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EDITOR'S PICK FEATURED

## UPDATE: MPD responds to community leaders angered by arrest of Madison East student

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PHOTO BY PHIL BRINKMAN -- State Journal

Madison East High School

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Several Madison community leaders gathered on Friday to support an East High School student they believed was unduly arrested by the police officer assigned to the school.

Aireyanna Connors, 17, a junior at East and a member of the girls varsity basketball team, was arrested following a physical altercation that involved other students at the school on Thursday. Connors was detained overnight and her initial court date was set for early next week.

Madison's Focused Interruption Coalition, a group of community leaders who seek to end racial disparities in Madison, connected with Connors' parents to advocate for a Friday court date so the teen would not have to spend the weekend in Dane County Jail awaiting a hearing.

She was released on a signature bond Friday afternoon.

The coalition held a press conference Friday at the Boys and Girls Club of Dane County's administrative office. The conference included Connors, her parents, members of the Coalition and school board member Anna Moffit.

Michael Johnson, CEO of the Dane County Boys and Girls Club, said Madison School Board President James Howard and East High School Principal Mike Hernandez issued letters calling to resolve the issue through the restorative justice process in lieu of criminal charges. Connors' parents, Gregory and Amanda, said she has never been in trouble with the law.

"She is a leader in our community for the youth and she inspires every child she comes across," Amanda Connors said.

Moffit said she spoke with Howard and Superintendent Jennifer Cheatham, who both expressed their support for Connors.

"We want to be here to support the family and do whatever we can moving forward to make sure (Connors) is back at school and this issue is resolved," Moffit said.

Moffit is the chair of Madison Metropolitan School District's ad-hoc committee studying the effectiveness of educational resource officers, the police officers assigned to the city's high schools. Critics of the program argue that students of color are disproportionately affected by EROs' presence in schools. In the 2014-2015 school year, 95 citations were issued to African-American students compared to 11 citations issued to white students. There were 96 arrests of black students and only 15 arrests of their white peers.

"The board of education has really made (educational resource officers) in our schools a priority to ensure we are not criminalizing student misbehavior," Moffit said.

The Madison Police Department responded Friday with a description of the incident:

*"There was fight at the East High School cafeteria during lunch hour yesterday. It ended up involving multiple students engaged in physical altercations. Eight officers and school security staff were brought in to restore decorum. Four students were arrested. Two went to the Juvenile Reception Center. Two went to the Dane County jail.*

*"There was a video posted on Facebook pages showing some of what took place. It depicts one young woman approaching another who is seated at a table. A voice, off-camera, says "Do your thing." At that moment the young woman at the table gets up and both students begin throwing punches at one another. They end up on the floor, throwing more punches, pulling hair. At this point chaos breaks out, with many students getting involved; some also throwing punches."*

Police Chief Mike Koval further explained why Connors was tentatively charged with physical abuse to a child. His full statement is at the end of this story.

Amanda Connors said that school altercations should be handled in school and that she was not happy with how the incident escalated.

"She is a future leader in our society and it didn't matter, that police officer was going to take it away," Amanda Connors said of her daughter.

Sabrina Madison, a Madison entrepreneur who said she was representing black mothers at the press conference, said the arrest is indicative of a larger problem involving the over policing and criminalization of African-American girls in school.

"It seems that the decision-making is really extreme for black girls," Madison said. "If this is an incident that could have been broken up or separated, and the students could have gone about their day, why does it take community leaders, reporters, advocates, for these young ladies to be treated like students?"

Connors' attorney, Jason Gonzalez, pointed out that without members of the community rallying to her defense, Connors might still be in jail.

"If she didn't have the support she has right now around her, she probably would not have gotten out today," he said, "There are a lot of people who don't have that support, who get in her position and just fly under the radar and the system perpetuates itself."

Aireyanna Connors said she is still coping with her time in the Dane County Jail.

"I wouldn't wish it upon anybody. It is one of the worst experiences you could ever go through," she said. "I knew that I was not supposed to be there, and I am upset that it happened at school."

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Madison Police Chief Mike Koval's statement regarding the decision to charge Connors with physical abuse to a child:

Relative to a fight call that broke out at East High School's cafeteria during the lunch hour on Thursday (March 16), some questions have been asked as to the charge of "Physical Abuse to a Child." It should be noted that under Wisconsin law, when someone is age 17 or younger and is the "victim" of a crime, the State considers the victim to have the status of a "child." Conversely, when someone is age 17 (or older) and has been identified as the "offender" in a crime, the State automatically "waives" this individual into the adult criminal justice system. . .there is no "juvenile" court for someone who commits a crime and is 17 (or older).

Someone who intentionally causes bodily harm to a "child" are the basic elements in the charge of "physical abuse to a child," which is a felony. In Wisconsin, an arrested person has to option of posting bail for a misdemeanor charge and can then be released. However, someone charged with a felony has no cash bond option immediately available; the person charged with a felony remains in custody until going to court at the next available time at which time conditions for release are determined by the court.

In the immediate case involving the East High incident, there were injuries claimed by a 16-year-old that were allegedly caused by a 17-year-old. Based on the reported injuries presented and complained of by the 16-year-old, this caused "bodily harm" to a "child" and there was probable cause to charge the 17-year-old with physical abuse to a child.

Just as there are many factors that go into a charging decision by the police (i.e., the need to hold individuals accountable for their behavior(s), the seriousness of the injuries, the potentiality for continued and/or escalated violence, etc.), the District Attorney's Office has wide prosecutorial discretion to add/amend/dismiss/or divert the charges that have been referred for his consideration.

\*Please note that Chief Koval has long advocated that the age of waiver for 17-year-olds be pushed up to age 18. This could help in reducing the number of youth that no longer have access to the protections of the juvenile court and does not create as many issues for our high schools.

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Amber Walker

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