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Committee of the Whole & Committee on Education Public Roundtable
School Security in the District of Columbia Public Schools

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Good afternoon, Chairman Mendelson, Chairman Grosso, and members of the Committee of the Whole and Committee on Education. My name is Eduardo Ferrer. I am a Ward 5 resident and, for identification purposes, a Visiting Professor in and the Policy Director of the Georgetown Juvenile Justice Clinic & Initiative. My testimony today is based on my research and experience, as well as that of my students and colleagues, and not given on behalf of Georgetown University. Thank you for the invitation to testify today.

I want you to take a deep breath, relax, and imagine. Imagine you are a 14-year-old kid starting their freshman year at Ballou High School. You wake up on August 30, 2021, shower, and get dressed. You have those butterflies in your stomach, a mix of nervousness and excitement. You are thinking about the possibilities of a new school, new friends, new teachers, new opportunities. You may also be worried about the hidden dangers you are unfortunately all too accustomed to worrying about – the walk or ride to school, the comments on social media, the beefs between neighborhoods, whether you will feel like you will fit in at this new place.

You walk to the corner and see a group of young people waiting. You also see a young adult waiting with them. You recognize this person from the neighborhood and know her as a credible messenger. She introduces herself and introduces you to some of the other youth. She lets you know that she works for Ballou and will be walking this same way in the mornings and would love for you to join her. She wants you to know that she is a resource for you, a problem solver – not just to make sure that you arrive safely to Ballou, but also for any other issues that may come up. She walks with you and the other youth chatting, asking you questions about your summer, your family, and your life.

You arrive to school. The credible messenger does not leave you at the door, but comes into the school building with you. Indeed, you see her throughout the day, in the hallway and in the cafeteria. You see her working the front door of the school and walking around the perimeter of the school to make sure everything is safe. Every week or two, she comes to your homeroom and facilitates a dialogue circle. You get to know not just her well, but the other credible messenger also. When you share that you are going through a tough time at home, she introduces you to the school social worker. When you share that you are being bullied, she helps facilitate a mediation with the restorative justice staff at the school. When you are triggered, she connects you to the student safety coach helps you calm down. And when you miss 3 straight days of school, she shows up at your doorstep and lets you know that you are loved and missed.

Compare that vision to what so many of our kids, particularly our Black students, see now; what they experience now; what they feel now. Which vision would you prefer for your own kids?

Let me be clear, I do not put forth this vision as *the* answer. But this *is* what it looks like to reimagine safety. Real safety is about building strong relationships; creating positive culture; and designing and implementing a holistic approach. Real safety is about going back to the drawing board and changing the question from "how many security guards and cops do we need?" to "what do we need to do to create schools where security guards and police are not needed?" We need to break free of the construct that security means safety. We cannot be content with merely hiring a Director of Contract Security & Training that maintains the status quo under different management.[1] Now is the time to engage deeply in the process of reimaging safety in our schools.[2]

My written testimony, which I have provided ahead of time for the record, covers a number of topics, including: 1) the harms caused by the over-policing of youth, with a particular focus on the harms caused by having police in the schools; 2) an overview of how we police schools in the District, with a particular focus on DCPS schools; 3) an overview of alternatives to the way that we police our schools in the District; and 4) recommendations that outline key principles that should guide the process for reimaging safety in our schools. I will focus the remaining time of my oral testimony on the recommendations.

[1] *See* DC Public Schools Job Posting for Director, Contract Security & Training; at https://dcps.secure.force.com/central/ts2__JobDetails?jobId=a0x4U00000GhRNUQA3&tSource=. Indeed, the title and description of the position itself indicates that the focus of the position is to manage the same framework that currently exists, not to reimagine safety as directed.

[2] It is important to note that this process has already started in many ways as a result of the passage and implementation of the Student Fair Access to School Act. While much more work is needed, the work DCPS is doing around reducing exclusionary discipline forms a foundation from which to continue policy, practice, and culture change.

I. The Harms of Policing Our Schools

The Documented Harms of Police in Schools

According to a U.S. Department of Education analysis, D.C. had the highest percentage of students reporting police in schools in the entire country as of the 2015-2016 school year.[3] This statistic is particularly troubling when one considers the well-documented harms to students posed by police officers in schools, including police intervention for minor misconduct,[4] increased loss of instruction,[5] and lower rates of graduation and college enrollment.[6]

For example, multiple state Chief Judges have expressed concern that the presence of law enforcement in schools is leading to a troubling criminalization of typical adolescent behavior.[7] Even those involved in the school security industry have expressed concerns that SROs could be used inappropriately by school staff to address routine discipline matters.[8] And these concerns are not without basis: studies have confirmed that the presence of SROs in schools "create[s] a climate in which teachers and staff increasingly call on SPOs for minor disciplinary issues and classroom management in general."[9] Worryingly, 76% of principals in a recent study have reported using SROs to address student discipline issues.[10] In fact, multiple studies have found that the number one reason School Resource Officers put handcuffs on students is to calm them down.[11]

Researchers have also found that schools that increased the number of SROs on campus were also more likely to report non-violent crimes[12] and more likely to have students arrested.[13]

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[3] AMIR WHITAKER, SYLVIA TORRES-GUILLÉN, MICHELLE MORTON, HAROLD JORDAN, STEFANIE COYLE, ANGELA MANN & WEI-LING SUN, COPS AND NO COUNSELORS: HOW THE LACK OF SCHOOL MENTAL HEALTH STAFF IS HARMING STUDENTS 16, https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline/cops-and-no-counselors.

[4] DANIEL J. LOSEN & PAUL MARTINEZ, LOST OPPORTUNITIES: HOW DISPARATE SCHOOL DISCIPLINE CONTINUES TO DRIVE DIFFERENCES IN THE OPPORTUNITY TO LEARN 33 (2020), https://www.civilrightsproject.ucla.edu/research/k-12-education/school-discipline/lost-opportunities-how-disparate-school-discipline-continues-to-drive-differences-in-the-opportunity-to-learn/Lost-Opportunities-REPORT-v12.pdf.

[5] *Id*. at 33.

[6] Denise C. Gottredson, Erin L. Bauer, Scott Crosse, Angela D. Greene, Carole A. Hagen, Michele A. Harmon & Zhiqun Tang, *Effects of School Resource Officers on School Crime and Responses to School Crime*, 19 CRIMINOLOGY & PUB. POL'Y 905, 930 (2020).

[7] Losen, *supra* note 2 at 36.

[8] *Id*. at 35.

[9] Shabnam Javdani, *Policing Education: An Empirical Review of the Challenges and Impact of the Work of School Police Officers*, 63 AM. J. OF CMTY. PSYCH. 253, 260 (2019), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6597313/.

[10] Jennifer Counts, Kristina N. Randall, Joseph B. Ryan & Antonis Katsiyannis, *School Resource Officers in Public Schools: A National Review*, 41 EDUC. AND TREATMENT OF CHILD. 405, 408 (2018).

[11] Javadani, *supra* note 7 at 261.

[12] Nathan James & Gail McCallion, CONG. RSCH. SERV., R43126, SCHOOL RESOURCE OFFICERS: LAW ENFORCEMENT OFFICERS IN SCHOOLS 22 (2013), https://fas.org/sgp/crs/misc/R43126.pdf.

[13] Gottredson, *supra* note 4 at 908.

Some student behaviors that have resulted in school arrests include, cursing, fake burping, documenting bullying, throwing a paper airplane, and being in possession of a children's knife.[14] Unsurprisingly, schools that employed SROs have been found more likely to have a greater number of students enter the criminal justice system than those schools that do not employ SROs.[15] The criminalization of school environments with SROs appears to emanate from the SROs themselves, and not an overall philosophy of the school administration. For example, a recent study showed that 83% of school administrators demonstrated more prevention-based philosophies, focusing on bettering school climate, than the SROs in their schools, who were more punishment oriented.[16]

This overuse of the criminal justice system to address common adolescent behavior is not only disturbing as a matter of justice but also as a matter of a child's educational future, as each interaction with this system significantly increases the chances that child will drop out of school[17] and correlates with increased school exclusion.[18] In fact, a 2018 study of 238 middle and high schools found that schools that employ SROs show greater instances of exclusionary discipline than those that do not.[19] These schools demonstrate increased exclusionary discipline immediately after each addition of SROs and still show this effect 11 months afterwards.[20] Exclusionary discipline, in turn, is correlated with a greater likelihood that the student will experience contacts with the criminal justice system both in the short-term and the long-term.[21] Moreover, schools that accepted a federal grant to employ SROs tend to see a decrease in graduation rates and rates of students enrolling in college.[22]

School Resource Officers Cause Even Greater Harms to Students of Color

While these harms are significant, they are felt even more acutely by students of color. In fact, "higher security [i]s associated with having more Black students."[23] And, while schools with greater police presence are generally likely to experience higher suspension rates, Black and Latine students face even higher risk of such school exclusion.[24] For example, according the U.S. Department of Education, Black students are 2.6 more times likely to be suspended than White students.[25] As a result, these students are facing a disproportionate risk of losing time to learn in the classroom. In fact, research has specifically found that a higher security staff-to-student ratio

[14] Whitaker, *supra* note 1 at 23, 56.

[15] Javadani, *supra* note 7 at 262.

[16] Gottredson, *supra* note 4 at 921.

[17] Whitaker, *supra* note 1 at 24.

[18] James, *supra* note 10 at 26.

[19] Javadani, *supra* note 7 at 263.

[20] Gottredson, *supra* note 4 at 927.

[21] *Id*. at 909.

[22] *Id*. at 930.

[23] Losen, *supra* note 2 at 35.

[24] *Id.*

[25] Javadani, *supra* note 7 at 254.

is correlated with Black students' increased lost instruction.[26] This is, unfortunately, not surprising when we consider all of the stories and data that suggest law enforcement officers tend to engage in racial profiling.[27]

And, for students of color, this does not just mean a decreased opportunity to learn in the classroom, though that in itself should be enough. It also means an increased chance of violence against them, as we have seen from videos around the country that show law enforcement officers in schools body-slamming and handcuffing children of color for minor misconduct.[28] In fact, SROs in schools that have a majority of students of color are more likely than SROs in predominately White schools to be focused on school discipline.[29]

These factors together have led to the reality that "[s]tudents of color are more likely to go to a school with a law enforcement officer, more likely to be referred to law enforcement, and more likely to be arrested at school."[30] For example, Black students are three times more likely to be arrested than White students. Black girls, specifically, were five times more likely to be arrested than White girls. Native American and Pacific Island/Native Hawaiian students are two times more likely to be arrested than White students. Latine students are 1.3 times more likely to be arrested than White students.[31] This disproportionate effect is even greater for Black and Latino boys with disabilities who make up only 3% of the national student population but account for 12% of nationwide student arrests.[32]

Finally, policing our schools as we currently do likely traumatizes youth of color and makes it more likely that they will engage in delinquent behavior. A study on the effects of police interactions on adolescents found that youth with more exposure to law enforcement officials report more emotional distress after each interaction.[33] For Black and Latine youth, this trauma is particularly aggravated if the encounter took place in public due to feelings of "embarrassment" and "stigmatization."[34] Similarly, African American youth who live in neighborhoods with a greater police presence report more trauma and anxiety symptoms.[35] The severity of these symptoms is associated with the number and intrusiveness of their interactions with police.[36] Young Black males living in highly-policed areas who have watched friends, family members, or even complete strangers get searched by police officers report symptoms

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[26] Losen, *supra* note 2 at 33.

[27] *Id*. at 35.

[28] *Id*.

[29] Whitaker, *supra* note 1 at 7.

[30] *Id*.

[31] *Id*. at 24.

[32] *Id*. at 30.

[33] *See* Dylan B. Jackson et. al, *Police Stops Among At-Risk Youth: Repercussions for Mental Health*, 65 Journal of Adolescent Health 627, 629,

[34] *Id.*; Dylan B. Jackson et. al, *Low self-control and the adolescent police stop: Intrusiveness, emotional response, and psychological well-being*, 66 Journal of Criminal Justice, 2020, at 1, 8.

[35] Geller et al., *Aggressive Policing and the Mental Health of Young Urban Men*, 104 Am. Journal of Pub. Health 2321, 2324 (2014).

[36] *Id.*

consistent with secondary trauma.[37] Further studies have found that these feelings of fear, embarrassment, and helplessness affect how young people develop into young adulthood; injuring their self-concept and permanently damaging their trust in law enforcement.[38] This trauma from over-policing appears to have criminogenic effects and is associated with higher rates of delinquency after encounters with police.[39] We cannot knowingly continue to create an environment that produces such harms and sets them so significantly on the shoulders of students of color.

School Resource Officers Are Ineffective

And while our children are forced to face the harms caused by School Resource Officers, studies show that they do not end up benefiting from this law enforcement presence. As of 2013, the Congressional Research Service could not conclude that SRO programs were effective at preventing crime.[40] A 2018 study by Dr. Kenneth Alonzo Anderson from Howard University showed that increased funding in SROs does not lead to increased student safety.[41] This finding echoes a body of research that has been unable to show that the presence of law enforcement in schools provides any safety benefits.[42] More specifically, current research does not suggest SROs actually prevent school shootings.[43] In contrast, research has found that increased law enforcement presence at school is associated with "higher rates of weapon and drug crimes" than schools that do not employ SROs.[44] While some have argued that these higher rates are due to law enforcement identifying and removing those who would have otherwise been committing criminal acts at school, that hypothesis does not account for the fact that these increases in criminal activity are still present 20 months later.[45] Meanwhile, any downward trends in school violence seem to simply reflect the overall decrease of violence against youth.[46]

Thus, we have been subjecting our children to violence, school exclusion, and increased exposure to the criminal legal system all for an approach that has not been shown to actually

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[37] Nikki Jones, "The Regular Routine": Proactive Policing and Adolescent Development Among Young, Poor Black Men, *in* Pathways to Adulthood for disconnected young men in low-income communities. New Directions in Child and Adolescent Development, 33, 45 (K. Roy & N. Jones 2014).

[38] Jones, *supra* at 52.

[39] *See* Juan Del Toro et al., *The Criminogenic and Psychological Effects of Police Stops on Adolescent black and Latino Boys*, 116 PNAS, 8261 (2019) (finding that adolescent black and Latino boys who were stopped by police reported more frequent engagement in delinquent behavior six, twelve, and eighteen months later than boys who were not stopped by the police independent of prior delinquency).

[40] James, *supra* note 10 at 9.

[41] Kenneth Alonzo Anderson, *Policing and Middle School: An Evaluation of a Statewide School Resource Officer Policy*, 4 MIDDLE GRADES REV. 1 (2018); *see also* Kenneth Alonzo Anderson, *Does More Policing Make Middle Schools Safer?*, BROOKINGS (Nov. 8, 2018), https://www.brookings.edu/blog/brown-center-chalkboard/2018/11/08/does-more-policing-make-middle-schools-safer/; Losen, *supra* note 2 at 35.

[42] Losen, *supra* note 2 at 34; *see also* Javadani, *supra* note 7 at 262.

[43] Losen, *supra* note 2 at 35; *see also* Gottredson, *supra* note 4 at 931.

[44] Javadani, *supra* note 7 at 263.

[45] Gottredson, *supra* note 4 at 930.

[46] James, *supra* note 10 at 26.

work. These resources could be better spent investing directly in our students and their schools rather than on policing them.

II. Policing DC's Schools

The DC School Policing Landscape

During the 2018-19 school year, 338 students were arrested in DC schools.[47] This accounted for approximately 15% of all arrests of youth in the District during that time period.[48] Of the 338 arrests, 312 arrests were of Black students and 26 were Hispanic/Latino.[49] Zero were white.[50] Unfortunately, while I do not have the exact data, my understanding is that a substantial percentage of the arrests in schools were for simple assault and custody order/release violations.[51]

Our youth in the District are policed in school on three levels. First and foremost, youth are policed in schools by traditional law enforcement officers, including MPD's patrol bureau officers, MPD detectives, and Metropolitan Transit Police Officers. Indeed, MPD's patrol bureau "takes the lead in safeguarding students outside the schools, and provide support in combating truancy and ensuring the safe travel of students to and from school."[52] In addition, detectives and officers from both MPD and MTPD regularly arrest students in school for custody orders or offenses that allegedly happened off-campus.

Second, our students are policed by MPD's Schools Safety Division. According to MPD, "[t]he School Safety Division (SSD) [] coordinates MPD resources related to school safety. These resources include the deployment of contract security guards at DCPS, and School Resource Officers [(SROs)] working with DCPS and DC Public Charter Schools. The SSD coordinates with the Patrol Services Bureau in the Department along with government agencies and community interests in the city."[53] During the 2019-2020 school year, SROs were deployed to a combination of "short beats and clusters." Short beats consisted of "no more than four schools with a deployment of up to four SROs" and "[t]he remaining schools in each district will be in a cluster with SROs who will check in daily with these schools and provide safety support."[54]

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[47] *2019 DC School Report Card and Star Framework Cross-Tabulated Data File*, DC SCHOOL REPORT CARD, at https://osse.dc.gov/page/dc-school-report-card-resource-library (last visited Oct. 18, 2020).

[48] *See Biannual Reports on Juvenile Arrests*, Metropolitan Police Department, at https://mpdc.dc.gov/page/biannual-reports-juvenile-arrests (reporting 2226 juvenile arrests between September 2018 and June 2019).

[49] *2019 DC School Report Card and Star Framework Cross-Tabulated Data File*, DC SCHOOL REPORT CARD, at https://osse.dc.gov/page/dc-school-report-card-resource-library (last visited Oct. 18, 2020).

[50] *Id*.

[51] A breakdown of the reasons for the arrests should be requested from MPD and/or the Office of the State Superintendent for Education.

[52] METRO. POLICE DEP'T., SCHOOL SAFETY AND SECURITY IN THE DISTRICT OF COLUMBIA 2 (2020) https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/MPD%20School%20Safety%20Annual%20Report_School%20Year%202019-2020%20Final.pdf [hereinafter 2019-2020 MPD SCHOOL SAFETY REPORT].

[53] *Id.* at 1.

[54] *Id*. at 2.

Third, our students are policed by security guards within DCPS buildings themselves. "Security Officers (SOs) work for DCPS and MPD through a contract. These Contract officers (also known as contracted security guards) are school-based and support the school principal and staff to ensure the safety of all students."[55] Security officer responsibilities include: welcoming individuals to DCPS facilities; conducting entrance screenings for individuals and guests; conducting security patrols within the building; provide security coverage at school-based events; prepare incident reports; and some have the ability to detain youth as well.[56]

Policing our schools using contract security and MPD SROs come with a significant price tag. The MPD School Safety Division requested $36.7 million for Fiscal Year 2021. The $23.4 million requested to spend on contract guards could instead hire 212 social workers or psychologists; the $13.2 million requested to pay for SROs could pay for 119 social workers or psychologists.[57] While the DC Council ultimately shifted the control, management, and full budget of the security contract back to DCPS,[58] the Council still approved a budget of nearly $14 million dollars for the School Safety Division.[59] This budget is meant to support 127 FTEs in the Division for FY2021, which represents an increase from 24.7 in FY2019 and 110 in FY2020.[60] Further, this increase comes despite the fact that MPD is no longer responsible for managing the security contract for DCPS and the absence of evidence that a floating patrol of school resource officers makes youth or schools safer.

Contract School Security Staff vs. DCPS School Support Staff[61]

There are far more contracted security personnel in DCPS than there are social workers, psychologists, or counselors. In the 2019–2020 school year, there were 347 contracted security guards and special police officers inside DCPS schools, and 98 MPD SROs outside of DCPS schools,[62] but only 235 budgeted social workers, 127 budgeted psychologists, and 125 budgeted counselors.[63] Overall, there was one contract guard for every 147 students in DCPS, but only 1

[55] D.C. PUBLIC SCHOOLS, RESPONSES TO FY2019 PERFORMANCE OVERSIGHT QUESTIONS, Q11, *available at* https://dccouncil.us/wp-content/uploads/2020/02/dcps_Part1.pdf.

[56] *Id.*

[57] Assuming a psychologist and social worker salary of $110,891/year. D.C. PUBLIC SCHOOLS, RESPONSES TO FY2019 BUDGET OVERSIGHT QUESTIONS, Q12.

[58] Council of the District of Columbia Press Release, Lengthy but Productive Meeting Leads to Unanimous Progress on Budget, Police Reform, Hospital, Local Business Aid, July 8, 2020, *available at* https://dccouncil.us/lengthy-but-productive-meeting-leads-to-unanimous-progress-on-budget-police-reform-hospital-local-business-aid/.

[59] Metropolitan Police Department, FY2021 Approved Budget, at https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/fa_mpd_chapter_2021a.pdf.

[60] *Id.*

[61] Given the subject of this public hearing, this testimony focuses exclusively on school security at DCPS. It is important to note that public charter local education agencies are all responsible for the safety and security at their own schools as DCPS is now after reassuming management of its security contract.

[62] 2019-2020 MPD SCHOOL SAFETY REPORT at 8-10, 13.

[63] D.C. PUBLIC SCHOOLS, RESPONSES TO FY2019 PERFORMANCE OVERSIGHT QUESTIONS, Q16, *available at* https://dccouncil.us/wp-content/uploads/2020/02/dcps_Part1.pdf.

budgeted social worker for every 217 students, 1 budgeted psychologist for every 402 students, and 1 budgeted counselor for every 408 students.[64]

Analyzing individual schools emphasizes the disparity between the number of contract guards and the number of support staff in DCPS schools. Consider Ballou High School in Congress Heights. In the 2019-2020 school year, 746 students were enrolled at Ballou.[65] In the 2019–2020 school year, there were 12 contract guards at Ballou.[66] However, Ballou has only 5 social workers, 2 psychologists, and 3 counselors.[67] Similarly, Coolidge High School in Takoma had an enrollment of 378 students in 2019-2020.[68] Coolidge had 6 contract guards for the 2019–2020 school year.[69] Yet Coolidge has only 3 social workers, 1 psychologist, and 3 counselors.[70]

The number of contract guards per school is inversely proportional to the school's white population—that is, the more white students a school has, the fewer contract guards it has. Consider again Ballou High School, which is 98% Black.[71] Ballou has 1 guard for every 62 students. Coolidge High School is 72% Black and 27% Hispanic/Latino,[72] and has 1 guard for every 63 students. McKinley Technology High School in Eckington has 638 students, 84% of whom are Black, 12% of whom are Hispanic/Latino, and 2% of whom are white.[73] McKinley Tech had 9 contract guards for the 2019-2020 school year,[74] or 1 guard for every 70 students. Similarly, Eastern High School in Lincoln Park has 820 students, 96% of whom are Black, 2% of whom are Hispanic/Latino, and 1% of whom are white.[75] Eastern had 8 contract guards in the 2019-2020 school year,[76] or 1 guard for every 102 students.

Contrast these ratios to that of Woodrow Wilson High School in Tenleytown, which has an enrollment of 1,895 students. 37% of those students are white, 31% of them are Black, and

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[64] Based on a student enrollment of 51,043 for school year 2019-2020. D.C. PUBLIC SCHOOLS, RESPONSES TO FY2019 PERFORMANCE OVERSIGHT QUESTIONS, Q2, *available at* https://dccouncil.us/wp-content/uploads/2020/02/dcps_Part1.pdf.

[65] *Ballou High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0452 (last visited Oct. 16, 2020).

[66] 2019-2020 MPD SCHOOL SAFETY REPORT at 11.

[67] *Meet Our Faculty*, BALLOU SENIOR HIGH, https://www.balloudc.org/apps/staff/ (last visited Oct. 16, 2020).

[68] *Coolidge High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0455/profile (last visited Oct. 16, 2020).

[69] 2019-2020 MPD SCHOOL SAFETY REPORT at 11.

[70] *Staff*, CALVIN COOLIDGE HIGH SCHOOL, https://www.coolidgeshs.org/apps/staff/ (last visited Oct. 16, 2020).

[71] *Ballou High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0452 (last visited Oct. 16, 2020).

[72] *Coolidge High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0455/profile (last visited Oct. 16, 2020).

[73] *McKinley Technology High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0458/profile (last visited Oct. 16, 2020).

[74] 2019-2020 MPD SCHOOL SAFETY REPORT at 12.

[75] *Eastern High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0457/profile (last visited Oct. 16, 2020).

[76] 2019-2020 MPD SCHOOL SAFETY REPORT at 11.

21% of them are Hispanic/Latino.[77] Wilson has 10 contract guards,[78] or 1 contract guard for every 189 students. School Without Walls in Foggy Bottom has 597 students, 47% of whom are white, 29% of whom are Black, and 12% of whom are Hispanic/Latino.[79] School Without Walls has 4 contract guards,[80] or 1 guard for every 149 students.

The numbers are even more stark for Middle Schools. For example, Hart Middle School in Congress Heights had an enrollment of 425 students in 2019-2020, 97% of whom are Black.[81] Hart had 5 contract guards,[82] which means there was 1 contract guard for every 85 Hart students. Similarly, Sousa Middle School in Fort Dupont had an enrollment of 263 students, 97% of whom are Black.[83] Sousa has 4 contract guards,[84] which means there is 1 guard for every 66 students.

In contrast, Deal Middle School had an enrollment of 1,549 students, 46% of whom are white, 27% of whom are Black, and 16% of whom are Hispanic/Latino.[85] But Deal has only 7 contract guards,[86] or 1 contract guard for every 221 students.

These numbers paint a disturbing picture: Black students in DC are far more likely to be policed in school than their white peers. These differences have real consequences for students relating to attendance, academic achievement, trauma exposure, and increased criminal/juvenile legal system involvement.

The Invisible Backpacks of Our Youth

Youth in the District experience high rates of trauma without even factoring in the trauma they experience from being over-policed. In 2016, 25.3% of youth ages 0–17 in the District had experienced at least one traumatic event in their lifetimes, and 21.8% had experienced two or more traumatic events in their lifetimes.[87] For example, 9.4% of youth in the District had

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[77] *Woodrow Wilson High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0463/profile (last visited Oct. 16, 2020).

[78] 2019-2020 MPD SCHOOL SAFETY REPORT at 13.

[79] *School Without Walls High School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0466/profile (last visited Oct. 16, 2020).

[80] 2019-2020 MPD SCHOOL SAFETY REPORT at 12.

[81] *Hart Middle School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0413/profile (last visited Oct. 16, 2020).

[82] 2019-2020 MPD SCHOOL SAFETY REPORT at 11.

[83] *Sousa Middle School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0427/profile (last visited Oct. 16, 2020).

[84] 2019-2020 MPD SCHOOL SAFETY REPORT at 13.

[85] *Deal Middle School*, DC SCHOOL REPORT CARD, https://dcschoolreportcard.org/schools/1-0405/profile (last visited Oct. 16, 2020).

[86] 2019-2020 MPD SCHOOL SAFETY REPORT at 11.

[87] *Indicator 6.13: Has this child experienced one or more adverse childhood experiences from the list of 9 ACEs?*, DATA RESOURCE CTR. FOR CHILD & ADOLESCENT HEALTH, https://www.childhealthdata.org/browse/survey/results?q=5150&r=10 (last visited Oct. 16, 2020).

A "traumatic event" is fully defined as one of the nine following Adverse Childhood Experiences: 1) Experiencing economic hardship; 2) experiencing a parental divorce or separation; 3) living with someone who had an alcohol or drug problem; 4) being a victim of neighborhood violence or witnessing neighborhood violence; 5)

witnessed or been a victim of neighborhood violence,[88] 9.2% had a parent that was either currently or formerly incarcerated,[89] and 5.6% had witnessed domestic violence.[90]

Additionally, school itself is a site of trauma and fear for many students in the District. In 2019, 9.4% of DCPS and public charter high school students[91] and 15% of middle school students[92] reported they had skipped one or more days of school because they felt unsafe. 9.1% of high school students[93] and 16% of middle school students[94] reported they had been afraid of being beaten up at school at least once in the prior year.[95]

Research has shown that experiencing trauma can change the structure and function of a person's brain.[96] Experiencing trauma can also cause the overproduction of the hormones adrenalin and cortisol.[97] These hormones can inhibit typical youth cognition, memory, learning, and overall development. They can also make it more difficult for students to get along with their peers. All of this can negatively impact a student's ability to learn and succeed at school, both in the classroom and in the larger social environment.

However, schools have the potential to play an impactful and positive role in supporting students who have experienced trauma and alleviating some of trauma's negative effects. Given that schools have contact with most students every day, providing resources at schools to combat

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living with someone who was mentally ill, suicidal, or severely depressed; 6) witnessing domestic violence; 7) having a parent who was currently or formerly incarcerated; 8) being treated or judged unfairly due to one's race or ethnicity; and 9) experiencing the death of a parent.

[88] *To the best of your knowledge, has this child ever experienced the following: was a victim of violence or witnessed violence in neighborhood?*, DATA RESOURCE CTR. FOR CHILD & ADOLESCENT HEALTH, https://www.childhealthdata.org/browse/survey/results?q=5155&r=10 (last visited Oct. 16, 2020).

[89] *To the best of your knowledge, has this child ever experienced the following: parent or guardian served time in jail?*, DATA RESOURCE CTR. FOR CHILD & ADOLESCENT HEALTH, https://www.childhealthdata.org/browse/survey/results?q=5153&r=10 (last visited Oct. 16, 2020).

[90] *To the best of your knowledge, has this child ever experienced the following: saw or heard parents or adults slap, hit, kick, punch one another in the home?*, DATA RESOURCE CTR. FOR CHILD & ADOLESCENT HEALTH, https://www.childhealthdata.org/browse/survey/results?q=5154&r=10 (last visited Oct. 16, 2020).

[91] D.C. OFFICE OF THE STATE SUPERINTENDENT OF EDUC., 2019 YOUTH RISK BEHAVIOR SURVEY RESULTS: HIGH SCHOOL SURVEY 5 (2020) https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2019DCBH%20Summary%20Tables.pdf (last visited October 16, 2020) [hereinafter YRBS HIGH SCHOOL RESULTS].

[92] D.C. OFFICE OF THE STATE SUPERINTENDENT OF EDUC., 2019 YOUTH RISK BEHAVIOR SURVEY RESULTS: MIDDLE SCHOOL 44 (2020) https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2019DCBM%20Summary%20Tables.pdf (last visited October 16, 2020) [hereinafter YRBS MIDDLE SCHOOL RESULTS].

[93] YRBS HIGH SCHOOL RESULTS at 84.

[94] YRBS MIDDLE SCHOOL RESULTS at 45.

[95] *Id.*

[96] *See* Sarah Peterson, *Effects*, THE NAT'L CHILD TRAUMATIC STRESS NETWORK, https://www.nctsn.org/what-is-child-trauma/trauma-types/complex-trauma/effects (last visited Oct 16, 2020).

[97] Eric Rossen & Katherine Cowan, *The Role of Schools in Supporting Traumatized Students*, PRINCIPAL'S RESEARCH REVIEW Nov. 2013, at 4–5, https://cqrcengage.com/naspweb/file/YEfwxfQ75YH/prr_nov13_trauma_sensitive_schools.pdf.

the negative effects of trauma can be more convenient and effective than connecting students to clinics or other community-based services.[98] Maintaining a positive school climate that fosters caring, compassionate, and trusting relationships between staff and students is crucial to supporting students who have experienced trauma.[99] Unfortunately, in 2019 28.8% of high school students[100] and 31% of middle school students[101] in the District reported that they did not feel they could talk to a single teacher or other adult in their school about their problems.

Equally important is having *individualized* mental health and other support services available for students with intensive challenges,[102] but the way that DCPS staffs its schools is inadequate to support the high numbers of youth in the District that have experienced trauma.

III. Alternatives to Policing Our Schools

At the end of last school year, the Minneapolis Board of Education (MBE) voted to terminate the contract between the Minneapolis Police Department (MPD) and the schools. The decision came shortly after the police killing of George Floyd in May. Educators, parents, and students all shared copious amounts of data, testimony, and suggestions on reasons and ways to change the punitive nature of school safety. Unfortunately, the district decision makers did not incorporate those suggestions into their new school safety plan. Instead the district decided to create 11 positions for "public safety support specialists" or "PSSS."[103] Applicants were required to have criminal justice or law enforcement degrees. The majority of the finalists interviewing for the position are former law enforcement individuals.[104]

The community organizers, students, educators and allies of the campaign to end the Minneapolis Public Schools' contract with the MPD contract, protested the PSSS position and hiring process. Their protests were not only to the replacement of School Resource Officers with law enforcement-like positions, but also to the lack of accountability for these privatized guards. Minneapolis had a chance to transform the student experience by reimagining safety and, so far, appears to be merely be repackaging the ineffective and harmful practices of the past. Sadly, DC appears to be headed in the same direction.[105] That cannot be allowed to happen. Instead, DC should learn from Minneapolis's failure and, rather than repackage policing, look to the research

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[98] Yunsoo Park, *When Students Don't Feel Safe In The Neighborhood: How Can Schools Help?*, D.C. Policy Center (March 3, 2020), https://www.dcpolicycenter.org/publications/mental-health-supports/.

[99] Rossen & Cowan, *supra* note 11, at 7.

[100] YRBS HIGH SCHOOL RESULTS at 104.

[101] YRBS MIDDLE SCHOOL RESULTS at 58.

[102] Park, *supra* note 12.

[103] Susan Du, *After cutting ties with police, Minneapolis schools are quietly hiring security guards*, July 21, 2020, *available at* http://www.citypages.com/news/after-cutting-ties-with-police-minneapolis-schools-are-quietly-hiring-security-guards/571832701

[104] Mark Keierleber, The 74, August 13, 2020, *available at* https://www.the74million.org/article/exclusive-after-ending-police-contract-minneapolis-schools-consider-former-cops-for-revamped-school-safety-role-and-activists-fear-a-dangerous-national-trend/.

[105] *See* DC Public Schools Job Posting for Director, Contract Security & Training; at https://dcps.secure.force.com/central/ts2__JobDetails?jobId=a0x4U00000GhRNUQA3&tSource=.

and to our youth, families, teachers, and other stakeholders for guidance regarding how to reimagine school safety.

Examples of Reimagining School Safety

Madison, Minneapolis, Phoenix, Denver, and Portland, Seattle, and Oakland school boards have all voted to remove police from schools in some way. Oakland, California's Unified School District had its own police force, which the district unanimously voted to eliminate in June 2020.[106] The $6 million formally allotted to the Oakland Schools Police Department will go to care-based resources like restoring positions for restorative justice coordinators who were laid off due to budget cuts last school year. Also, in June, Denver Public Schools voted to terminate its contract with the Denver Police Department.[107] The $721,403 spent on assigned officers to schools will be reallocated towards hiring mental health and restorative justice professionals.[108] Portland's mayor led the removal of police from schools, divesting $1 million from the Portland Police Bureau's Youth Services Division to a community-driven, care-based program.[109]

During the 2016-17 school year, Intermediate District 287, a school district serving approximately 1,000 high needs youth outside of Minneapolis, ended its relationship with local police departments and removed school-based officers. The district replaced these officers with "student safety coaches" meant to address student mental health needs, de-escalate conflict, and build meaningful relationships with students.[110] These coaches have years of youth conflict-resolution experience and employ them to avoid police intervention at all costs. The early results are promising – arrests are down, trust is up, nearly 75% of staff members surveyed about the change reported that the student safety coaches were effective at deescalating situations.[111]

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[106] *Available at* https://assets.documentcloud.org/documents/6956560/OUSD-Elimination-Department-of-Police-Services.pdf

[107] *Available at* https://go.boarddocs.com/co/dpsk12/Board.nsf/files/BQGUND783ACE/%24file/Board%20Resolution%20re%20SROs_6.11.2020.pdf

[108] *Id.*

[109] Tess Riski, *Mayor Ted Wheeler Removes Portland Police Officers from All Public Schools, Effective, Immediately*, Willamette Week, June 4, 2020, *available at* https://www.wweek.com/news/schools/2020/06/04/mayor-ted-wheeler-removes-portland-police-officers-from-all-public-schools-effective-immediately/.

[110] Anthony Lonetree, Minnesota School District Sees Benefits to Life after Cops in Schools, Star Tribune, July 9, 2020, available at https://www.startribune.com/minnesota-school-district-sees-benefits-to-life-after-cops-in-schools/571693012/

[111] *Id. See also ISD 287's Student Safety Coaches: Summary of Literature and Staff Survey School Year 2019-2020*, Wilder Research, June 2020, *available at* https://www.wilder.org/sites/default/files/imports/ISD287_StudentSafetyCoaches_Summ_6-20.pdf. Additionally, nearly twice as many staff surveyed reported feeling just as safe since the change as those who reported feeling less safe since the change. *Id*.

Improving School Safety Requires a Renewed Focus on Prevention and Intervention Supports That Promote Social Emotional Learning, Accommodate Disabilities, and Address Trauma

Research over the last few decades overwhelmingly shows the benefits of positive behavioral interventions and supports.[112] Individualized learning maximizes student success, engagement, and student-teacher relationships.[113] These care-based methods function as preventative measures for student conflict and incidents of violence. Access to mental health professionals and positive school climates are consistent positive impacts on student development. When all adults who interact with students are trained on trauma-informed restorative justice practices, the school community is most able to serve students' varying needs.[114] Like adults, students do not live single issue lives, and therefore need wraparound services that transcend discipline and punishment but encompass the whole student's needs, educational, social, emotional, or otherwise.

The reality is that real safety is stopping incidents before they happen, not merely responding to harm once it has occurred. As a result, reimagining school safety in the District requires applying a public health framework to the reduction of violence in our schools. Programs such as the Incredible Years,[115] the Good Behavior Game,[116] Becoming a Man,[117] and Cognitive Behavioral Intervention for Trauma in Schools (CBITS)[118] help to reduce the number of incidents in schools.

Additionally, paying better and more intentional supportive attention to students can help improve school safety. For instance, in Virginia, some schools use an assessment system to report bullying and mental health struggles with the goal of proactively addressing student needs

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[112] Amanda Petteruti, *Education Under Arrest: The Case Against Police in Schools,* Justice Policy Institute, November 2011, *available at* *http://www.justicepolicy.org/uploads/justicepolicy/documents/educationunderarrest_fullreport.pdf.*

[113] Gold M. Scholastic Experiences, Self-Esteem, and Delinquent Behavior: A Theory for Alternative Schools. *Crime & Delinquency*. 1978;24(3):290-308.

[114] *See* https://healthyschoolscampaign.org/blog/police-do-not-belong-in-our-schools/

[115] The Incredible Years includes "three multifaceted and developmentally-based curricula for parents, teachers, and children" that seek "to reduce challenging behaviors in children and increase their social and self-control skills." *The Incredible Years*, NAT'L INST. OF JUSTICE, *at* https://www.crimesolutions.gov/ProgramDetails.aspx?ID=194.

[116] The Good Behavior Game ("GBG") is a classroom management strategy "designed to improve aggressive/disruptive classroom behavior and prevent later criminality. GBG attempts to reduce a child's externalizing behavior and to promote prosocial behavior by encouraging positive interactions with peers." *Good Behavior Game*, NAT'L INST. OF JUSTICE, available at https://crimesolutions.ojp.gov/programdetails?id=188&ID=188.

[117] *Becoming a Man*, UrbanLabs, *available at* https://urbanlabs.uchicago.edu/projects/becoming-a-man; see also Sara B. Heller, et. al., *Thinking Fast and Slow? Some Field Experiments to Reduce Crime and Drop Out in Chicago,* NBER Working Paper 21178, May 2015, *available at* https://urbanlabs.uchicago.edu/attachments/0bd9bbdea840ff8faddf10f8b30a372863ae1938/store/234ef5222cf43a9b9165d47d18ae984df8cc08279122e99cb4f287c4918a/Thinking%2BFast%2Band%2BSlow%2B-%2BNBER.pdf

[118] Cognitive Behavioral Intervention for Trauma in Schools ("CBITS") is a based on the principles of cognitive behavioral therapy ("CBT") but is modified for use in schools with youth, ages ten-to-fifteen, who have experienced trauma. The goals of CBITS are "1) to reduce symptoms related to trauma, 2) to build resilience, and 3) to increase peer and parent support. The program was developed to reduce symptoms of distress and build skills to improve children's abilities to handle stress and trauma in the future." *Cognitive Behavioral Intervention for Trauma in Schools*, NAT'L INST. OF JUSTICE, *available at* https://www.crimesolutions.gov/ProgramDetails.aspx?ID=139.

before crisis arises. Schools using these assessment guidelines had fewer long-term suspensions and more positive perceptions of school climates than schools that do not use the guidelines.[119]

Moreover, when therapeutic services are necessary, schools must be able to provide them quickly and effectively. To that end, DC should better take advantage of a December 2014 national policy change that allows school districts to bill Medicaid for school health services. In the five years since the policy change, twelve states have expanded their school-based Medicaid programs, thus expanding student access to care-based services.[120] While DC utilizes the reimbursement structure to a certain extent, we could better leverage federal Medicaid funds to provide more direct therapeutic supports to our students in the schools.

When crisis services are necessary, DC needs to find an effective non-law enforcement-based response. CAHOOTS (Crisis Assistance Helping Out On The Streets) in Eugene, Oregon, is an example of this. Dispatched through the emergency response system, CAHOOTS is a 24/7 mobile crisis intervention response unit that dispatches a medic and a crisis worker to respond to the scene of an individual in crisis.[121] The team is well equipped not only to address the immediate crisis, but also to connect the individual to necessary services relating to housing supports, substance abuse, grief, and more.[122]

Finally, a restorative approach is critical to increasing safety and improving school culture.[123] A review of the research demonstrates that restorative justice, to varying degrees, reduces student misbehavior and discipline, improves attendance, and improves school climate and safety.[124]

IV. Recommendations

So how should we engage in this process of reimaging school safety?

First, the framework for the process actually needs to be *reimaging* school safety, not just replacing the word MPD with DCPS in the management process. This requires a holistic, public health approach to school safety that is relational, restorative, racially just, and trauma-informed. It means thinking big picture and acknowledging up front that real safety is something that goes beyond just security, but involves an intentional mix of prevention, intervention, and remediation efforts. It will involve policy change, practice change, and, most importantly, culture change. As the youth from Black Swan Academy have repeatedly demanded of us, the guiding principle for this process of reimaging safety should be to love our students, not harm them. This means

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[119] Cornell, D., Sheras, P., Gregory, A., & Fan, X. (2009). A retrospective study of school safety conditions in high schools using the Virginia threat assessment guidelines versus alternative approaches. *School Psychology Quarterly, 24*(2), 119–129.

[120] *See* https://healthyschoolscampaign.org/blog/increasing-access-for-mental-health-services-in-schools/

[121] *See* https://whitebirdclinic.org/cahoots/.

[122] *Id*.

[123] *See* Trevor Fronius, *Restorative Justice in U.S. Schools: An Updated Research Review*, WestEd Justice & Prevention Research Center, March, 2019, available at https://www.wested.org/wp-content/uploads/2019/04/resource-restorative-justice-in-u-s-schools-an-updated-research-review.pdf.

[124] *Id*. at 21-32.

being willing to stop doing the things we know are harmful and ineffective, while adopting alternatives that are evidence-based or promising practices.

Second, real school safety requires a diversified staffing approach, not a one-size-fits-all approach to security. Reimagining school safety requires exploring a diversified mix of positions – credible messengers, roving leaders, student safety coaches, social workers, counselors, restorative justice practitioners, etc. – planning, communicating, and working together towards the common purpose of fostering a safe school environment. Importantly, this does not mean that the individuals who currently serve as security guards in our schools need to be replaced. Reimaging school safety is not about the individuals currently serving as security guards, but their job descriptions, roles, and responsibilities. Indeed, we all know or have heard of current security guards that build strong, deep relationships with their students. However, the reasons most often given for why these security officers are so loved are things that are outside their job description. As a result, while we need to rethink the jobs and job descriptions chiefly responsible for ensuring a safe school environment, we likely have a strong pool from which to draw candidates for these new positions.

Third, it is critical that the safety of our students not be outsourced to an outside corporation. Critical functions should not be outsourced, and a safe learning environment is a critical component of a positive school culture. But right now, DCPS is outsourcing the first people that most students interact with in the morning. Instead, DCPS needs to take control. The mix of positions described above should be employees of DCPS who are chosen by and accountable directly to the local leadership of the school with training and logistical support provided by DCPS' central office. So long as DCPS continues to outsource "security," they will struggle to build a strong culture of safety in its schools.

Fourth, building a strong culture of safety in our schools requires that they be sanctuaries for our students. This requires fundamentally changing how we police our young people. For instance, young people should be able to go to school free of fear that they will be arrested on school grounds for custody orders or non-campus incidents. If the officers know what school a young person attends, then they can do the investigative work to contact their parents or locate their parents. Additionally, schools should be gun-free zones for students and adults alike. As a result, officers of all types should disarm prior to stepping foot on a school campus unless they are specifically responding to a report of a shooting or armed individual on campus. We also must ensure that we are leading with non-law-enforcement and non-exclusionary interventions. This includes creating and implementing non-law-enforcement-driven crisis response and safe passage systems as well as continued expansion of the District's restorative justice and school-based mental health efforts. Finally, the District should also eliminate the School Safety Division (SSD) at MPD and invest the almost $14 million currently allocated to the SSD to reimagining school safety instead.

Fifth, the process of reimagining safety must involve meaningful community engagement. Our new approach should be the product of co-creation and involve a design process that includes students, parents, teachers, school staff, researchers, and community-based providers and advocates. Given the need for the design process to be one of equal partnership, it may be prudent for the process to be staffed and facilitated by an independent agency such as the Office of the Student Ombudsman, the Office of the Student Advocate, or both. This process should start immediately.

Thank you for the opportunity to testify today. I am available to answer any questions as well as provide any additional research support as necessary.