



WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND URBAN AFFAIRS

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D.C. State Board of Education
July 15, 2020 Meeting

The Washington Lawyers' Committee for Civil Rights & Urban Affairs¹ enthusiastically supports the D.C. State Board of Education's State Board of Education of Resolution SR20-10, To Recognize the Importance of Removing All Police From D.C. Public and Charter Schools. We encourage passage of this resolution – and subsequent action by the District's education agencies – to remove police from our school for the following three key reasons:

1. School police disproportionately harm Black & Latinx students, and students with disabilities.
2. School police don't create real school safety.
3. School police are expensive and an inefficient use of limited resources.

This current moment, in particular, highlights why we need police free schools. In DC, students are policed in their school by security guards, special police officers, and the Metropolitan Police Department. We have collectively been surviving a global pandemic that has devastated communities of color and communities in poverty. And, we have collectively witnessed extreme police brutality against demonstrators (ironically) calling for an end to racialized police violence. The same police department attacking people in "Black Lives Matter" plaza will be stationed at the schoolhouse door. DC students will be better served if we strengthen our mental health infrastructure and ensure our young people have increased access to mental health professionals to address the trauma caused by COVID-19, police violence, and racism. Yet, Mayor Bowser is proposing (and the DC Council is set to approve) adding \$2.5 million dollars to MPD's School Safety Division. This is unacceptable at any time, but especially when our schools are facing a dramatic need for investment in infrastructure, technology, mental health counselors, and protective equipment to ensure they can open safely.

More than fifty school districts have passed resolutions or policies in support of police-free schools in the wake of the killing of George Floyd and the subsequent scourge of police violence, including Minneapolis (terminating contract with Minneapolis Police Department),²

¹ The Washington Lawyers' Committee was founded in 1968 to address civil rights violations, racial injustice and poverty-related issues in our community through litigation and other advocacy. The Committee has a long history of working to address racial and other inequity in the DC public schools, which includes its Parent Empowerment Program and its School Partnerships among law firms, businesses and 60 DCPS Title I schools. We work closely with the private bar to bring litigation, pursue policy initiatives and support the academic enrichment and other goals of our DC public school communities.

² Ryan Faircloth, "Minneapolis Public Schools terminates contract with Police Department over George Floyd's death" Star Tribune (June 2, 2020), available at <https://www.startribune.com/mpls-school-board-ends-contract-with-police-for-school-resource-officers/570967942/>.

Phoenix (ending agreement with Phoenix Police Department),³ Denver (terminating contract with the Denver Police Department),⁴ and Oakland (eliminating their school police force and reinvesting in student supports).⁵ We urge the DC State Board of Education to join them.

School Police Disproportionately Harm Black & Latinx Students, and Students with Disabilities.

The presence of police furthers the school-to-prison pipeline, and, when police are in our schools, Black students are more likely to be arrested. In DC, 92% of school-based arrests are of Black youth.⁶ Nationally, for the 2015-2016 academic year (the most recent year for which national data is available), 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.⁷ Students with disabilities are also disproportionately arrested in school. Federal data indicates that in 2015 – 2016, of students arrested or referred to law enforcement at school, 28% had disabilities compared to just 12% of overall student population).⁸ Perhaps not surprisingly, Black students with disabilities are even more at risk. Nationally, in elementary schools, Black boys with disabilities were over eight times more likely than their white peers to have the police called on them. We have no reason to suspect the data in DC is any better.

And, we know that higher discipline rates for Black youth are not due to higher rates of misbehavior.⁹ Rather, Black students are more likely to be arrested because they are more likely to encounter police and because those police view their normal, adolescent behavior as more criminal than the same behavior in white students.¹⁰ Misconduct on school grounds is far

³ Lily Atravena, “Phoenix Union will no longer have Phoenix police officers on high school campuses,” Arizona Republic (July 7, 2020), available at <https://www.azcentral.com/story/news/local/phoenix-education/2020/07/07/phoenix-union-no-longer-have-police-officers-assigned-campus/5394852002/>.

⁴ Melanie Asmar, “Denver school board votes to phase police out of district.” Denver Post (June 11, 2020, updated June 12, 2020), available at <https://www.denverpost.com/2020/06/11/dps-board-votes-to-phase-police-out-of-schools/>.

⁵ Katie Reilly, “Oakland is Disbanding Its School Police Force as George Floyd's Death Drives the Push for Police-Free Schools,” TIME (June 25, 2020), available at <https://time.com/5859452/oakland-school-police/>.

⁶ 2019 School Report Card indicates that there were 338 total arrests of students across the District – 312 of the arrests were of Black students and 26 of the arrests were of Latino students. (104 of the arrests were for students with disabilities).

⁷ 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>

⁸ 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>

⁹ See, e.g., Russell J. Skiba, et al. “The Color of Discipline: Sources of racial and gender disproportionality in school punishment.” *Urban Review*, 34, 317-342 (2002).

¹⁰ See, e.g., Goff, P.A., Jackson, et.al. “The Essence of Innocence: Consequences of Dehumanizing Black Children,” *Journal of Personality and Social Psychology* (February 2014); Epstein, Rebecca, Jamilia J. Black & Thalia Gonzalez. “Girlhood Interrupted: The erasure of Black Girls’ Childhood,” Georgetown Law Center on Poverty and Inequality

more likely to be referred to police if an officer is on site, so adolescent misbehavior that should be addressed as a school disciplinary matter is increasingly becoming a function of law enforcement.

The harms to Black and Latinx students, and students with disabilities, transcend the data: we also know that students of color feel less safe in schools where they regularly face the risk of arrest and police violence. Young people should not have to fear being assaulted, arrested, or killed by a police officer, every single time they show up to school to learn. There are a plethora of violent incidents of cops abusing students in school¹¹ – such as the student in North Carolina shoved and dragged across the floor by a school resource officer.¹² And, even students who do not suffer abuse face every day indignities of having police officers and security guards greet them at the door rather than school staff, of being subject to searches and pat-downs in the hallway, and of being questioned by police officers at whim. The very institution of policing is incompatible with the nurturing environment our students need to thrive.

School Police Don't Create Real School Safety.

In addition to their furtherance of the gross racial disparities in the criminal legal system and in academic achievement, school police are ineffective and expensive. There is no clear empirical research that school police reduce crime or increase safety in schools.¹³ In fact, some studies suggest the opposite. Students are less likely to misbehave, including engaging in criminal behavior, in schools where they feel valued, respected, and listened to – in other words, where the students are part of a community.¹⁴ School policing interrupts that, and detrimentally affects school climate, which leads to a wide range of negative outcomes, including increasing anxiety, alienating students, creating a sense of mistrust between peers, and forming adversarial relationships with school officials. When students perceive a negative school climate, they are less likely to be engaged, more likely to be truant or dropout and more likely to have issues with bullying.¹⁵

(2012), available at <http://www.law.georgetown.edu/academics/centers-institutes/poverty-inequality/upload/girlhood-interrupted.pdf>.

¹¹ Advancement Project, “We Came to Learn” at 69-70, <https://advancementproject.org/wecametolearn/> (2018).

¹² Michael McLaughlin and Nick Visse, “Spring Valley High School Student Flung By School Officer On Video.” Huffington Post (October 26, 2015), https://www.huffpost.com/entry/spring-valley-high-school-student-flung-by-official-in-video_n_562e9e71e4b06317990f1927.

¹³ ACLU Pennsylvania, “Summit on School Policing: Research on the Impact of School Policing,” <https://www.endzerotolerance.org/schoolpolicingsummit> (July 2019). See also Matt Barnum, “Do police keep schools safe? Fuel the school-to-prison pipeline? Here’s what research says,” Chalkbeat (June 23, 2020), <https://www.chalkbeat.org/2020/6/23/21299743/police-schools-research>.

¹⁴ ACLU Pennsylvania, “Summit on School Policing: Research on the Impact of School Policing,” <https://www.endzerotolerance.org/schoolpolicingsummit> (July 2019).

¹⁵ Advancement Project, “We Came to Learn” at 31-32, <https://advancementproject.org/wecametolearn/> (2018).

School Police Are Expensive and an Inefficient Use of Limited Resources.

School policing programs siphon resources from high-quality, anti-racist programs that are more effective at achieving safety. Over the last school year, our city spent about \$25 million dollars a year on school security within DCPS alone, and about another \$10 million on MPD officers to patrol DCPS and charter schools.¹⁶ In the 2019-2020 school year, DCPS had over 300 contracted security guard, or 1 security guard to 147 students, while having a social worker to student ratio of only 1 to 217 and a school psychologist to student ratio of 1 to 40. This amount of investment is obscene. DC's students deserve this kind of investment in programs that help them thrive and not in those designed to criminalize. DC's students deserve college counselors, social workers, school nurses, and behavioral health professionals. Our money can be spent in better ways.

The Washington Lawyers' Committee wholeheartedly supports the D.C State Board of Education Resolution SR20-10, To Recognize the Importance of Removing All Police From D.C. Public and Charter Schools as a crucial step for DC to realize the vision of police-free schools that young people are demanding.

¹⁶DC Public Schools Responses to FY2019 Performance Oversight Questions, Q11, at https://dccouncil.us/wp-content/uploads/2020/02/dcps_Part1.pdf ("The DCPS school security contract for security officer personnel in FY2020 is projected to be \$23,458,808.27. The non-personnel costs in FY2020 are projected to be \$1,619,061.00"); MPD FY2021 Proposed Budget Plan, Table FA-04, Division 2300. Total budget for that division is for FY2020 was \$34 million but approx. \$23 million is the DCPS security contract.