



On behalf of the ACLU members of Montgomery County, we respectfully submit this testimony to the Montgomery County Council *against* Bill 7-21 “Police – School Resource Officer (SRO) – Building Positive Law Enforcement Relationships Within Schools.” The ACLU of Montgomery County is in favor of removing all SROs from Montgomery County Public Schools.

Montgomery County currently utilizes armed police officers in school, despite the fact that police presence criminalizes students without addressing serious safety threats, is biased against Black students and students with disabilities, and needlessly perpetuates the school-to-prison pipeline.

There is no reliable evidence that SROs keep students and educators safe. Research has not shown that police presence reduces school shootings¹ or school-based offenses.²

However, SROs have made Black students feel less safe, due to over-policing and racialized police violence.³ In Montgomery County, Black students have faced a disproportionate number of arrests by SROs, making up 45% of the arrests in 2018-2019 despite being only 22% of the student body. Students of color make up 79% of the arrests despite being just over half of the population.⁴ The racial discrepancy is not due to a change in behavior; Black and Brown students misbehave at rates similar to their peers.⁵

Furthermore, arrests by SROs in Montgomery County Public Schools disproportionately affect students with disabilities. Students with individualized education plans (IEPs) due to having a disability were 25% of school-based arrests though they are only 12% of the student population.⁶

Rather than utilize SROs, Montgomery County Public Schools should employ strategies to support students’ positive behavior and strengthen relationships among students, educators, and parents. Proven strategies include:

- Health and psychological supports and restorative justice approaches.^{7 8}

¹ National Public Radio, Why There’s a Push to Get Police Out of Schools (June 23, 2020), <https://www.npr.org/2020/06/23/881608999/why-theres-a-push-to-getpolice-out-of-schools>

² Chongmin Na and Denise C. Gottfredson, Police Officers in Schools: Effects on School Crime and the Processing of Offending Behaviors, *Justice Quarterly* (2011), <https://ccjs.org>.

³ Matthew Theriot & John Orme, School Resource Officers & Students’ Feelings of Safety in School, *Youth Violence & Juvenile Justice*, Vol. 14-2, 130-146 (April 2016)

⁴ Maryland State Department of Education, Maryland Public Schools Arrest Data: School Year 2018-19 (2020), <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>

⁵ 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>, pg. 29.

⁶ Maryland State Department of Education (2020).

⁷ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices (2018), pg. 43 - 75.

⁸ 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

- Trauma-informed approaches ^{9 10}
- Special education planning and implementation ^{11 12}

Additionally, we support redirecting the \$3 million currently used by Montgomery County to fund the School Resource Officer program toward hiring of additional mental health specialists, counselors, and community resource coordinators. Investment in counselors instead of police officers is a proven strategy to address student safety without fueling the school-to-prison pipeline. ^{13 14} Our youth need our support, not to be pushed away from education and down a path of criminalization.

Police presence in our schools does not make young people safer, but instead causes trauma when normal adolescent behavior or trauma responses are criminalized. For the safety of all students, we support the removal of SROs from Montgomery County Public Schools.

⁹ 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

¹⁰ 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-sensitiveschools>

¹¹ Sugai et al, Applying Positive Behavior Support and Functional Behavioral Assessments in Schools, Journal of Positive Behavior Interventions, Vol. 2, Issue 3 (2000)

¹² Perry A. Zirkel, Case Law for Functional Behavior Assessments and Behavior Intervention Plans: An Empirical Analysis, 35 Seattle Univ. L. Rev. 175 (2011)

¹³ Wehmah Jones et al, (2018)

¹⁴ 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