

## 5yr Old Girl Brutalized By Police w Video

Written by Robert ID1246

Saturday, 23 April 2005 02:36 -

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Videotape was rolling March 14 when the 5-year-old girl swung again and again, her bantam punches landing on the outstretched palms of Nicole Dibenedetto, the new assistant principal at Fairmount Park Elementary.

She tore papers off Dibenedetto's bulletin board and desk. She climbed on a table four times. About an hour had passed since she refused to participate in a kindergarten math lesson, which escalated into a series of defiant and destructive acts.

Dibenedetto had used tactics from a Pinellas school district training called Crisis Prevention Intervention:

Let the child know her actions have consequences but also try to "de-escalate."

Give her opportunities to end the conflict.

Try not to touch her, defend yourself and make sure no one else gets hurt.

As St. Petersburg police officers arrived shortly after 3 p.m., the girl suddenly sat quietly at Dibenedetto's table. And, just as suddenly, the tactics used by educators gave way to the more direct approach of law enforcement.

An officer sternly said the girl's name. Then: "You need to calm down. You need to do it now. OK?"

Seconds later, three officers approached and placed their hands on the girl's wrists and upper arms. They stood her up, put her arms behind her back and put on handcuffs. She bent over the table and let out a terrified scream.

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"No. Nooooo. Ahhhhh."

The tape ends there.

Largo lawyer John Trevena provided it to the St. Petersburg Times this week after obtaining it from police.

"The image itself will be seared into people's minds when you have three police officers bending a child over a table and forcibly handcuffing her," said Trevena, who represents the girl's mother, Inga Akins. "It's incomprehensible ... She was sitting calmly at the table. There was no need for that."

The Police Department declined to comment, citing an official complaint by Akins that has sparked an investigation by the supervisor of the four officers involved. Two are new officers who were being trained that day. Police spokesman Bill Proffitt said the investigation would be complete in about two weeks and the findings would be made public.

The tape's existence is a fluke. The girl's teacher, Christina Ottersbach, was videotaping her class as a self-improvement exercise, district officials have said. Educators simply kept the camera rolling when the girl began to act out, prompting Dibenedetto to intervene and Ottersbach to escort her other students to another classroom.

Later, Ottersbach retrieved the camera from the classroom when the girl began to make a mess of Dibenedetto's office.

The tape, which lasts about 30 minutes, begins with Dibenedetto alone in the classroom with the girl, saying the child's name frequently as part of her commands.

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"You need to stop," she tells her, using her hands to make the sign language signal for stop. "You don't get to wreck the room."

Using her radio, she calls for help from teacher Patti Tsaousis. She also asks the school office to call the girl's mother and tell her the school will have to call Pinellas Schools police if the behavior continues.

Word comes back that the mother would not be able to make it until 3:15 p.m. It is shortly after 2 p.m.

A short time later, the girl is heard off camera breaking a ceramic or plastic apple on Ottersbach's desk.

"Oh, you broke her apple," Dibenedetto says. "That is so sad."

Throughout the 23-minute segment in the classroom, the assistant principal tells the girl many times to stop, that her actions are "not acceptable." She tells her she needs to take her to her office to prepare for her mother's arrival.

The girl responds to each request with a curt, "No." When the girl reaches out to strike them at times, Dibenedetto and Tsaousis tell her to stop and hold their hands up in defense.

Dibenedetto and Tsaousis have two breakthroughs - once when they persuade the girl to clean up a small mess she made near Ottersbach's office and another when they finally get her to leave the classroom with them.

In the second instance, Dibenedetto brings herself to eye level with the girl and tries to get her to talk about why she's upset. She gives the girl the option of walking with her or Tsaousis to the office. When the girl relents, the educators praise her for making an "excellent choice."

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The Times interviewed several top educators, including two district officials who had seen the video and two professors at the University of South Florida's College of Education.

All praised Dibenedetto for using patience and good training in a tough situation. They said she gave the girl wide latitude to opt for better behavior, used clear commands, called for help from another educator, removed the other students from the room for their safety and to eliminate an audience for the girl, reinforced commands with hand motions and successfully avoided physical confrontation.

Touching the girl, they said, would have escalated the situation.

The two educators "can't control what the children do, but they can control how they respond to it and, to me, they responded admirably," said Robert Egley, an assistant education professor at USF in St. Petersburg. "I give them an A-plus."

Trevena, the lawyer, disagreed, saying it appeared to him the two educators followed the girl too closely around the room. "It almost seemed like there was an intent to provoke the child," he said.

Akins, the girl's mother, said she had complained to the school about the assistant principal's treatment of her daughter. She said the administrator has been too harsh with the girl. The police had been called to the school at least once before in response to the girl's behavior. The girl has since transferred to another public school.

Dibenedetto could not be reached Thursday for comment.

More clear cut, Trevena said, are the police officers' actions and the Police Department's reaction. "It should have been denounced (by department higher-ups) as absurd, as excessive," he said. "That, I think, is even more alarming."

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After being placed in the back of a police cruiser, police released the girl to her mother after the State Attorney's Office informed them a 5-year-old would never be prosecuted.

Educators declined to discuss the Police Department's role in the incident. But they all agreed that once police are called to a school, the situation is theirs to run. "I wasn't physically there," said Mike Bessette, an area superintendent whose responsibility includes Fairmount Park Elementary. "I take it they felt they needed to do what they did."

View part of the tape [HERE](#)

This article is By THOMAS C. TOBIN, Times Staff Writer Published April 22, 2005

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