimes range from up to three months in prison to up to 10 years in prison. In addition, some threats might be considered an act of terrorism that could enhance the penalty. Offenders under age 18 at the time of

committing the crime would be charged in juvenile court and subject to a range of sanctions with the most serious being commitment to the Department of Children and Families (DCF) for up to 18 months. For certain crimes, a juvenile offender’s case might be transferred to the adult court and subject the offender to the adult penalties for the crime.

Offenders who are students may also be subject to school disciplinary measures. Depending upon the nature of the threat and the student’s disciplinary history, school districts may suspend or expel the offender.

SDE is required by federal law to track all student disciplinary offenses reported by Connecticut school districts. SDE data shows a state average of 67 offenses labeled as “school threat/bomb threat” that led to disciplinary action over the last three school years. This number does not capture all threats as it only reflects incidents that resulted in student discipline.

CRIMINAL LAWS ON THREATS

Depending on the circumstances, a person who makes a threat against a school or falsely reports a threat about a school could be charged with a number of crimes. Table 1 describes the crimes most relevant to this conduct and their penalties for adults. If the offender is under age 18 at the time of committing the crime, he or she would be charged with these crimes in juvenile court and be subject to a range of sanctions with the most serious being commitment to DCF custody for up to 18 months. For the class D and C felonies listed below (1st degree threatening and certain false reporting crimes), a prosecutor could request that the juvenile court transfer the case to the adult court if the offender was at least age 14 at the time of the crime. If the court grants the transfer after considering certain factors, the offender would be subject to the adult penalties for the crime.

Table 1: Crimes and Penalties for Adults Relating to Threats About Schools and Falsely Reporting Threats

<i>Crime (citation)</i>	<i>Conduct</i>	<i>Penalty</i>
2 nd degree threatening (CGS § 53a-62)	<ul style="list-style-type: none"> Intentionally placing or attempting to place another person in fear of imminent serious physical injury by a physical threat or Threatening to commit a violent crime with intent to terrorize another person or in reckless disregard of doing so 	Class A misdemeanor (up to one year in prison, a fine of up to \$2,000, or both)

Table 1 (Cont.)

Crime (citation)	Conduct	Penalty
1 st degree threatening (CGS § 53a-61aa)	<ul style="list-style-type: none"> Threatening to commit a crime using a hazardous substance with intent to cause, or in reckless disregard of the risk of causing, terror; evacuation of a building, place of assembly, or public transportation facility; or serious public convenience Threatening to commit a violent crime with intent to cause, or in reckless disregard of the risk of causing, evacuation of a building, place of assembly, or public transportation facility or serious public convenience Committing 2nd degree threatening with a firearm (either using one or being armed with one and threatening to use it, displaying it, or indicating the he or she has one) 	Class D felony (up to five years in prison, a fine of up to \$5,000, or both)
Act of terrorism (CGS § 53a-300)	<ul style="list-style-type: none"> Committing a felony involving the use or threatened use of physical force or violence and Intending to intimidate or coerce the civilian population or a government unit 	Enhances the penalty for the underlying crime by imposing the penalty for next most serious degree of felony
2 nd degree falsely reporting an incident (CGS § 53a-180c)	Gratuitously reporting information he or she knows is false or baseless to a law enforcement officer or agency (1) about an offense or incident that did not occur or is not about to occur, (2) about an actual offense or incident, or (3) implicating a person in an actual offense or incident	Class A misdemeanor
1 st degree falsely reporting an incident (CGS § 53a-180)	Knowing the information conveyed is false or baseless (1) initiating or circulating a false report or warning of an alleged or impending fire, explosion, catastrophe, or emergency when it is likely public alarm or inconvenience will result or (2) reporting to an official or quasi-official agency or organization that deals with emergencies involving danger to life or property, an alleged or impending fire, explosion, catastrophe, or emergency which did not occur or does not exist	Class D felony
Falsely reporting an incident resulting in serious physical injury or death (CGS § 53a-180a)	Committing 1 st or 2 nd degree false reporting of an incident, when the false report results in another person's serious physical injury or death	Class C felony (one to 10 years in prison, a fine of up to \$10,000, or both)
Falsely reporting an incident concerning serious physical injury or death (CGS 53a-180b)	Committing 2 nd degree false reporting of an incident, when the report involves the alleged or impending occurrence of another person's serious physical injury or death	Class D felony

Table 1 (Cont.)

Crime (citation)	Conduct	Penalty
Misuse of the 9-1-1 system (CGS § 53a-180d)	<ul style="list-style-type: none"> Dialing 9-1-1 or otherwise causing it to be called to make a false alarm or complaint or Purposely reporting false information that could result in dispatching emergency services 	Class B misdemeanor (up to six months in prison, a fine of up to \$1,000, or both)
2 nd degree breach of the peace (CGS § 53a-181)	Threatening behavior in a public place with intent to cause or with reckless disregard of causing inconvenience, annoyance, or alarm (this crime also covers other types of conduct)	Class B misdemeanor
2 nd degree harassment (CGS § 53a-183)	Communicating with a person by telegraph, mail, Fax, computer network, or other written communication with intent to harass, annoy, or alarm another person and in a manner likely to cause annoyance or alarm (this crime also covers other types of conduct)	Class C misdemeanor (up to three months in prison, a fine of up to \$500, or both)

SCHOOL DISCIPLINE

If a student is the source of a school threat, the board of education may impose suspension or expulsion as a punishment. State law allows, but does not require, a local or regional board of education to suspend or expel a student for conduct that is "seriously disruptive of the educational process," whether that conduct occurs on or off of school grounds. When determining whether student conduct meets the "seriously disruptive" standard, the board may consider whether the conduct involved threats of violence ([CGS §§ 10-233c\(a\), 10-233d\(a\)\(1\)](#)).

Suspension

A student who receives a suspension is excluded from school privileges or from transportation services for no more than 10 consecutive school days ([CGS § 10-233a\(d\)](#)). A school board cannot suspend a student more than 10 times or more than a total of 50 days in one school year, whichever results in fewer days ([CGS § 10-233c\(a\)](#)). Evidence of past disciplinary problems may be taken into consideration when determining suspension length ([CGS § 10-233c\(b\)](#)).

Expulsion

A student who receives an expulsion is excluded from school privileges for more than 10 consecutive school days but no more than one calendar year ([CGS § 10-233a\(e\)](#)). Evidence of past disciplinary problems may be taken into consideration when determining expulsion length ([CGS § 10-233d\(c\)\(1\)](#)).

STATE AGENCY TRACKING

SDE

Federal law requires school districts to report all student disciplinary offenses to the state, which then must report them to the federal government ([20 U.S.C. 1418\(a\)](#)). SDE data shows a state average of 67 offenses labeled as “school threat/bomb threat” that led to disciplinary action over the last three school years.

Table 2 shows the “school threat/bomb threat” incidents that school districts reported for each year in their student disciplinary offense data form (ED 166). To be included in the report the disciplinary action must be an (1) in-school or out-of-school suspension or (2) expulsion. These numbers do not capture all threats as they only reflect incidents that result in student discipline. Therefore, any threat to a school in which the perpetrator is not found would not show up in the count. Furthermore, if one student is responsible for more than one threat, the student could be the subject of more than one disciplinary action, and each disciplinary action is included in the report.

Table 2: Three Years of School Threats Resulting in Student Discipline in Connecticut

<i>School Year</i>	<i>Number of School Threat Offenses Resulting In Discipline</i>
2011-12	90
2012-13	72
2013-14	39

Department of Emergency Services and Public Protection (DESPP)

DESPP indicates there is no requirement for school districts or municipalities to notify DESPP when there is a threat to a school. Some school districts or municipalities may call the State Police bomb squad to “sweep” the school after a threat, but this is not required. Some districts may have local bomb squads or they deem the situation does not require outside assistance.

Also, DESPP indicates they are not automatically notified if a school goes into a lockdown for a nearby police action that does not directly involve the school (e.g., suspect considered dangerous is loose in the neighborhood).

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