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Dear [Representative/Senator _____]:

I am sharing 5 priorities on school policing that my coalition partners and I wish to see addressed in the conference of H. 4860/S. 2820. As your constituent, I respectfully ask that you join me in supporting these priorities and share them with the conference committee.

Thank you,

[NAME]

5 Asks on School Policing For the conference of H. 4860 and S. 2820

- **We strongly support the Senate bill's requirement for a school committee vote in assigning school resource officers (Secs. 50 & 51 of S. 2820).** Parents, students, educators and communities deserve a say in the decision to place police in schools, and a school committee vote provides the space for that voice and for local control. Sections 50 and 51 also require superintendents to provide school committees and the state data on a) funds for school police, b) budget for mental health supports for students, and c) school-based arrests and referrals to law enforcement. This ensures that a school committee's vote – and the public – is informed. Please note that House Amendment 1 (Sabadosa) also called for such a school committee vote. The amendment and its list of cosponsors is attached. (It was withdrawn during House debate.)
- **Please help correct a mistake regarding that school committee vote:** Senate Ways and Means' (SWM) redraft omits the voting requirement from the first sentence of Section 50 of S. 2820 but keeps it in the second. SWM acknowledged the drafting error and suggested it could be reinserted in conference. The current Section 50 can be read to require school committee vote, not in traditional school districts, but in charter schools, which do not have school committees. The first sentence should read:

A chief of police, at the request of the superintendent and subject to appropriation, shall assign at least 1 school resource officer to serve the city, town, commonwealth charter school, regional school district or county agricultural school, **subject to annual approval by public vote of the relevant school committee.**
- **Please ensure that the final bill's qualified immunity provisions expressly apply to school resource officers (SROs): amend c. 71 s. 37P(f).** Current law, [c. 71 s. 37P\(f\)](#), provides immunity to public employers for school policing. When the legislature finalizes its qualified immunity language, it must revise subsection (f) with the same language. A court will otherwise look at the language in subsection (f) as a specific exemption for school resource officers.
- **Our state just released a Model school policing MOU in 2018, we can avoid the expense of doing it again.** The House bill (H. 4860, Sec. 66) would require the

establishment of a model SRO memorandum of understanding (MOU) review commission to develop a model MOU for school policing. [EOPSS, DESE, and the Attorney General's Office just released a model MOU in the fall of 2018](#), as required by the *Criminal Justice Reform Act*. To avoid the expense of taxpayer dollars, we ask that the current model MOU serve as the template for districts to adopt. We fully support the House bill's requirements that districts share their MOUs with DESE and the public.

- **We strongly support the limits that the Senate bill sets on sharing student information (Sec. 49 of S. 2820).** A school resource officer's 2015 report of an "unsuccessful fight" led to the deportation of a Boston Public Schools student once it was shared with ICE.^[1] Section 49 prohibits such information-sharing, and does so more definitively than the House version. We would suggest two slight changes to the Senate language: add "others contracted to work in schools" to the list of those who cannot share student information, and include "observations or conversations with or about a student" among the information that cannot be shared, per House Amendment 88 (Elugardo, withdrawn). (Text and co-sponsor list attached.)

We ask the above as we firmly believe police should not be placed in schools. These changes ensure that decision is left up to our communities themselves. Here's why:

School-based police mean school-based arrests, too often for a school discipline violation.^[2] A first arrest doubles the odds a student drops out.^[3] Massachusetts' Black and Latino students are far more likely than their white peers to be arrested at school, especially for school discipline matters.^[4] There is significant misunderstanding between Massachusetts' police officers and school administrators on the role of police in schools.^[5]

Placing police in schools is expensive, especially during budget shortfalls when students may not even be in school buildings. Meanwhile, our state's ratio of students to counselors, 304:1, fails to meet the nationally recommended ratio (250:1).^[6]

Schools and police are not complying with the reforms of 2018. The Massachusetts Juvenile Justice Policy and Data Board reports that many cities did not adopt the policing agreements required by the *Criminal Justice Reform Act* (CJRA).^[7] Fewer still report the data that the law requires. Only 31 of 289 school districts reported any arrests. Springfield, Worcester, and Lowell reported **zero**, along with 48 other large districts.

I'm attaching four documents:

- Testimony in support of the above provisions submitted to the House and signed by over 65 Massachusetts organizations,
- Testimony from the AFT-MA, MTA, and BTU in support of the school committee vote provision described above (a statement from the National Association of Social Workers – Massachusetts Chapter calling for alternatives to school policing is linked here:

^[1] Shannon Dooling, *What A Boston Student's Deportation Reveals About School Police And Gang Intelligence*, WBUR (Dec. 13, 2018)

^[2] Hon. Jay Blitzman, *Police Aren't Needed in Schools*, Commonwealth Magazine (Jun. 10, 2020).

^[3] Gary Sweeten, *Who Will Graduate?*, 23 Justice Quarterly 462, 473-477 (2006).

^[4] Robin Dahlberg, *Arrested Futures: The Criminalization of School Discipline in Massachusetts's Three Largest School Districts* (2012).

^[5] Johanna Wald and Lisa Thureau, *First, Do No Harm* (2010).

^[6] American Civil Liberties Union, *Cops and No Counselors: How the Lack of Mental Health Staff Is Harming Students* (2019).

^[7] Juvenile Justice Policy and Data Board, *Early Impacts of an Act Relative to Criminal Justice Reform* 65 (2019).

<https://www.naswma.org/news/516947/Statement-Social-Work-Response-and-Recommendations-on-Police-Reforms.htm>), and,

- The House Amendments (1 & 88) re: school policing and student privacy described above.

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