Dear Superintendent:

I write to express concern that the School District has taken steps to place school resource officers in its schools. National research indicates that placing police in schools creates significant risk of criminalizing typical youth behavior and exacerbating the school to prison pipeline, and represents a significant investment of funds that could be better spent on mental health and other supports for students. We urge the District to reconsider its plans, or at the very least, to develop strong policies to mitigate the potential negative impacts of a school police program.

Placing officers in schools can have significant negative consequences.

There is compelling evidence that schools with embedded police are more likely to refer children for prosecution in the juvenile courts, even for minor offenses and even after accounting for other demographic and environmental factors.[[1]](#footnote-1) One review of a national data set found that the presence of a police officer on campus doubles the rate of referral for lower-level offenses (such as fighting) even controlling for other factors such as school demographics and neighborhood safety.[[2]](#footnote-2) Numerous studies show that, more often than not, police activity on campus is in response to minor offenses that pose no threat.[[3]](#footnote-3)

Arrests have terrible consequences for students. A first-time arrest doubles the odds that a student will drop out of high school, and a first-time court appearance quadruples the odds.[[4]](#footnote-4) One study found that only 26 percent of students who were arrested graduated from high school, as opposed to 64 percent of their peers; arrested students were also half as likely to enroll in a four-year college.[[5]](#footnote-5) Young people who drop out of school in turn have lower income and lifetime earnings than their peers.[[6]](#footnote-6) Juvenile arrest also increases students’ chances of future imprisonment: young people with an arrest record are subject to greater surveillance and harsher discipline from police and other adults that significantly increases their chances of future arrest and incarceration.[[7]](#footnote-7)

These impacts fall most harshly on students of color and students with disabilities, who are disproportionately referred to law enforcement or involved in school based arrests across the country and in Washington state[[8]](#footnote-8) In the 2015-2016 school year Black students in Washington accounted for 8% of arrests and referrals and represented 4.4% of the student population; Latino students, 34% of school-based arrests/referrals, and 22% of the student population; Native American students 2% of school-based arrests/referrals and 1% of the student population.[[9]](#footnote-9) Students with disabilities were also disproportionately arrested and referred for prosecution, representing 31% of arrests and referrals but only 16.6% of the student population.

Police are not necessary to ensure school safety. Schools are typically safe places and often safer for children than their underlying communities. School District reported no instances of school-based violence in the 2015-2016 school year.[[10]](#footnote-10) We recognize that the District is deeply concerned about student and staff safety, but a review of research by the Congressional Research Service indicates that there is little empirical evidence demonstrating that school police increase school safety.[[11]](#footnote-11) Instead, research consistently demonstrates that safe schools invest in training and supporting educators in classroom management, provide counselors and mental health professionals to students in need, and implement policies and practices that treat student behavior as an opportunity to teach, rather than criminalize.[[12]](#footnote-12) The District should reconsider the SRO program in favor of investment in positive, preventative, and restorative systems that are proven to promote student and staff safety.

Any school police program should be governed by rigorous guidelines and training

If the District proceeds with developing a school police program, we strongly recommend that it structure the program to mitigate the risk of increasing student involvement in the juvenile justice system. In particular, the District should adopt formal policies and enter into an agreement with law enforcement to establish that:

* School police and administrators will collect and publish data on student contact, including searches, questioning, arrest, and referrals of students to law enforcement.
* School personnel will draft and publish hiring guidelines for SROs with input from students, parents, and community stakeholders, and will interview and approve placements for prospective school police. School personnel will have the ability to remove school police from the placement.
* School personnel will not request police involvement in student discipline or incidents that do not pose a real and immediate risk of physical harm to students or staff. School police will have no role in routine student discipline.
* School police will not arrest students for any behaviors that could be addressed through the school disciplinary code (particularly any misdemeanor offenses and any offense that does not pose an imminent risk of physical harm to other students or staff).
* School police and administrators will receive specific training on working in the educational environment, including training on adolescent brain development, Washington’s law on restraint and isolation of students in school, best practices in working with students with disabilities, cultural competence and implicit bias, and best practices in school discipline.
* The District will develop a mechanism to receive and investigation complaints and collect feedback from students, families, and school staff for SRO evaluations
* The District’s policies on school policing and agreement with law enforcement shall be developed and reviewed annually with input from the superintendent, law enforcement, students, parents, and teachers.

These policies are consistent with best practices promulgated by the Department of Justice and Department of Education.[[13]](#footnote-13)

We recognize that the District has a strong commitment to student safety and success, but believe that it could better accomplish its goals by investing in additional student supports rather than policing. We appreciate your consideration and look forward to hearing from you soon.

Sincerely,

1. Nance, J., *Students, Police and the school to Prison Pipeline*, 93 Wash. U. L. Rev 919 (2015-2016) [↑](#footnote-ref-1)
2. *Id.* At 968. [↑](#footnote-ref-2)
3. See, e.g, ACLU of Massachusetts, *Arrested Futures: The Criminalization of School Discipline In Massachusetts’ Three Largest School Districts*, 6 (2012)(explaining that during the 2004– 2005 school year in Florida, 76 percent of school-based referrals to law enforcement were for misdemeanor offenses such as disorderly conduct); Justice Policy Institute, *Education Under Arrest: The Case Against Police in Schools*, 15 (2011) (reporting that in 2007–2008, 96 percent of school-based referrals in Jefferson County, Alabama, were for misdemeanors). [↑](#footnote-ref-3)
4. Advancement Project, *Police in Schools are Not the Answer to the Newtown Shooting*, 7 (2013). [↑](#footnote-ref-4)
5. Kirk, D. and Sampson, R*. Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood.* Sociology of Education, 86(1): 36-62 (2013) [↑](#footnote-ref-5)
6. Bureau of Justice Statistics. *Earning and Unemployment Rates by Educational Attainment* (2015), at http://www.bls.gov/emp/ep\_chart\_001.htm [↑](#footnote-ref-6)
7. Liberman, A., Kirk, D., and Kim, K. *Labeling Effects of First Juvenile Arrests: Secondary Deviance and Secondary Sanctioning*, Criminology52: 345, 359, 363 (2014). [↑](#footnote-ref-7)
8. U.S. Department of Education Office for Civil Rights, *2013-2014 Civil Rights Data, a First Look: Key Highlights on Equity* *and Opportunity Gaps in Our Nation’s Public Schools* (June 7, 2016); Servoss, T. and Finn, J. *Security in American Schools: Are Schools Safer?* (Nov 8, 2015). [↑](#footnote-ref-8)
9. School arrest and referral data based on ACLU analysis of United States Department of Education, *Civil Rights Data Collection 2015-2016 School Year* (2018), available at <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-2015-16.html>. State student population data is available from the Office of Superintendent of Public Instruction, *Washington State Report Card*, 2015-2016, available at http://reportcard.ospi.k12.wa.us/summary.aspx?schoolId=1&reportLevel=State&year=2015-16&yrs=2015-16 [↑](#footnote-ref-9)
10. 2015-2016 Civil Rights Data Collection [↑](#footnote-ref-10)
11. James, N. and McCallion, G., *School Resource Officers: Law Enforcement Officers in Schools*, Congressional Research Service, 8-10 (2013). [↑](#footnote-ref-11)
12. Council of State Governments, *The School Discipline Consensus Report: Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System,* 29(2014). [↑](#footnote-ref-12)
13. United States Department of Education and United States Department of Justice, *Safe School-based Enforcement through Collaboration, Understanding, and Respect: Local Implementation Rubric (*2017), at <https://www2.ed.gov/policy/gen/guid/school-discipline/files/sro-local-implementation-rubric.pdf> [↑](#footnote-ref-13)