



Monisha Cherayil, Staff Attorney

Public Justice Center

1 North Charles Street, Suite 200

Baltimore, Maryland 21201

410-625-9409, ext. 234

cherayilm@publicjustice.org

SB 245

Public Schools – School Resource Officers – Requirements and Prohibitions

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FAVORABLE WITH AMENDMENTS

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Education Stability Project advocates racial equity in public education by combatting the overuse of exclusionary school discipline practices, like suspension, expulsion, and school policing, that disproportionately target Black and brown children and push students out of school. If amended as proposed, SB 245 can meaningfully shift Maryland's public schools away from reliance on school police – which have not been shown to keep students and educators safe and needlessly funnel students into the school-to-prison pipeline – and towards implementation of effective measures for improving school safety, including student mental health services, wraparound supports, and restorative approaches.

Regular Police Presence Makes Schools Less Safe, Not More, Particularly for Black Children and Children with Disabilities. Every Maryland school district stations police in its public schools on the theory that doing so will stop school shootings or reduce other types of violence. In the enclosed policy brief, the [Maryland Coalition for Justice and Police Accountability](#) – a coalition of over 90 organizations committed to meaningful police reform in our state – demonstrates that the true impact of the model is different:

- Police presence in schools has not been shown to prevent school shootings or prevent other violence
- Over 70% of school arrests in Maryland are for fights without weapons, disruption/disrespect, trespassing, and similarly low-level offenses; the remainder are mostly for simple drug possession
- Black students receive 56% of school arrests in Maryland, even though they are only a third of the student population, and research has found no differences in student behavior across race
- Students with IEPs receive 23% of school arrests in Maryland, even though they are only 12% of the student population

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- Students arrested in school are [22 percentage points](#) more likely to drop out than peers who share similar characteristics but do not face arrest

In short, police presence in schools needlessly pushes students – particularly Black students and students with disabilities – out of school and into a pipeline to prison for engaging in developmentally-anticipated childhood and adolescent behavior, without improving school safety.

Expanded Student Mental Health Services, Wraparound Supports, and Restorative Approaches Keep Schools Safe – But These Strategies Are Underfunded. Schools can employ proven strategies to keep students and educators safe without causing harm. Restorative Approaches, for example, build positive relationships within school communities, facilitating the prevention and resolution of conflict and resulting in [decreases in suspensions and improvements in school climate](#). Social-Emotional Learning teaches students character skills, such as self-awareness, emotional self-regulation, empathy, and responsible decision-making, and has been shown to [decrease emotional distress and violent behaviors/conduct problems](#). And, Trauma-Informed Practices help to minimize fight-or-flight responses for students who have suffered trauma, [preventing behavior crises and making schools feel “safer” and “calmer.”](#) But to implement these measures, schools need counselors, social workers, psychologists, restorative practitioners, and community school coordinators – and in Maryland, they have [far from enough](#).

SB 245 Appropriately Recognizes the Failures of the School Policing Model But Must Go Further to Make a Meaningful Impact. SB 245 correctly recognizes that the school policing model has failed Maryland students, but as drafted, the bill contains several flaws that will prevent it from achieving necessary reform:

- The bill authorizes school police to be stationed outside school buildings, and to enter those buildings when called for an “emergency involving violence or the threat of violence.” Because “violence or the threat of violence” is undefined, schools can easily rely on this language to summon police to arrest students engaged in run-of-the-mill schoolyard fights, horseplay, or adolescent bravado or disrespectful language – behavior that may warrant disciplinary action, but not involvement with the juvenile or criminal system. Indeed, as noted, a large portion of school arrests currently target precisely these behaviors, and this bill is unlikely to change that.
- The bill authorizes school police to enter school buildings for training, even though – as employees of police departments in all jurisdictions but Baltimore City – they can and should receive training at the departments themselves, rather than in school buildings. Even in Baltimore City, where school police are employees of the district, training could happen in district offices rather than in schools. The more time police spend inside school buildings and interacting with students, the more likely that they will use law enforcement strategies – including interrogation, arrest, handcuffing, and force – to respond to student misbehavior, since law enforcement remains these officers’ primary duty and function.
- The bill creates no mechanism to ensure oversight of or adherence to its limitations on school police activity, such that these limitations will likely prove meaningless in practice.

- The bill expressly authorizes school police to carry firearms inside school buildings, cementing this dangerous practice into law; [arming school-based personnel has not been shown to deter school shootings and creates a serious risk of accidental gunfire and injury to students or staff](#). Moreover, this provision conflicts with existing law, Md. Educ. § 4-318, and Baltimore City policy prohibiting City Schools police from carrying firearms in school during school hours, which the General Assembly – lead by the Baltimore City Delegation – has repeatedly rejected attempts to alter.
- The bill fails to redirect the mandatory \$10 million/year state SRO fund (Md. Educ. § 7-1508), through which Maryland makes a substantial investment of state dollars in the failed school policing model, or to invest in effective safety measures, like student mental health services, wraparound supports, or restorative approaches.

SB 245 would more effectively accomplish its goal of limiting police involvement in schools and supporting schools to implement more effective safety strategies if it included the following changes:

- Redirecting the \$10 million per year from the SRO fund towards student mental health services, wraparound supports, and restorative approaches, so that school districts can hire counselors, social workers, school psychologists, restorative approaches practitioners, community school coordinators, and implement trauma-informed practices.
- Requiring reporting on the use-of-force by school security and on calls to City or County police for incidents in school.
- Strengthening the School Safety Subcabinet Advisory Board to the Maryland Center for School Safety – which oversees issues of safety in schools – to include families impacted by school-based arrest, and experts in student mental health and conflict resolution.
- Prohibiting school districts from contracting with police departments to station police at schools – while still permitting schools to coordinate emergency response with City or County police, to employ unarmed guards (without arresting power) at schools, and to utilize non-personnel safety measures (e.g. door locks)
- Repealing the creation of the Baltimore City Public Schools standalone police force.

The Public Justice Center urges the committee to adopt these amendments to SB 245, and issue a favorable report on the legislation as amended. If you have any questions, please contact Monisha Cherayil at 410-625-9409 x 234 or cherayilm@publicjustice.org.