10/19/2017 #4

Good morning Committee Members. Thank you for this opportunity to come before you to speak about the Seclusion and Restraint Law MCL 380.1307. My name is Joe Soto. I just completed my twenty-first year as a police officer with Holland Department of Public Safety and am currently assigned to Holland High School as the school resource officer. Earlier this school year the Seclusion and Restraint law was brought to my attention because as it is currently written, it impacts my ability to lawfully perform my duties as a police officer inside of the schools. I would like to support the amendment to MCL 380.1307. Under the current law I am prohibited from using mechanical restraints such as handcuffs, and I am not permitted to use other tools and techniques in which I have been trained to make a lawful arrest or to restrain a student for their safety or the safety of others.

As a school resource officer, I have been in situations where I was needed to break up physical fights and prevent other situations from escalating into physical fights. While I have been trained to deal with various situations and have tried to avoid the use of physical force whenever possible, however there are times that the use of physical force is simply unavoidable and necessary to lawfully arrest someone or protect someone.

April 13, 2017 is a perfect example of how things can get out of control and chaotic. During this incident we had six students trying to engage in a physical fight with one another. School staff as well as myself responded to the situation. To prevent one of the uncooperative students from attacking another student I had to put him in handcuffs and had to remove him from the area where the fight occurred. While I was removing this student from the area, school staff were dealing with several of the other students, trying to keep them separated. However, one of the other uncooperative students continued to try to go after another student. As the school staff members were trying to hold back this student, they fell to the ground, and one of the staff members hit her head against a wall and later was brought to the hospital for treatment. Even after falling to the ground this student remained uncooperative and combative. It wasn't until a second officer arrived that we were able to get this student under control, and this was only possible by placing him in handcuffs.

This is just one example where mechanical restraints were needed. I believe that if this law, as currently written, would have been in effect on April 13 the outcome would not have been the same; we would not have been able to secure and separate the students as quickly, and it is likely that others would have been hurt in this situation. I would like to ask for your support on passing the amended draft to the Seclusion and Restraint law for the safety and protection of the students.

I would like to thank you for your time and the opportunity to come before you on this issue.

Respectfully Submitted,

Joe Soto
School Resource Officer – Holland High School
Holland Department of Public Safety