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Montgomery County Public Schools Board of Education
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Via E-mail

RE: REMOVING POLICE FROM SCHOOLS IS NECESSARY TO PROTECT BLACK AND BROWN CHILDREN FROM FURTHER HARM

Dear Montgomery County Council and School Board Members:

We write on behalf of Advancement Project National Office and the Alliance for Educational Justice to fully and enthusiastically support the call to remove police from Montgomery County Public Schools. If we have learned anything from the historic moment spurred by the murder of George Floyd at the hands of Minneapolis police, it is that police cannot be trusted to keep us safe. Years of Montgomery County Public Schools (MCPS) data reflecting a relentless school-to-prison pipeline indicate disparate criminalization of students of color by the police. Officers that roam school hallways are no different from the officers on the streets and thus, a new vision for safety in schools must emerge from this crisis. Over the past summer, school boards in Minneapolis, Denver, Seattle, Oakland, Portland, and many other cities, have all taken historic action to remove police from schools, demonstrating that a police-free schools future is both possible and necessary to protect the safety and humanity of Black and Brown children.¹ The time to act is now – and the Montgomery County Council must implement Bill 46-2020 to prohibit School Resource Officers from operating in MCPS and finally provide students with police-free schools that educate them, not criminalize them.

Our organization has spent the last few years highlighting the need for police free schools across the country, because we believe that in order for our nation's students to truly thrive, their

¹ Moriah Balingit, Kim Bellware, Valerie Strauss, *Fueled by Protests, School Districts Across the Country Cut Ties with Police*, The Washington Post (June 12, 2020) <https://www.washingtonpost.com/education/2020/06/12/schools-police-george-floyd-protests/>.

educational and socio-emotional needs must be met by those most qualified to meet those needs, like counselors, psychologists, and social workers. We already know that investment in law enforcement personnel fundamentally fails to make schools safer for students.² Instead of spending \$3 million in taxpayer money to police Montgomery County children, those funds should be allocated towards counseling services, mental health supports, positive behavioral interventions, restorative justice programs, and other methods that create holistically beneficial learning environments for young people. These commitments to resources are especially important for youth returning to school after isolation and the traumas inflicted by the COVID-19 pandemic.

For 20 years, Advancement Project, a national racial justice organization, has pioneered efforts to end the school-to-prison pipeline. We have published research and worked with grassroots organizations across the country, including in the DMV – and have been proud to support them in the progress they have made in their school districts. Unfortunately, despite some progress in recent years, the school-to-prison pipeline persists, and it is clear that we need a new vision of police-free schools not just in Montgomery County, but across the country.

The proliferation of law enforcement in our nation’s schools is a pressing and alarming issue that our organization has worked tirelessly to combat. To this end, we released a joint report with the Alliance for Educational Justice in 2018 titled “We Came to Learn: A Call to Action for Police Free Schools,” which chronicles the violent history of school policing in the United States and the on-going harms that students, particularly Black & Brown, LGBTQ, and differently-abled students face at the hands of school police officers.³

We know that the mere presence of police in schools serves to reinforce and accelerate the school-to-prison pipeline, and this is borne out by the data. According to the most recent data released by the U.S. Department of Education’s Civil Rights Data Collection for the 2015-2016 academic year, Black students represented 15% of enrollment in public schools across the country, yet they accounted for 31% of students who were referred to law enforcement or arrested.⁴ More recent data shows compared to white girls, Black girls are 3.66 times more likely to be arrested at school and Black boys are 2.44 times more likely to be arrested than white boys.⁵ Research shows that higher discipline rates for students of color are not due to higher rates of misbehavior, but instead due to systemic racism.⁶ A March 2018 report from the Government Accountability Office

² Matthew Glowicki, *Police officer uses stun gun on Jeffersontown student who assaulted cop, officials say*, Louisville Courier-Journal (Nov. 1, 2017), <https://www.courier-journal.com/story/news/crime/2017/11/01/police-officer-uses-stun-gun-jeffersontown-student-who-assaulted-cop-officials-say/822783001/>.

³ See <https://advancementproject.org/wecametolearn/>.

⁴ U.S. Dep’t of Ed., 2015-2016 Civil Rights Data Collection: School Climate and Safety, <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>.

⁵ Data Snapshot: 2017-2018 National Data on School Discipline by Race and Gender, Georgetown Law Center on Poverty and Inequality’s Initiative on Gender Justice & Opportunity and the RISE Research team at New York University, <https://genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/12/National-Data-on-School-Discipline-by-Race-and-Gender.pdf>

⁶ Russel J. Skiba and Natasha T. Williams, *Are Black Kids Worse? Myths and Facts About Racial Differences In Behavior: A Summary of the Literature*, Indiana University (Mar. 2014), https://indrc.indiana.edu/tools-resources/pdf-disciplineseries/african_american_differential_behavior_031214.pdf.

confirms this fact; the study concluded that stark disparities persist in the administration of discipline for Black students and students with disabilities across the country.⁷

In Montgomery County, these disparities also exist – Black boys and girls are disproportionately disciplined compared to other groups in their schools. In MCPS’ 2018-2019 Safety and Security at a Glance report, only Black students received out-of-school suspensions at a rate high enough to be published according to the district’s guidelines for reporting data – 3.3% of all Black students in MCPS received at least one out-of-school suspension in the 2018-2019 school year.⁸ **Police in schools exacerbate these problems. Of the 163 total arrests in MCPS in 2018-2019, the vast majority, 78.5%, were Black or Latinx students.⁹ Black students in particular bear the brunt of the problem – despite being only 21.6% of the district population, they made up 44.8% of the arrests.¹⁰** At MCPS, the principal is the “primary source of administrative disciplinary consequences and interventions,” and SROs are supposed to work with the principal to de-escalate school-based incidents while prioritizing student safety.¹¹ Nevertheless, MCPS reports calling the police for a significant number of situations including “disruptive behavior,” “drugs,” physical or verbal threats, bullying, etc.¹² Many of these situations are those which social workers, restorative justice facilitators, counselors, and other non-law enforcement professionals are equipped to effectively and safely address.

Opponents of police-free schools claim that police are needed in schools in order to keep students safe – despite no clear evidence that they do. In fact, there is no conclusive evidence that the presence of police in schools reduces student crime, nor that they prevent mass shootings.¹³ During the Parkland shooting at Marjory Stoneman Douglass, there was an SRO on campus while the mass shooting occurred indoors. After students sued county officials for this failure, a federal judge dismissed their claims and declared that neither the school nor sheriff’s deputies had a legal

⁷ U.S. Government Accountability Office, *K-12 EDUCATION: Discipline Disparities for Black Students, Boys, and Students with Disabilities* (Mar. 22, 2018), <https://www.gao.gov/products/GAO-18-258>.

⁸ Maryland County Public Schools, *2018-2019 School Safety & Security at a Glance*, <https://www.montgomeryschoolsmd.org/departments/regulatoryaccountability/SafetyGlance/currentyear/SafetyGlance2019.pdf>.

⁹ *Id.*; Maryland State Department of Education, *Maryland Public Schools Arrest Data: School Year 2018-2019*, <http://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20182019.pdf>.

¹⁰ *Id.*

¹¹ Jack Smith, John McCarthy, J. Thomas Manger, Timothy Firestone, Darren Popkin, Bob Rappoport, *Memorandum of Understanding between Montgomery County Public Schools and Montgomery County Department of Police and Montgomery Sheriff’s Office and Rockville City Police Department and Gaithersburg City Police Department and Takoma Park Police Department and Montgomery County State’s Attorney’s Office: School Resource Officer Program & Other Law Enforcement Responses to School-Based Incidents* (Oct. 17, 2017), <https://www.montgomeryschoolsmd.org/uploadedFiles/departments/security-new/Executed%20SRO%20MOU.PDF>.

¹² Maryland County Public Schools, *supra*, at 434, 436.

¹³ Aaron Kupchik, *Researching the Impact of School Policing*, End Zero Tolerance (Jul. 31, 2020), <https://www.endzerotolerance.org/single-post/2019/03/11/Research-on-the-Impact-of-School-Policing>.

obligation to protect students from the alleged shooter.¹⁴ While there is a lack of evidence of the efficacy of police in schools, there are studies showing that schools with police have higher rates of exclusionary school discipline and higher rates of arrests for vague offenses like disorderly conduct.¹⁵ It is clear from the MCPS data that these disparities also exist in Montgomery County.

Opponents of police-free schools also point to a rise in gang activity in Montgomery County as a justification for police in schools. But once again – there is no clear evidence that police in schools actually reduce student crime. Schools are places of learning, where all students should feel welcomed, and nurtured to grow. They are not places for the experimentation of so-called solutions to societal fears – they are not places for law enforcement to circumvent civil rights protections in order to have better access to young people in ways that would be illegal elsewhere in the community. If MCPS cares about its young people and gang prevention, it should instead invest in the supports and resources to provide welcoming, safe spaces where students can feel like they belong.

These existing disparities in MCPS must be contextualized within the backdrop of rampant police violence—amidst a global pandemic—in response to protests of police brutality. In this time of national civil unrest, we cannot continue to operate our schools and live in our communities as if things will just “go back to normal.” We know firsthand that “normal” for communities of color has always been suspensions, expulsions, the school-to-prison pipeline, and the under-resourcing of public schools. We can no longer be satisfied with “normal.” It is time to actually listen to what Black and Brown youth—who experience police violence in school—have been saying for years: being forced to interact with a system of policing that views them as threats and not as students, is detrimental to their sense of safety in school. Young people should not have to fear being assaulted, arrested, or even killed by a police officer, when they show up to school to learn. There is no way that a policing culture that allows for the brutality we all witnessed to co-exist with the nurturing culture that students need to thrive. Montgomery County is not immune from this policing culture – most recently a family has sued the county because their 5-year-old was assaulted and harassed by police officers after disappearing from his elementary school.¹⁶

From Oakland, California to Madison, Wisconsin, youth organizers have effectively made the case to dismantle school policing. Phoenix, San Jose, Denver, Milwaukee, Rochester, and San Francisco are just a few of the places where youth have forged campaigns to build the schools they truly deserve, spaces with affirming resources free from policing and criminalization. We stand with brilliant youth organizers like Young People for Progress and the MoCo Defund Police and Invest in Communities Campaign who are advancing a bold vision of schooling free from violence. We call on you to meet their demands for safe and just schools that center the well-being of our young people.

¹⁴ [U.S. judge says law enforcement officers had no legal duty to protect Parkland students during mass shooting - The Washington Post](#)

¹⁵ *Id.*

¹⁶ Caitlynn Peetz, *Updated: Lawsuit alleges police harassed, assaulted 5-year-old boy*, Bethesda Beat (Jan. 22, 2021), <https://bethesdamagazine.com/bethesda-beat/courts/lawsuit-alleges-police-harassed-assaulted-5-year-old-boy/>.

We urge you as a County Council to use your power to support efforts to defund the SRO program at MCPS and end MCPS' relationship with local law enforcement agencies. Additionally, we urge you to prioritize the health and well-being of Montgomery County students by ensuring that there are plentiful supports available to them both academically and socio-emotionally. Many organizations have been pushing for school districts to prioritize real school safety for years—which includes providing more mental health resources, more counselors and more mentors. In the wake of the Newtown, CT, and Parkland, FL, school shootings, organizations urged that more psychologists, therapists, counselors, social workers, and nurses be placed at every school in order to best respond to the social and emotional needs and well-being of students.¹⁷ We know that for many young people, school is the only place where they can access mental health counseling and support. As this pandemic continues, we are already seeing school districts either making or anticipating significant cuts as a result of budget shortfalls.¹⁸ We cannot ignore the needs of students and remove the vital support needed for their growth and development – especially given that the mental health effects of this pandemic will be felt for years to come. Eliminating the SRO program at MCPS will allow for resources to be reallocated to the supports that students truly need.

In this time of crisis, we all have the responsibility to care for and support our most vulnerable communities. Young people and their concerns are often left out of decision-making efforts, despite their being the ones most directly affected by changes in the education system. We need to support the wellbeing of our students by investing in the supports that will truly guide them through to adulthood. Eliminating the SRO program at MCPS is a great first step towards that goal. If you have any questions, please reach out to Jessica Alcantara, Staff Attorney, at jalcantara@advancementproject.org, or to Maria Fernandez, Senior Campaigns Strategist, at mfernandez@advancementproject.org. We believe that providing police-free schools and investing in real student supports is what it will take to ensure our young people are safe, healthy, and thriving in their schools and communities during and after this crisis.

Sincerely,

Judith Browne Dianis
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Advancement Project National Office

¹⁷ Advancement Project, Dignity in Schools, Alliance for Educational Justice, and LDF, *Police in Schools are Not the Answer to School Shootings* (Mar. 2018), <https://advancementproject.org/resources/police-schools-not-answer-school-shootings/>.

¹⁸ Alex Zimmerman and Christina Veiga, *De Blasio proposes over \$221 million in NYC education cuts, including pre-K and school budgets*, Chalkbeat New York (Apr. 7, 2020), <https://chalkbeat.org/posts/ny/2020/04/07/budget-cut-tk/>; Max Larkin, *In Randolph, Officials Cited Coronavirus As They Made State's First Cuts to School Staff*, WBUR (Apr. 15, 2020), <https://www.wbur.org/edify/2020/04/15/randolph-school-furloughs>; Chris Jones and Nadia Pflaum, *Utah schools could lose up to \$30 million in coronavirus budget cuts*, KUTV (Apr. 13, 2020), <https://kutv.com/news/beyond-the-books/coronavirus-leading-to-cuts-in-utah-school-funding>.



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