

Ways and Means

Bill #: HB1089

Bill Title: Primary and Secondary Education – Expansion of Mental Health Services and Prohibition of School Resource Officers (Police-Free Schools Act)

March 3, 2021

****FAVORABLE****

Dear Madame Chair and members of the Ways and Means Committee,

I am writing on behalf of Showing Up for Racial Justice Annapolis & Anne Arundel County in FAVOR of *Bill #:HB1089, Primary and Secondary Education – Expansion of Mental Health Services and Prohibition of School Resource Officers (Police-Free Schools Act)*.

School safety is an extremely complex issue and consideration of students' safety must extend beyond threats of armed violence in schools. Data shows school resource officers (SROs) **do not** protect our children from school shootings.¹ SROs do have a direct impact on students' mental and emotional health, along with negatively impacting academic outcomes. Too often SROs use their discretion to criminalize ordinary youthful behavior or behavior that is disability-related, which should be handled by school administrators. Students of color and/or with disabilities are disproportionately referred to law enforcement for school-based incidents.² A single arrest can impact a student's achievement, and lead to a 25-50% increase in the likelihood of dropping out of school.³

Pre-COVID, approximately 72% of children in the United States experienced at least one major stressful life event such as witnessing violence or experiencing abuse by the age of 18, and these numbers are disproportionately higher for students of color.⁴ Children who have experienced past trauma can interpret minor situations as threatening and respond with agitation and anxiety. SROs misconstrue this as "non-compliance" and escalate the situation, causing further trauma.

¹ According to FBI statistics, the majority of mass shootings end when the shooter decides to end them, not by intervention by law enforcement. <https://www.fbi.gov/news/stories/2014/september/fbi-releases-study-on-active-shooter-incidents/pdfs/a-study-of-active-shooter-incidents-in-the-u.s.-between-2000-and-2013>. *The Washington Post* found just two cases between 1999 and 2018 "in which a resource officer gunned down an active shooter. (To put that in perspective, at least seven shootings in the same period were halted by malfunctioning weapons or by the gunman's inability to handle them.)" <https://www.washingtonpost.com/graphics/2018/local/school-shootings-and-campus-safety-industry/>

² African American and Latino boys with disabilities represent only three percent of students nationally, but account for 12 percent of school arrests. African American boys are often labeled as "emotionally disturbed" or "bad" when non-compliant behavior occurs - whether or not they have an emotional or behavioral disability - and those behaviors disproportionately lead to a law enforcement response rather than a supportive response through appropriate accommodations.

³ Webbink D, Koning P, Vujić S, Martin NG. Why Are Criminals Less Educated than Non-Criminals? Evidence from a Cohort of Young Australian Twins. CPB Netherlands Bureau for Economic Policy Analysis, The Hague, the Netherlands.; 2008.

⁴ <https://www.aclu.org/report/cops-and-no-counselors>

The COVID-19 pandemic has provided a glimpse into a world where SROs do not exist. As school buildings shut down across the country (with the result being no school-based arrests), between February 1, 2020 and April 1, 2020, youth admissions to juvenile detention facilities decreased by 52%,⁵ along with the percentage of youth of color in detention also shrinking.

Yet we are not writing in support of HB1089 because of all of the national statistics. Just last month, a 10-year study from *The Sentencing Project* showed that, even though youth incarceration has decreased overall, the disparity for youth of color has increased: the disparity for black youth increased by 49% and by 43% for Latino youth in Maryland. Maryland State Department of Education data show an 87% increase in arrests in Anne Arundel County Public Schools (AACPS) from 2016-17 to 2018-19. In the same period, African American students were consistently arrested at 2-3 times the rate of white students statewide. **More students were arrested in AACPS in 2018-19 (i.e., 356 students) than in any other county school system in Maryland.**⁶ According to *The Capital Gazette*, police representatives and AACPS Deputy Superintendent Jackson have **admitted this stark increase in arrests is due to an increase in SRO presence.**^{7,8} Therefore, in a school system like AACPS where punitive discipline is extremely disproportionately directed at African American students,⁹ the presence of SROs leads directly to the very criminalization of Blackness that harms our students.

In closing, we wanted to share one more set of statistics: African Americans are more likely to be shot by law enforcement in split-second decisions, and trained police miss their targets more than 4 out of 5 times in gun fire. No child should enter their school afraid of being harassed by the authorities in the building, yet alone scared that they might be shot by an SRO.

Maryland has an opportunity to make education safer for our kids by restricting law enforcement presence in schools. Maryland needs to be proactive by investing in social workers, resources for special education, restorative approaches to resolving conflict, psychologists, and counselors. **Children should be focused on learning, while we focus on their safety and well-being. This is the time to take action: stop calling in SROs to punish our children of color and/or with disabilities, isolate them from their peers, separate them from school, and enter them into the criminal justice system.**

For the reasons stated above, I strongly urge this committee to vote FAVORABLY on Bill #: HB1089, Primary and Secondary Education – Expansion of Mental Health Services and Prohibition of School Resource Officers (Police-Free Schools Act).

Respectfully Submitted,

India Ochs

Showing Up For Racial Justice Annapolis and Anne Arundel County (SURJ3A)

⁵ The Annie E. Casey Foundation, “Survey: 52% Drop in Admissions to Youth Detention in Two Months Matches Reduction Over 13 Years,” aecf.org, Accessed July 7, 2020.

⁶ <http://marylandpublicschools.org/stateboard/Documents/2020/0623/ArrestsSchoolPremises06232020.pdf>

⁷ <https://www.capitalgazette.com/education/ac-cn-juvenile-citations-20191106-2sg42tyxnbeflk5zdpthafpcu-story.html>

⁸ Even when acknowledging the negative impact of SROs, AACPS plans to place SROs in all middle schools.

⁹ <https://www.aacps.org/cms/lib/MD02215556/Centricity/Domain/1741/jointinitiative.pdf>