

SPLC Sues to Protect Children in New Orleans School After First-Grader Handcuffed | Southern Poverty Law Center

Children at an elementary school in New Orleans are subjected to unlawful seizures and arrests – including handcuffing and shackling – for minor violations of school rules, according to a [class action lawsuit](#) filed today by the Southern Poverty Law Center (SPLC) and the Juvenile Justice Project of Louisiana (JJPL).

The suit was filed on behalf of a first-grade student who was brutally handcuffed and shackled to a chair by an armed security officer after he argued with another youth over a seat in the lunchroom at Sarah T. Reed Elementary School. The school is part of the Louisiana Recovery School District.

The boy, known as J.W. in the court filing, was just 6 years old when the incident occurred on May 6. He had previously been handcuffed and shackled for a similar incident. School officials told the boy's father that the arrest and seizure was required under school rules.

The boy's father, Sebastian Weston, said his son is now terrified of school, his teachers and police. "These incidents, where our little boy was treated more like an animal than a young child, have affected him greatly," Weston said. "He has gone from being a bundle of joy – excited about school and his friends – to now withdrawing into a shell.

"He doesn't want to go outside and play with his friends anymore. He just wants to be alone in his room. He won't do his homework anymore."

The complaint alleges that the school principal, one of several named defendants, "provided a clear directive to all employees ... that students were to be arrested and handcuffed if they failed to comply with school rules." The complaint also alleges that RSD officials – including Superintendent Paul Vallas and Director of Security Eddie Compass – allowed the enforcement of this policy at Reed Elementary and were deliberately indifferent to the rights of the students who attend school there.

"Handcuffing and shackling children to furniture is absolutely outrageous and can inflict not only physical injuries but psychological wounds that can have a profound impact," said SPLC attorney Thena Robinson. "School personnel acted unreasonably and continue to enforce a school policy that violates clearly established state and federal law."

For many years, local advocates have decried the RSD's practices of arresting, handcuffing and shackling schoolchildren for minor violations of school rules that do not constitute probable cause of criminal activity. Most recently, Families and Friends of Louisiana's Incarcerated Children issued a report that documents the prevalence of the RSD's unlawful arrest and seizure policies. JJPL representatives have repeatedly met with RSD officials in an effort to craft alternatives to this destructive practice.

"Since children returned to the city after Hurricane Katrina, schools have treated them like criminals," said JJPL Legal Director Carol Kolinchak. "In a city with such significant educational needs, our schools have a duty to provide support for students rather than respond with inappropriate aggression. While work with RSD has yielded some positive results, including a move away from private security contractors, we have reached a point where the courts must intervene to uphold the law, and clear policies and procedures to govern school security officers must be put in place."

The suit, which seeks certification as a class action, asks for a court ruling that the school's policy to "unlawfully seize and arrest schoolchildren at Sarah T. Reed Elementary School absent probable cause of criminal activity" violates students' rights under the U.S. Constitution.

"This must stop," said Weston. "Our children are not animals and should not be treated this way."