



Testimony for the House Ways and Means Committee

February 3, 2021

HB 496 – Primary and Secondary Education - Mental Health Services Expansion (Counselors Not Cops Act)

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FAVORABLE

The ACLU of Maryland supports HB 496, which would redirect the \$10 million per year in the Safe Schools Fund to be used only for hiring school-based student supports; including school psychologists, school social workers, restorative approach coordinators, and community school coordinators. This bill requires additional family and impacted community members to the School Safety Subcabinet Advisory Board and implements additional reporting requirements of school systems on student supports.

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.¹ A simple schoolyard fight leads to a student being arrested for second-degree assault. A student taking a classmate's 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.²

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

¹ Maryland State Department of Education, Maryland Public Schools Arrest Data: School Year 2018-19 (2020), <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>

² Dignity in Schools Campaign, A Resource Guide on Counselors Not Cops (2016), http://www.dignityinschools.org/wp-content/uploads/2017/10/Resource_Guide-on-CNC-1.pdf

with Individual Education Programs (IEP) also receive 23% of school-based arrests despite only comprising 12% of the student population.³

There are strategies to increase school safety that don't promote the school-to-prison pipeline and have been proven to be successful to support positive student behavior and strengthen school relationships. These strategies include restorative approaches, hiring mental health specialists and counselors, social-emotional learning, and trauma-informed approaches in our schools. Providing \$10 million per year in funding to implement these alternatives in place of school police, will decrease the school-to-prison pipeline and promote a positive school climate for all students.

For the foregoing reasons, ACLU of Maryland urges a favorable report for HB 496.

³ Maryland State Department of Education, Maryland Public Schools Arrest Data: School Year 2018-19 (2020), <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>



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