

# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

## HOUSE WAYS AND MEANS COMMITTEE HOUSE BILL 327: PUBLIC SCHOOLS – SCHOOL RESOURCE OFFICERS – PROHIBITED CONDUCT

FEBRUARY 5, 2020

### POSITION: SUPPORT

The Maryland Coalition to Reform School Discipline (“CRSD”) brings together advocates, service providers, and concerned citizens interested in transforming school discipline practices within Maryland’s public school systems. We are committed to making discipline responsive to students’ behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. **CRSD supports HB 327**, which would prohibit school resource officers (SROs) from participating in routine student discipline matters and would prohibit school administrators and staff from directing SROs to enforce discipline-related school policies and procedures.

The mere presence of SROs in schools dramatically increases the frequency with which students become involved with the criminal or juvenile justice system for low-level offenses like fighting and disorderly conduct.<sup>1</sup> For example:

- A study of 13 schools with an SRO and 15 schools without one found that schools with the SRO had nearly five times the number of arrests for disorderly conduct as schools without an SRO.<sup>2</sup>
- Schools with SROs may also be more likely to report non-serious violent incidents to the police (e.g., physical attack or fights without a weapon and threat of physical attack without a weapon) than schools lacking SROs.<sup>3</sup>
- In New York City in 2012, 70% of arrests in public schools were for misdemeanors and 4% for even lesser violations.<sup>4</sup>

In essence, school districts default to relying on SROs to address routine behavior issues that arise in schools. As a result, SROs react and respond to students engaged in everyday behaviors that are consistent with adolescent development and that do not pose a safety risk to themselves, other students, or school personnel. Unsurprisingly, these law enforcement interactions with schoolchildren are linked inextricably to race, as “schools with higher percentages of [B]lack and [Latinx] students are more likely to employ school resource officers . . . .”<sup>5</sup> Students with

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<sup>1</sup> DIGNITY IN SCHOOLS CAMPAIGN, A RESOURCE GUIDE ON COUNSELORS NOT COPS 4 (September 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>2</sup> *Id.*

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

<sup>4</sup> *Id.*

<sup>5</sup> Kristin Henning, *Boys to Men: The Role of Policing in the Socialization of Black Boys*, in *POLICING THE BLACK MAN* 67 (Angela J. Davis ed., 2017) (citation omitted). See U.S. DEP’T OF EDUCATION, OFFICE OF CIVIL RIGHTS, 2013-2014 CIVIL RIGHTS DATA COLLECTION: A FIRST LOOK 5 (2016) (greater percentage of high schools with “high

disabilities are also at risk of increased interactions with law enforcement when police are present in schools. According to data from the U.S. Department of Education’s 2015-16 Civil Rights Data Collections, students with disabilities are 2.9% more likely to be arrested than students without disabilities when police are present in schools.<sup>6</sup> The impacts of these interactions are far reaching and life altering. Research shows that even one instance of police contact increases the likelihood that a young person will have further involvement with the justice system, fall behind, and/or ultimately drop-out of school.<sup>7</sup> In addition, student contact with SROs shapes their outlook on law enforcement, laws, and rules, as they “perceive their oppressive interactions with SROs as representative of how all [police] officers will treat them.”<sup>8</sup>

The proposed bill offers one critical solution to these consequences by prohibiting SROs from participating in discipline-related matters and ensuring that administrators do not direct SROs to become involved in enforcing school discipline. **Accordingly, CRSD strongly supports HB 327.**

For more information contact:

**Michael Pinard**  
**Youth, Education, and Justice Clinic, University of Maryland Francis King Carey School of Law**  
**410-706-4121 - [mpinard@law.umaryland.edu](mailto:mpinard@law.umaryland.edu)**

**CRSD Members**

ACLU- Maryland  
Advocates for Children and Youth  
The Arc Maryland  
Mark Booker  
Lydia X. Z. Brown  
The Choice Program at UMBC  
Disability Rights Maryland  
Lindsay Emery  
Family League of Baltimore  
Natasha Link  
Shamarla R. McCoy  
Sarya and Neil Meyerhoff Center for Families, Children and the Courts  
NARAL- Pro-Choice Maryland  
Office of the Public Defender

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[B]lack and [Latinx] student enrollment” have sworn law enforcement officers, including SROs, than other high schools), <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>.

<sup>6</sup> ACLU, COPS AND NO COUNSELORS: HOW THE LACK OF MENTAL HEALTH STAFF IS HARMING STUDENTS 23 (March 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).

<sup>7</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=disertation>.

<sup>8</sup> Henning, *supra* note 5, at 66

Kendra Jobe-Ogunushia  
Project HEAL at Kennedy Krieger Institute  
Public Justice Center  
Restorative Response Baltimore  
University of Maryland Francis King Carey School of Law - Youth, Education and Justice Clinic  
Gail L. Sunderman  
Teachers' Democracy Project