



**Testimony for the Senate Education, Health, and Environmental  
Affairs Committee**

**January 27, 2021**

**SB 245 – Public Schools - School Resource Officers - Requirements  
and Prohibitions**

**FAVORABLE WITH AMENDMENTS**

JUSTIN NALLEY  
POLICY ANALYST,  
EDUCATION

AMERICAN CIVIL  
LIBERTIES UNION  
OF MARYLAND

MAIN OFFICE  
& MAILING ADDRESS  
3600 CLIPPER MILL ROAD  
SUITE 350  
BALTIMORE, MD 21211  
T/410-889-8555  
or 240-274-5295  
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS  
JOHN HENDERSON  
PRESIDENT

DANA VICKERS SHELLEY  
EXECUTIVE DIRECTOR

ANDREW FREEMAN  
GENERAL COUNSEL

The ACLU of Maryland supports SB 245, which would prohibit School Resource Officers (SRO) from entering the school building unless in response “to an emergency involving violence or the threat of violence” and prohibit SROs from participating in “the routine school discipline of a student.”

While the intentions of this bill are commendable in reimagining school safety, its current drafting does not address the issue of over-policing in schools. Every Maryland school district employs school police despite evidence that shows police presence in schools results in criminalizing students for minor age-appropriate behavior and creates the school-to-prison pipeline.

In Maryland, 70% of school arrests are for fistfights without weapons and offenses like disruption/disrespect, alcohol/tobacco, trespassing; the remainder are for simple drug possession.<sup>1</sup> A simple schoolyard fight leads to a student being arrested for second-degree assault. A student taking a classmates’ pencil winds up being a criminal charge for theft. These school arrests for minor offenses are a byproduct of police presence in schools, where students are five times more likely to be arrested for disorderly conduct than a school that does not have one.<sup>2</sup>

Black children and students with disabilities are disproportionately harmed by school policing. In Maryland, Black students receive 56% of school-based arrest, despite making up only one-third of the student population. Students with Individual Education Programs (IEP) also receive 23% of school-based arrests despite only comprising 12% of the student population.<sup>3</sup>

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<sup>1</sup> "Maryland Public Schools Arrest Data 2018-2019 - Maryland State ...." <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>. Accessed 25 Jan. 2021.

<sup>2</sup> "A RESOURCE GUIDE - Dignity in Schools." [http://www.dignityinschools.org/wp-content/uploads/2017/10/Resource\\_Guide-on-CNC-1.pdf](http://www.dignityinschools.org/wp-content/uploads/2017/10/Resource_Guide-on-CNC-1.pdf). Accessed 25 Jan. 2021.

<sup>3</sup> *Supra* note 1

The following amendments, supported by numerous reports,<sup>4</sup> are strategies to strengthen the current bill and aligns with the bills intended purpose, which is to have a positive school climate and to stop the interactions between law enforcement officers and students that directly contribute to the school-to-prison pipeline:

- 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.
- Require 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 include families impacted by school-based arrest, and experts in student mental health and conflict resolution.
- Prohibit school districts from contracting with police departments to station police at schools.
- Repeal the creation of the Baltimore City Public Schools standalone police force.

For the foregoing reasons, ACLU of Maryland urges a favorable report with amendments for SB 245.

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<sup>4</sup> "Community Schools as an Effective School Improvement ...." [https://learningpolicyinstitute.org/sites/default/files/product-files/Community\\_Schools\\_Effective\\_REPORT.pdf](https://learningpolicyinstitute.org/sites/default/files/product-files/Community_Schools_Effective_REPORT.pdf). Accessed 25 Jan. 2021.; See also "How the Lack of School Mental Health Staff Is Harming Students." [https://www.aclu.org/sites/default/files/field\\_document/030419-acluschooldisciplinereport.pdf](https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf). Accessed 25 Jan. 2021.



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