

Name: Tammy Fraley (individual – not representing organization)

Bill: HB0496

Title:

Primary and Secondary Education - Mental Health Services - Expansion
(Counselors Not Cops Act)

Sponsored by: Delegate Wilkins

Synopsis:

Altering the membership of the School Safety Subcabinet Advisory Board; requiring the Governor, beginning in fiscal year 2023, to include in the annual budget bill an appropriation of \$10,000,000 to the Safe Schools Fund to be used for certain purposes related to expanding the availability of school-based mental health services; etc.

Testimony in Opposition of HB0496

Hello, my name is Tammy Fraley and I live in Allegany County Maryland. I am writing today in opposition to HB0496. I have two children that attend public schools currently and two children that have graduated from public schools in Maryland and West Virginia. In full transparency, my husband served as an SRO in Allegany County MD from 2006 to 2020. However, he is now employed as a prevention resource officer (PRO) within the state of West Virginia and therefore my testimony does not have a conflict of interest.

I have seen first-hand the positive impact that specialized law enforcement has on the students. Having served as a school resource officer in the state of Maryland for 14 years. As a police officer, a school resource officer is not there to arrest students. A SRO is there to mentor students, provide students a sounding board, and to be on their side in every situation that may arise. I have seen students that reach back to my husband me over the years thanking him for being there for them in their time of need. I feel that school-based law enforcement can and does lower the rate of the school to prison pipeline - as the students have respect for their SRO. As a parent, I feel that the safety and security of schools depends on a full wrap around of services to ensure the whole student succeeds. This would mean social workers, behavioral specialists, health services, counselors, law enforcement, and education leaders. Maryland legislature passed the Safe to Learn Act in 2018 and to take that away during this very difficult time for students, families, and educators would be an injustice.

This testimony is to provide context to the legislature on the role of school-based law enforcement and the key aspects of a qualified, certified school resource officer.

I would like to think that the intention of this bill is not removing the law enforcement officer (“Cops”) from the school safety equation. If the intention is to remove law enforcement from the equation, then I would ask that the delegates and senators consider that under best practices, officers considered for SRO positions should be the “cream of the crop.” No agency should put officers in schools to get them off the streets (because of issues with their work or because of declining capabilities), as punishment, or without the officers’ strong desire to work in schools. It would be a great disservice to our communities to state that in 2018 The Safe To Learn Act was approved but now that is no longer important in the safety and security of our schools.

In a way of compromise possibly to include a more detailed definition of “School Resource Officer” in 7-1501 (N) (1) to include a new subsection

(a) Qualifications:

- **At least three years of street experience;**
- **Demonstrated ability to work with youth (e.g. through volunteering in youth athletic programs);**
- **Clean disciplinary records;**
- **Excellent community relations skills.**

Additionally, to eliminate the \$10 million grant program that currently allows for the ability to provide adequate coverage within a school district (eg, school resource officers, school security employees) and require the \$10 million in grant funding to expand the availability of school-based mental health services would be a disservice to our local school systems’ ability to provide full services to our citizens and community.

As a compromise, I would propose that another amendment be made that allows for expansion of the funding to include all necessary service and not removal the funding specific to school resource officers.

7–1511.1 (A) add (5)

(5) HIRING OR CONTRACTING WITH LOCAL LAW ENFORCEMENT FOR CERTIFIED, QUALIFIED, AND VETTED SCHOOL RESOURCE OFFICERS TO PROVIDE SUPPORT IN THE WRAPAROUND SERVICES IN THE SCHOOL SYSTEM

A certified School Resource Officer is required to take specialized training in the state of Maryland under the Safe to Learn Act of 2018. The Safe to Learn Act also requires adequate coverage as defined in the law. School policing must be different than street patrol. Specialized training, therefore, is as essential to SROs as it is to other law enforcement specialties, such as hostage negotiation or SWAT.

It is my understanding that most, if not all, local school jurisdictions have a committee that is responsible for coordination of the memorandum of understanding between the law enforcement agency and the school system. Many also have input to the selection of the officer that will be assigned to their respective district.

The memorandum of understanding must codify responsibilities and expectations of all parties. For example, both parties must agree that schools will not involve SROs in behavioral issues and disciplinary matters that educators should handle themselves in the absence of police.

It is nationally recognized that specialized training should be required prior to the acceptance of the assignment of a police officer to a school or school system that includes:

- Understanding adolescent brain development and normal childhood behaviors;
- Recognizing and overcoming implicit bias;
- De-escalation, including finding and using alternatives to juvenile justice system referrals;
- Special education, including individualized education plans and their requirements;
- Recognizing and responding appropriately to signs of mental illness and trauma.
- State-specific regulations regarding schools

For reference below is an excerpt from the Maryland Center for School Safety:

The Maryland Model School Resource Officer (SRO)/School Security Employee Training Program requires the trainee to attend and pass a 40-hour block of instruction that prepares the officer to carry out the primary duties of a SRO/School Security Employee.

Officers are taught a wide curriculum that includes the following:

- *Maryland School Law*
- *Trauma-Informed Counseling*
- *Restorative Practices*
- *Relationship Building*
- *Peer Mediation techniques*

The main role of the SRO is exactly as the title implies – to be a resource. The officer is there to help assist in finding solutions to issues that are beyond the capability of students, faculty, and administrators to handle alone. The officer is often the conduit between other resource agencies such as juvenile probation, the juvenile courts, social service agencies, and non-profit, civic, and faith-based organizations.

The SRO/School Security Employee is taught prevention techniques that will be beneficial in preventing violent incidents within a school. Keeping this in mind, the SRO must be prepared and trained to respond as a single officer to any active threat that arises on campus.

The position of SRO is an extreme specialty in Law Enforcement. Traditional police training does not address the topics SRO's must be familiar with. The adolescent brain not being able to understand consequences, de-escalation, mental health, and special education needs and school discipline vs criminality are just a few topics they need to learn to function well in a school setting.

Both the full program and the comparative compliance program were certified by the Maryland Police and Correctional Training Commission on February 13, 2019.

Thank you for your time in reading this testimony. Maryland children and staff in school buildings deserve to have full wrap around services which MUST include specialized, certified, and trained law enforcement.

Tammy Fraley

Email: pdwife2005@gmail.com

Phone: 240-580-0682

County of Residence: Allegany

Note: It appears there is additional legislation by Delegate HB0522 that details the actions surrounding discipline and restorative practices that would handle the concern on the discipline aspects.