

January 2, 2018

The Honorable William N. Brownsberger
Senate Chair
The Joint Committee on the Judiciary
State House, Room 504
Boston, MA 02133

The Honorable Claire D. Cronin
House Chair
The Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

The Honorable Cynthia S. Creem
Assistant Senate Majority Leader
State House, Room 312A
Boston, MA 02133

The Honorable Ronald Mariano
House Majority Leader
State House, Room 343
Boston, MA 02133

The Honorable Bruce E. Tarr
Senate Minority Leader
State House, Room 308
Boston, MA 02133

The Honorable Sheila C. Harrington
State House, Room 237
Boston, MA 02133

RE: Criminal Justice Reform Provisions Affecting Students

Dear Honorable Conferees:

We respectfully request that you include sections 34, 267, and 268 of S. 2200 in the conference report. These sections will help disrupt the school to prison pipeline by clarifying that non-violent violations of school policies like yelling in class or dress code violations are punished through the school, while the police and the criminal justice system focus on violent and other serious offenses.

Arresting students ruins lives and should be reserved only for violent students or students who commit serious crimes. Those charged with minor, non-violent crimes, even if those charges are later dropped, are still labeled as criminals. This greatly limits their future educational and employment opportunities and often leads to them dropping out. And because students of color and students with disabilities are disproportionately arrested for verbal altercations, this pattern

of arrest reinforces discrimination and economic inequality. Students in more affluent communities tend to get help, not handcuffed.

In recent decades there has been a growing tendency in certain school districts to rely on police officers to enforce rules traditionally enforced by school personnel. All school districts are required to have at least one assigned student resource officer (SRO), but without a focused memorandum of understanding having onsite police officers may increase arrests and prosecutions for non-violent behavior. Section 34 provides a framework, based on best practices and federal guidance, for the role and duty of an SRO, allowing SROs to keep students safe without increasing unnecessary arrests.

Sections 267 and 268 decriminalize non-violent public order offenses. A child who slams a book or yells in class should never be arrested for that behavior. We shouldn't turn all bad behavior into criminal behavior, especially for those whose brains are not yet fully developed. In 2012, the last year we have full data, hundreds of students in Massachusetts were arrested in school for non-violent, verbal behavior. 162 children were held overnight in a DYS facility on "disturbing the peace" charges. That is 162 children, who did not use violence, who merely caused a disturbance, and who were imprisoned overnight in Massachusetts. Those 162 spent a total of 2660 days in DYS facilities. That is just wrong. We can do better and now have the opportunity to do so.

Thank you for your consideration of these priorities. Please do not hesitate to contact us if you have any questions.

Sincerely,

Representative Aaron Vega
5th Hampden

Senator Patricia D. Jehlen
Second Middlesex