

**Testimony in Support of House Bill 1089**  
**Police-Free Schools Act**

To: Delegate Anne R. Kaiser, Chair, and Members of the House Ways and Means Committee

From: Tonecia Brothers-Sutton and Jennifer Frederick, Student Attorneys, Youth, Education and Justice Clinic, University of Maryland Francis King Carey School of Law, 500 W. Baltimore Street, Baltimore, MD 21201 (admitted to practice pursuant to Rule 19-220 of the Maryland Rules Governing Admission to the Bar)

Date: March 1, 2021

We are student attorneys in the Youth, Education and Justice Clinic (“the Clinic”) at the University of Maryland Francis King Carey School of Law. The Clinic represents children who have been excluded from school through suspension, expulsion, and other means, as well as individuals who are serving life sentences for crimes they committed when they were children (“juvenile lifers”) and who are now eligible to be considered for parole. We write in support of House Bill 1089, which seeks to ensure police-free schools in Maryland.

If passed, HB1089 will prohibit school districts from contracting with local law enforcement agencies to station police officers, known as school resource officers (SROs), in public schools. Removing SROs from schools would be a positive step towards shifting to the range of wraparound supports and restorative approaches that make schools safer, keep students in school, and keep students away from the juvenile and criminal legal systems.

There is no empirical evidence that SROs are “effective at improving school safety.”<sup>1</sup> Instead, police presence has fueled the school-to-prison pipeline. A 2017 study found that the arrest rates of children increased substantially after schools received federal grants to hire police officers.<sup>2</sup> The study also found that each additional officer in school led to approximately 2.5 more in-school arrests annually for children between ages 7 and 14.<sup>3</sup>

In addition, police officers in schools have led to more students being involved with the criminal justice system for low-level violations of school behavioral codes.<sup>4</sup> Officers are often involved with disciplinary matters that previously were the sole province of school administrators.<sup>5</sup> Such matters include intervening in instances when students are considered to be disruptive or

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<sup>1</sup> National Public Radio, *Why There’s a Push to Get Police Out of Schools* (June 23, 2020), <https://www.npr.org/2020/06/23/881608999/why-theres-a-push-to-get-police-out-of-schools>.

<sup>2</sup> Emily Owens, *Testing the School-to-Prison Pipeline*, J. POL’Y ANALYSIS & MGMT., Vol. 6 (Sept. 28, 2016), <https://onlinelibrary.wiley.com/doi/abs/10.1002/pam.21954>.

<sup>3</sup> *Id.*

<sup>4</sup> Jason Nance, *Students, Police, and the School-to-Prison Pipeline*, 93 WASH. L. REV. 919, 950 (2016), <https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1782&context=facultypub>.

<sup>5</sup> *Id.* at 951.

disorderly,<sup>6</sup> which are behaviors consistent with normal adolescent development. As a result, the presence and actions of SROs have criminalized too many students for too long.

In Maryland, the presence and actions of SROs (and school administrators who instinctively rely on SROs) have disproportionately criminalized Black students and students with disabilities. While Black students comprised 33.6% of the children in Maryland Schools in the 2018-19 school year,<sup>7</sup> they received 56% of school-based arrests.<sup>8</sup> During this same school year, students with disabilities comprised 12.2% of the student population,<sup>9</sup> but received 23% of the arrests in Maryland.<sup>10</sup>

The impacts of these law enforcement interactions in schools are far reaching and life altering. Research shows that even once instance of police contact increases the likelihood that a young person will have further involvement with the criminal justice system, fall behind, and/or ultimately drop-out of school.<sup>11</sup> In addition, negative interactions with police officers in schools shape students' outlooks on law enforcement, laws, and rules, as they "perceive their oppressive interactions with [officers] as representative of how all [police] officers will treat them."<sup>12</sup>

Importantly, HB 1089 calls for providing Maryland's schools with the resources that more effectively support students and maximize school safety. Specifically, HB 1089 requires that school systems use State funding to expand mental health services and behavioral supports for students, expand restorative approaches, provide wrap-around services, develop trauma-informed schools, and hire or contract with professionals who are expert in providing these various services. These professionals, such as school psychologists and social work, foster more effective school environments by supporting students' positive behavior, strengthening relationships among students, staff, and parents, de-escalating conflicts, and emphasizing accountability.

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<sup>6</sup> *Id.*

<sup>7</sup> MARYLAND STATE DEPARTMENT OF EDUCATION, MARYLAND PUBLIC SCHOOL ENROLLMENT BY RACE/ETHNICITY AND GENDER AND NUMBER OF SCHOOLS 1 (2018),

<http://www.marylandpublicschools.org/about/Documents/DCAA/SSP/20182019Student/2019EnrollRelease.pdf>.

<sup>8</sup> MARYLAND STATE DEPARTMENT OF EDUCATION, MARYLAND PUBLIC SCHOOLS ARREST DATA: SCHOOL YEAR 2018-19 130 (2020) (hereafter MARYLAND PUBLIC SCHOOLS ARREST DATA),

<http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>.

<sup>9</sup> MARYLAND STATE DEPARTMENT OF EDUCATION, MARYLAND EARLY INTERVENTION AND SPECIAL EDUCATION SERVICES CENSUS DATA AND RELATED SERVICES 1 (2018),

<http://www.marylandpublicschools.org/about/Documents/DCAA/SSP/20182019Student/2019CensusPubSpecEd.pdf>

<sup>10</sup> MARYLAND PUBLIC SCHOOLS ARREST DATA, *supra* note 8, at 8.

<sup>11</sup> Stephanie Ann Wiley, *The Amplification of Deviance Following Police Contact: An Examination of Individual and Neighborhood Factors among a Sample of Youth*, 35 (July 2, 2014),

<https://irl.umsl.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1244&context=dissertation>.

<sup>12</sup> Kristen Henning, *Boys to Men: The Role of Policing in the Socialization of Black Boys*, in *Policing the Black Man: Arrest, Prosecution, and Imprisonment* 66 (Angela J. Davis ed., 2017).

In sum, Maryland should move to police-free schools. The data, each and every year in Maryland, show that the presence of SROs disproportionately criminalizes Black students and students with disabilities. It is past time to provide the wraparound supports and services that HB 1089 mandates.

**For these reasons, the Clinic asks for a favorable report on House Bill 1089.**

This written testimony is submitted on behalf of the Youth, Education, and Justice Clinic at the University of Maryland Francis King Carey School of Law and not on behalf of the School of Law or the University of Maryland, Baltimore.