



POLICING ADVISORY COMMISSION

To: Montgomery County Councilmembers
Cc: County Executive Marc Elrich
From: Policing Advisory Commission
Date: March 8, 2021
Re: Bill 46-20 - Police - School Resource Officers – Prohibited

Dear Councilmembers,

The Policing Advisory Commission (PAC) respectfully submits our comments on Bill 46-20. We welcome this opportunity to advise the Council on policing matters and recommend policies, programs, legislation, or regulations, per our authorizing statute in the Montgomery County Code §35-6(f). After careful review, consultation with relevant stakeholders and experts, and deliberation amongst PAC members, **we recommend that the Council support Bill 46-20 in its current form.**

The passage of this bill would be an important step towards equity by reallocating resources from School Resource Officers (SROs) to improved mental and behavioral health services.

Background

The PAC received notice that the Council planned to introduce Bill 46-20 on November 16, 2020. On December 14, 2020, it was referred to our subcommittee on Policing in Schools (then called the subcommittee on School Resource Officers) for further review. The members of the subcommittee met with numerous community stakeholders over the course of their review, including students, teachers, and parents. Materials reviewed by the subcommittee include, but are not limited to: the Office of Legislative Oversight report on the bill; preliminary and final reports from the Reimagining Safety Task Force; news media coverage of statements made by principals and other community members; and a letter to the subcommittee from more than 180 staff members at Montgomery County Public Schools (MCPS) asking that the PAC endorse the bill. On January 11, 2021, the subcommittee shared a statement about the bill with the full PAC. The PAC convened a special meeting on January 25, 2021 to allow Commissioners more time to discuss the proposed legislation.

In the previous months, the PAC has solicited comments on the matter of School Resource Officers from our *ex officio* members Chief Marcus Jones and Sergeant Catherine Brewer at our regular meetings. Their perspectives on this issue as Montgomery County Police Department (MCPD) staff have informed our analysis of this issue. In addition, PAC members have reviewed documents prepared by the MCPD and other County staff on School Resource Officers (SROs), considered expert analysis and academic studies on the issue of removing SROs from schools in other jurisdictions, and listened to testimony shared during the public hearing on the bill on February 4, 2021.

The PAC received more public input on this bill than on any other issue before our body to date. MCPS students, teachers, parents, and alumni attended PAC meetings where this issue was under discussion and offered comments in the public chat. We also received comments submitted through our public comment portal. All such comments from the public were in favor of the bill.



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After a formal discussion on the bill at our monthly meeting on February 8, 2021, the PAC **voted 11-2 in support of Bill 46-20** as recommended by the subcommittee.

Subcommittee Findings

The presence of officers in school settings can create an atmosphere of fear and heighten trauma for students, particularly students of color. The Policing in Schools subcommittee received numerous reports of specific instances of biases expressed and acted on by law enforcement in MCPS from students and teachers. It is important to note that trauma faced by students of color does not only come from a student's own negative experiences with an SRO, but also from negative experiences with officers outside of school or simply from turning on the news and watching people who look like them being murdered by police officers who aren't held accountable. This view was expressed to the subcommittee by both students of color and White students, regardless of whether that individual student had negative interactions with SROs. The subcommittee made special note that students sharing their personal stories of negative experience feel that they are often not believed, that anecdotal positive experiences with SROs are used to invalidate their negative ones, and that there is a myth that our county and our police department are somehow immune to racism—in spite of the overwhelming disparities in the data, such as the disproportionate rate of arrests for Black MCPS students compared to their peers.

Appropriations

The counselor-to-student ratio at MCPS falls well below the recommendation of the National Association of School Psychologists. This lack of support does not go unnoticed by our students. Commissioner Jasmine Williams, chair of the Policing in Schools subcommittee and a 2020 alumna of Clarksburg High School, described how clear to her it was that the majority of counselors were too overwhelmed by scheduling and administrative duties to address students' mental health and wellbeing. Currently, there are only two full-time restorative justice employees at MCPS. Our county's commitment to equity should be reflected in its budget. Redirecting the \$3 million currently allocated towards policing in schools towards mental and behavioral health resources can provide MCPS students, staff, and families with the resources required to truly have an equitable school system.

While we have considered the views of many stakeholders, it is essential to note that those directly impacted by this policy are MCPS students themselves. The Council has previously acknowledged the importance of including youth voices in the issue of policing by appointing two youth members to the PAC. Both of them serve on the Policing in Schools subcommittee, and they have been committed to representing the voices of young people in our county by advocating for this bill on their behalf. In line with their recommendations, the PAC respectfully asks the Council to vote in favor of Bill 46-20 in its current form.

Please feel free to contact us if you have any questions or requests for clarification.

Sincerely,

Shabab Ahmed Mirza, Chair & Dalbin Osorio, LMSW, Vice Chair

On behalf of the Policing Advisory Commission