



MARYLAND COALITION FOR JUSTICE & POLICE ACCOUNTABILITY

**HB 496**

**Primary and Secondary Education – Mental Health Services – Expansion**

**(Counselors Not Cops Act)**

**Ways and Means Committee**

**February 3, 2021**

**POSITION: SUPPORT**

The **Maryland Coalition for Justice & Police Accountability (MCJPA)** is a large, diverse, statewide coalition of 90+ organizations united to demand [5 police reform demands](#), including ending regular police presence in Maryland schools. MCJPA supports HB 496, which redirects the \$10 million/year state School Resource Officer (SRO) Fund towards student mental health services, wraparound supports, and restorative approaches, measures shown to actually make schools safer.

**School Police (also known as School Resource Officers) Do Not Keep Students and Educators Safe.**

On-site police presence has not been shown to prevent school shootings or other violence. Indeed, The Federal Emergency Response Agency (FEMA) and Center for Homeland Defense and Security recently summarized “accumulating research [which] has shown that the conspicuous security, including the presence of school resource officers, have little to no effect in preventing school shootings, or reducing casualties.”<sup>1</sup> For example:

- A 2020 investigation of the impact of expansions of school policing in Florida, following the Parkland school shooting (where an SRO was unable to stop the shooter), shows that found “little consistent evidence that the presence of law enforcement decreased the number of behavioral incidents occurring, indicating that school-based law enforcement were not necessarily making schools safer”<sup>2</sup>
- A study of approximately 3,000 schools nationwide found “no evidence suggesting that SRO or other sworn law-enforcement contribute to school safety”<sup>3</sup>

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<sup>1</sup> Caitlin Moe & Ali Rowhani-Rabar, What We Know About School Mass Shootings Since Columbine and How to Prevent Them (2019),

<https://www.chds.us/ssdb/what-we-know-about-school-mass-shootings-since-columbine-and-how-to-prevent-them/>

<sup>2</sup> Chris Curran, The Expanding Presence of Police in Florida Schools: Research Report at 2(2020),

[https://www.aclufi.org/sites/default/files/curran\\_-\\_the\\_expanding\\_presence\\_of\\_law\\_enforcement\\_in\\_florida\\_school\\_s.pdf](https://www.aclufi.org/sites/default/files/curran_-_the_expanding_presence_of_law_enforcement_in_florida_school_s.pdf)

<sup>3</sup> Chongmin Na & Denise Gottfredson, Police Officers in School: Effects on School Crime & the Processing of Offending Behaviors, Justice Quarterly (2011),

<https://www.tandfonline.com/doi/abs/10.1080/07418825.2011.615754>.

- Another observed that “no empirical evidence supports th[e] claim” that school police stop shootings and in many of the highest profile school shootings nationwide the presence of armed school police failed to deter or stop shooters<sup>4</sup>
- A review of over 40 years of research found that the “evidence . . . fails to support a safety effect” associated with officer presence at schools<sup>5</sup>

At the same time, police presence makes some students – particularly Black students and immigrant students – feel less safe because of over-policing in communities of color, racialized police violence, and the threat of deportation.<sup>6</sup>

**Police Presence in Schools Increases Student Arrests for Minor Offenses.** In national studies, students in schools with a police officer are five times more likely to be arrested for disorderly conduct and twice as likely to be referred to law enforcement for run-of-the-mill fistfights than students in schools without one.<sup>7</sup> In Maryland, approximately 70% of school arrests are for fistfights without weapons and offenses like disruption/disrespect, alcohol/tobacco, property destruction or theft (including of property with little or no monetary value), trespassing, and similar conduct. The remainder are in large part for drug-related offenses, including minor possession.<sup>8</sup>

**School Policing Disproportionately Harms Black Students, and Students with Disabilities.** In Maryland, Black students receive 56% of school-based arrests statewide despite representing only about a third of the student population, even though data demonstrates that Black students misbehave at the same rate as their peers. Meanwhile, students with Individual Education Programs (IEPs) receive 23% of school-based arrests despite comprising 12% of the student population.<sup>9</sup> Oftentimes, students with disabilities face arrest for engaging in behavior that arises from their disability, as in the recent case of a [12 year old student who was handcuffed for 23 minutes by a Baltimore County school police officer for exhibiting non-violent autism-related behavior](#).

**Non-Policing Strategies Can Effectively Keep Students Safe But Are Under-Resourced.** Strategies to support positive behavior and strengthen relationships among students, staff, and parents effectively keep schools safe. For example:

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<sup>4</sup> Denise Gottfredson et al, Effects of School Resource Officers on School Crime and Responses to School Crime, J. Criminology & Pub. Pol. (2020); *see also* Alex Yablon, Do Armed Guards Prevent School Shootings?, The Trace (April 6, 2019), <https://www.thetrace.org/2019/04/guns-armed-guards-school-shootings/>

<sup>5</sup> Alexis Stern & Anthony Petrosino, What Do We Know About the Effect of School-Based Law Enforcement on School Safety? (2018), <https://www.wested.org/wp-content/uploads/2018/04/JPRC-Police-Schools-Brief.pdf>

<sup>6</sup> Matthew Theriot & John Orme, School Resource Officers & Students’ Feelings of Safety in School, Youth Violence & Juvenile Justice, Vol. 14-2, 130-146 (April 2016); Chris Curran et al, The Good Guy Image Police Present to Students Often Clashes with Students’ Reality, The Conversation (June 5, 2020), <https://theconversation.com/the-good-guy-image-police-present-to-students-often-clashes-with-students-reality-139821>

<sup>7</sup> 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](http://www.dignityinschools.org/wp-content/uploads/2017/10/Resource_Guide-on-CNC-1.pdf)

<sup>8</sup> Maryland State Dep’t of Education, Maryland Public Schools School-Based Arrest Data 2018-19

<sup>9</sup> Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan at 21- 22 (2018), [www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf](http://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf); National Education Policy Center, The Starts & Stumbles of Restorative Justice in Education: Where Do We Go From Here? (2020), [https://nepc.colorado.edu/sites/default/files/publications/Revised%20PB%20Gregory\\_0.pdf](https://nepc.colorado.edu/sites/default/files/publications/Revised%20PB%20Gregory_0.pdf); OSI Baltimore, Restorative Practices in Baltimore City Schools: Research Updates and Implementation Guide, <https://www.osibaltimore.org/wp-content/uploads/2020/09/RP-Report-2020-FINAL.pdf>.

- Restorative Approaches proactively build positive relationships among students and staff to prevent conflict, and repair harm and impose accountability when conflict does occur. When implemented comprehensively, RA improves student behavior and reduces reliance on exclusionary discipline.<sup>10</sup>
- Trauma-Informed Practices recognize that students with histories of trauma can lash out at others when triggered. Recognizing this reality, trauma-informed schools focus on students' physical, social, and emotional safety; embrace a shared understanding among staff about the impact of trauma; engage in positive and culturally-responsive discipline; ensure students' access to comprehensive school mental health and behavioral services; and engage in effective community collaboration. Schools report becoming "safer" and "calmer" after implementing trauma-sensitive practices.<sup>11</sup>
- Community Schools provide wraparound services to students and families to address their needs in a holistic way, resulting in significant improvements in student behavior and social functioning<sup>12</sup>
- Special Education planning and implementation supports positive behavior among students with disabilities.<sup>13</sup>

However, to implement these strategies, schools need sufficient numbers of school counselors, school social workers, school psychologists, restorative approaches practitioners, community resource coordinators, and similar professionals. Maryland falls short on the recommended staffing ratios for these needed positions. On average, state public schools have<sup>14</sup>:

- 1 Counselor for every 383 students (recommended ratio: 1/250)
- 1 Social Worker for every 2,324 students (recommended ratio: 1/250)
- 1 School Psychologist for every 1,198 students (recommended ratio: 1/700)
- 1 Nurse for every 917 students (recommended ratio: 1/750)
- The vast majority of schools have no restorative approaches staffing or community school coordinator

**HB 496 shifts funding away from the ineffective and harmful school police model towards interventions that work. MCJPA urges a favorable report.** For more information, contact [cherayilm@publicjustice.org](mailto:cherayilm@publicjustice.org).

### **MCJPA Members:**

#### Advocates for Children and Youth

<sup>10</sup> Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan at 21- 22 (2018),

<https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf>

<sup>11</sup> Wehmah Jones et al, Trauma & Learning Policy Initiative (TLPI): Trauma-Sensitive Schools Descriptive Study, American Institutes for Research (2018),

[https://traumasensitiveschools.org/wp-content/uploads/2019/02/TLPI-Final-Report\\_Full-Report-002-2-1.pdf](https://traumasensitiveschools.org/wp-content/uploads/2019/02/TLPI-Final-Report_Full-Report-002-2-1.pdf);

National Association of School Psychologists, Trauma-sensitive schools; Brief tips and policy recommendations, <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/mental-health/trauma-sensitive-schools>

<sup>12</sup> Anna Maier et al, Community Schools as an Effective School Improvement Strategy: A Review of the Evidence (2017), <https://learningpolicyinstitute.org/product/community-schools-effective-school-improvement-report>

<sup>13</sup> Sugai et al, Applying Positive Behavior Support and Functional Behavioral Assessments in Schools, Journal of Positive Behavior Interventions, Vol. 2, Issue 3 (2000); Perry A. Zirkel, Case Law for Functional Behavior Assessments and Behavior Intervention Plans: An Empirical Analysis, 35 Seattle Univ. L. Rev. 175 (2011)

<sup>14</sup> ACLU, Cops & No Counselors: How the Lack of School Mental Health Services is Harming Students (2019), [https://www.aclu.org/sites/default/files/field\\_document/030419-acluschooldisciplinereport.pdf](https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf)

ACLU of Maryland  
ACLU of Maryland, Montgomery County Chapter  
Amnesty International  
Arts Education in Maryland Schools (AEMS) Alliance  
Baltimore Action Legal Team  
Baltimore Bern Unit  
Baltimore City Civilian Review Board  
Baltimore for Border Justice  
Be More Unified  
Council on American-Islamic Relations (CAIR) - Maryland  
CASA  
Caucus of African-Americans Leaders  
CHOICE Program at University of Maryland – Baltimore County  
Citizens Policing Project  
Coalition for Justice for Anton Black  
Coalition of Concerned Mothers  
Coalition of People Opposed Violence and Extremism  
Common Cause Maryland  
Community Actively Seeking Transparency (C.A.S.T.)  
Community Justice  
Democratic Socialists of America – Baltimore City  
Democratic Socialists of America – Greater Baltimore  
Democratic Socialists of America – Prince George’s County  
Disability Rights Maryland  
Do the Most Good  
Drug Policy Alliance  
Equality Matters  
For Kathy’s Sake  
FreeState Justice  
Greenbelt People Power  
Hispanic National Law Enforcement Association  
Homeless Persons Representation Project  
Innocence Project  
InterFaith Action for Human Rights  
Jews United For Justice  
Job Opportunities Task Force  
Justice Policy Institute  
The JustUs Initiative  
Kevin L. Cooper Foundation  
Law Enforcement Action Partnership  
Leaders of a Beautiful Struggle  
League of Women Voters Maryland  
LGBTQ Dignity Project

Life After Release  
Making Changes LLC  
Mama Sisterhood of Prince George's County  
March for Our Lives Maryland  
Maryland Alliance for Justice Reform  
Maryland Center on Economic Policy  
Maryland Consumer Rights Coalition  
Maryland Defenders Union  
Maryland Justice Project  
Maryland Poor People's Campaign  
Maryland Prisoners' Rights Coalition  
Maryland Restorative Justice Initiative  
Montgomery County Civil Rights Coalition  
Montgomery County Democratic Socialists of America  
Mothers on the Move  
NARAL Pro-Choice Maryland  
NAACP Legal Defense and Educational Fund  
National Coalition for Drug Legalization  
Nigerian American Lawyers Association - Washington DC Chapter  
Office of the Public Defender  
Organizing Black  
Our Maryland  
Our Prince George's  
Our Revolution Maryland  
Out For Justice  
Planned Parenthood of Maryland  
Power Inside  
Prevent Gun Violence Ministry, River  
Road Unitarian Universalist Congregation  
Prince George's People's Coalition  
Prisons to Professionals  
Progressive Maryland  
Public Justice Center  
Racial Justice NOW!  
Rebuild, Overcome, and Rise (ROAR) Center at University of Maryland - Baltimore  
Reproductive Justice Inside  
Sanctuary DMV  
SEIU 1199  
Showing up for Racial Justice, Annapolis and Anne Arundel County  
Showing Up for Racial Justice, Baltimore  
Showing Up for Racial Justice, Montgomery County

Sierra Club Maryland Chapter  
Silver Spring Justice Coalition  
Takoma Park Mobilization  
West Wednesdays  
Wicomico County NAACP Branch 7028  
Women's Law Center  
Young People for Progress