

# ADVOCATES

FOR CHILDREN AND YOUTH

To: Chair Kaiser and members of the Ways and Means Committee  
From: Shamoyia Gardiner, Education Policy Director  
Re: House Bill 327: Public Schools – School Resource Officers – Prohibited Conduct  
Date: February 5, 2020  
Position: Support

One of ACY's major education-related legislative priorities is addressing school climate and student discipline. We support policies which create welcoming, safe school communities for all students by mitigating the impact of subjective and punitive discipline on specific student groups—particularly students of color, students who require additional educational services, and students who identify as members of the LGBTQ+ community. House Bill 327 will have the impact of reducing the presence and power of law enforcement in schools and limiting potential liability is an admirable one.

ACY also recognizes that some individual school-based law enforcement and/or security personnel have the ability to form strong, positive relationships with students in the schools they serve. However, it is critical to note that anecdotes are not legitimate sources of applicable data. **Empirical evidence shows us that for youth, even one instance of police contact increases the likelihood that they will fall behind in school, become further involved in the juvenile justice system, and/or even drop out of school altogether.**<sup>1</sup>

Nationally, contact with a school-based law enforcement officer has been shown to yield immediate negative consequences in the form of physical brutality and/or psychological trauma. The presence of SROs, school police, and other forms of in-building security is a relatively recent phenomenon in public education, beginning in Flint, Michigan in the 1950s. Since then, SROs and similar school-based personnel have proliferated nationally, becoming nearly ubiquitous with urban school districts serving large populations of students of color.<sup>2</sup>

That proliferation has resulted in a slippery slope of blurred lines and lanes of authority for school-based law enforcement officers which today manifests in an augmented role for the officers and their peers that looks very different from the community policing model we began with. Here **in Maryland, students are routinely arrested in school** and introduced to the justice system **for behavior infractions that are expected in**

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<sup>1</sup> Wiley, Stephanie Ann. "The Amplification of Deviance Following Police Contact: An Examination of Individual and Neighborhood Factors among a Sample of Youth" July 2, 2014.

<sup>2</sup> Stinson Sr and Watkins. "The Nature of Crime by School Resource Officers: Implications for SRO Programs" SAGE Open. January-March 2014.

*Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children of every race, ethnicity, and place of birth can achieve their full potential.*

**adolescent neurological development.**<sup>3</sup> More concerning is the fact that most of the categories for which students are arrested are based in subjective observations, like disorderly conduct. Most concerning of all, however, is a toss-up:

- the disparity in arrests for Black students (66% of arrests while 34% of total population) and students with disabilities (22% of arrests and 11% of total enrollment)<sup>4</sup>
- the fact that Black and Indigenous students were the only racial groups to be suspended at higher rates than they exist in the general population<sup>5</sup>
- that while students with disabilities comprised 26% of the total suspension population, Black students were 58% of that subgroup<sup>6</sup>

Today's students undoubtedly face security threats and dangers in school that are different from what past generations have seen. They must be addressed, and thoroughly so. In instances where external security threats to students and school staff are presented, the expertise and leadership of a school-based law enforcement officer or qualified security personnel is invaluable. **However, officers should never play a role in matters of routine school discipline if no imminent threat to the safety and/or lives of students and staff is present.** When subjective code of conduct violations like rude behavior, poor language, and even schoolyard fights occur, those instances should remain the responsibility of educators and school administration to address.

The statewide commission of the school-to-prison pipeline and restorative practices has made its recommendations, which include the increased adoption and utilization of restorative approaches to school discipline and the training of teachers and other school staff in the areas of implicit bias, culturally relevant pedagogy, and general cultural competency.<sup>7</sup> **We must seize these recommendations instead of falling into the zero-tolerance, hyper-securitized, ineffective practices we've seen fail in the past.**

HB 327 prevents SROs and other school security personnel from being involved in routine disciplinary matters and instead offers Maryland schools, teachers, and students the opportunity to explore restorative approaches to school discipline. For all the reasons above, **ACY strongly urges a favorable report on this bill.**

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<sup>3</sup> Sunderman and Janulis. "When Law Enforcement Meets School Discipline: School-related Arrests in Maryland 2015-16" University of Maryland School of Education Data Brief. June 2018.

<sup>4</sup> *ibid*

<sup>5</sup> MSDE. *Suspensions, Expulsions, and Health Related Exclusions Maryland Public Schools 2018-2019.*

<sup>6</sup> *ibid*

<sup>7</sup> Maryland Commission on the School-to-Prison Pipeline and Restorative Practices. "Report to the Maryland Governor and General Assembly pursuant to House Bill 1287 (2017)" December 20, 2018.