

CONNECTICUT BAR FOUNDATION
JAMES W. COOPER FELLOWS
QUINTIN JOHNSTONE
2018-2019 ESSAY CONTEST TOPIC

“Jumping the Gun – Preventing School Violence”

Jack is in the 11th grade, a junior superstar on and off the basketball court. He has more friends and fans than he knows what to do with and hands out high fives and fist bumps generously as he saunters down the hallway of Lincoln High. For Jack, life is good except for his kid brother, Jessie. What. A. Dweeb. Jessie is an embarrassment, slogging through the halls with his baggy clothes and his make up on. That’s right, make up: black make up lining his lips and surrounding his eyes, just adding to his aura of peculiar. Jack can’t believe he shares a name, and now his school, with his little brother who is new to high school as part of the incoming freshman class.

On the weekends, the tables are turned however. Jessie can shoot. Every Saturday morning, dad takes them to the firing range. Every Saturday morning, Jessie cleans Jack’s clock. He can hit a target at twice the distance Jack can. He can disassemble and reassemble a firearm with amazing alacrity, often completing the task before Jack has his taken apart. At the firing range, Jessie is the rock star. Stiff, stoic, and weird, but a rock star. Dad loves it! Jack, on other hand, is green with envy. As much as he feels contempt for his brother at school, it’s nothing compared to his loathing at the range.

It’s a normal Monday morning in mid-October when Jack is called to the Principal’s office. Jack assumes he is being turned in for teasing and physically assaulting his kid brother, poking at him and kicking him as he walks past him down the hallway. It was a common occurrence and not the first time Jack had to atone for his sins in the chair across Dr. Tubaya’s desk.

As Jack waits outside Dr. T’s office, he hears the muffled voices, getting louder. “There’s really something going on in there,” he thinks to himself. Just a minute later, the door is flung open and Jessie, eyes rimmed red and face streaked black from tears down his face, bolts out, followed

by his parents. Jack is then asked to join the meeting. As his father heads after Jessie, Jack joins the meeting to see his mother, the school counselor Ms. DiMauro, and Dr. T.

Jack sits and is shown a video of him and his brother Jessie at the firing range. “Where did they get this?”, he wonders, “and why are they playing it here?”

Dr. T explains that the video has been circulated on numerous social media platforms: youtube, snapchat, insta, you name it. Parents have been calling all day and threatening to go to the school board unless something is done to keep their kids safe. Jack started to object, but was interrupted and told that Jessie was being suspended. His locker was being searched as they were speaking and he would be escorted from the building. Jack was furious at what was about to happen. Suspended? What about basketball, all his friends are here... But Dr. T assured Jack, only Jessie was being suspended. It is his behavior on the video that the parents found unsettling, not Jack’s. They know Jack; he’s a standup guy. Jessie is the odd one. Their kids give Jack fist bumps and they give Jessie a wide berth. Jessie is clearly the dangerous one here.

Jack and Jessie’s parents are stunned, both by how they treated Jessie and by how a legal, safe activity could be grounds for suspension. Now the school board is considering alternative schooling for Jessie. The school defends their actions as prevention of school violence stating that Jessie’s behaviors are indicators of a challenged personality that could engage in violence toward classmates. They are especially emboldened in their position since the search of Jessie’s locker uncovered a stash of Guns and Ammo magazines. A new term has been coined: predictive violence. The parents are considering filing suit to challenge the suspension as well as to preempt the school’s attempt to place Jessie in an alternative school.

You are the attorney representing the School Board. The School Board has asked for your advice on whether the suspension of Jessie was proper and what steps the school can take to prevent school violence, while respecting constitutional rights.