



Legislative Testimony
765 Asylum Avenue, 2nd Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

Written Testimony Supporting Senate Bill 1093, An Act Implementing the Recommendations of the Juvenile Justice Policy and Oversight Committee

Senator McCrory, Representative Currey, Ranking Members Berthel and McCarty, and members of the Education Committee:

My name is Jess Zaccagnino, and I am the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in support of Supporting Senate Bill 1093, An Act Implementing the Recommendations of the Juvenile Justice Policy and Oversight Committee.

The ACLU-CT believes that in order to reduce the harm that policing is causing communities of color across the state, Connecticut must reduce the role, responsibilities, and presence of systems of policing. This means, at minimum, diverting funds from policing to building safe and healthy communities. School resource officers are police, just as much as any other law enforcement staff across the state, and their in-school policing has much of the same effects on school communities as municipal and state policing have on the broader community. Police presence in schools is a key link in the school-to-prison pipeline. We must reinvest the money that this state has dedicated to in-school policing in programs that are actually designed to help kids thrive, like alternatives to suspension or expulsion, decreasing class sizes, and providing sufficient mental health resources.

When police are in schools, kids—especially Black and Latinx kids—are more likely to be arrested.¹ School police are also disproportionately arresting students with

¹ West Resendes, *Police in Schools Continue to Target Black, Brown, and Indigenous Students with Disabilities. The Trump Administration Has Data That's Likely to Prove It*, ACLU NEWS & COMM. (July 9, 2020), available at

disabilities.² The acts which underlie these arrests are shocking: spraying perfume, criticizing a police officer, kicking a trashcan, throwing a baby carrot, taking a milk carton, wearing saggy pants, and having a tantrum at age five.³ Increasing police in schools correlates with increased discipline rates, decreased high school graduation rates, and decreased college enrollment.⁴ These racist outcomes do not even come with the benefit of safer schools. At best, the data is conflicting and lacking in methodological rigor.⁵ At worst, considering the higher incidents of arrests in schools with police, police make schools less safe.⁶ Overall, school crime levels have decreased regardless of, not due to, the presence of police in schools.⁷ At the same time, today's students are experiencing record levels of depression, anxiety, and trauma of all forms. According to the Centers for Disease Control and Prevention, 72 percent of children in the U.S. will have experienced at least one major stressful event, like witnessing violence, experiencing abuse, or losing a loved one, before the age of eighteen.⁸

Yet students do not have to have direct interaction with police in schools to be harmed by the school-to-prison pipeline. We know that when kids have access to high-quality early education, both children and families thrive.⁹ Kids from families of color and low-income families are much less likely to have access to high-quality early education in our state, and are more likely to go to schools that are underfunded and understaffed.¹⁰ Children of color are also more likely to be suspended or expelled,

<https://www.aclu.org/news/criminal-law-reform/police-in-schools-continue-to-target-black-brown-and-indigenousstudents-with-disabilities-the-trump-administration-has-data-thats-likely-to-prove-it/>.

² *Id.*

³ *Id.* at Appendix D.

⁴ Emily K. Weisburst, *Patrolling Public Schools: The Impact of Funding for School Police on Student Discipline and Long-Term Education Outcomes*, *J. POL'Y ANALYSIS & MGMT.* (Feb. 7, 2019), available at <https://doi.org/10.1002/pam.22116>.

⁵ Nathan James & Gail McCallion, *School Resource Officers: Law Enforcement Officers in Schools*, CRS REP. CONG. (June 26, 2013), available at <https://fas.org/sgp/crs/misc/R43126.pdf>.

⁶ Edwin Rios, *More Cops Won't Make Schools Safer, But Here's What They Will Do*, *MOTHER JONES* (Mar. 19, 2018), available at <https://www.motherjones.com/crime-justice/2018/03/more-cops-wont-make-schools-safer-but-hereswhat-they-will-do/>.

⁷ Dana Goldstein, *20 Years After Columbine, Schools Have Gotten Safer. But Fears Have Only Grown*, *N.Y. TIMES* (Apr. 20, 2019), available at <https://www.nytimes.com/2019/04/20/us/columbine-anniversary-school-violencestatistics.html>.

⁸ Whitaker, *supra* note 3, at 6.

⁹ Shantel E. Meek & Walter S. Gilliam, *Expulsion and Suspension in Early Education as Matters of Social Justice and Health Equity*, *Nat'l Academy Med.* (Oct. 31, 2016), <https://nam.edu/expulsion-and-suspension-in-early-education-as-matters-of-social-justice-and-health-equity/>.

¹⁰ *Id.*

even in their youngest years. This is at a time in child development where the brain is quickly developing and is “extraordinarily sensitive and affected by children’s environments, experiences, and relationships.”¹¹ If a child is suspended or expelled from school early in life, they are more likely to have greater gaps in access to resources, predicting they are as much as *ten times* “later expulsions and suspensions, academic failure, school dropout, an increased likelihood of later incarceration—a ‘preschool to prison pipeline.’”¹² One study of the rates of expulsion and suspension in *preschool* found that Black kids were 3.6 times more likely to be suspended one or more times than other kids.¹³ Black boys represented 19 percent of boys in preschool, but made up 45 percent of the boys receiving out of school suspensions, and Black girls represented 19 percent of girls in preschool, but made up 54 percent of the girls receiving out of school suspensions.¹⁴ When school districts disproportionately suspends or expels kids in their earliest years of elementary school, they are dooming kids to a lifetime of likely involvement in the criminal legal system before they can even say the word “incarceration.”

School counselors, nurses, social workers, psychologists, and psychiatrists are the right people to address the multitude of issues facing our young people. Schools with such services see improved attendance rates, better academic achievement, and higher graduation rates, as well as lower levels of suspension, expulsion, and other discipline.¹⁵ School-based mental healthcare improves outcomes for individual students and makes the entire school community safer.¹⁶ In contrast, police presence in schools is not evidentiarily linked to safer schools.¹⁷ In fact, police on K-12 campuses cause harm, rather than alleviate it.¹⁸ A recent study found no association between having an armed officer and the deterrence of violence in school shootings,

¹¹ *Id.*

¹² *Id.*

¹³ *Civil Rights Data Collection: Key Data Highlights on Equity and Opportunity Gaps in Our Nation’s Public Schools*, DEPT ED., OFF. CIV. RTS. (2016), <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-2013-14.html>.

¹⁴ *Id.*

¹⁵ Whitaker, *supra* note 8 at 4.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

and in fact found that an armed officer on the scene was the top factor that contributed to increased casualty, excluding the perpetrator's use of assault rifles or machine guns.¹⁹ Students in Connecticut schools are better served by access to mental health professionals than by an increase of armed police presence in schools.

All students deserve to feel safe, secure, and supported in their places of learning. Yet too often our schools rely on policing to keep our children in line, rather than funding professionals trained to deliver students the developmental and behavioral health resources they need. The ACLU-CT supports legislation that works to build an educational system that centers the social-emotional well-being of students through care, resources, learning, and restoration. Violence is a result of a lack of mental healthcare, affordable housing, income, proper childcare, opportunities for young people, and safe recreational spaces.

Senate Bill 1093 takes a number of important steps in ending the school-to-prison pipeline. First, it requires school district with disproportionately high suspensions and expulsions to report to the Department of Education (SDE) with an improvement plan to decrease said punishments until SDE determines rates are no longer disproportionately high. Second, it sets in motion a plan to cap classroom sizes, which will likely result in better educational outcomes. Third, it requires SDE to provide each board of education additional resources related to mental illness and suicide. Fourth, the bill requires boards of education that govern the ten largest school districts to report to the Juvenile Justice Policy and Oversight Committee on information regarding expulsions and alternative education placements. Finally, the bill establishes an oversight committee within SDE on expulsions and suspensions focused on preschoolers through second-graders that will recommend developmentally appropriate interventions for students alternative to out-of-school

¹⁹ Jillian Peterson, James Densley & Gina Erikson, *Presence of Armed School Officials and Fatal and Nonfatal Gunshot Injuries During Mass Shootings, United States, 1980-2019*, 4 JAMA NETWORK OPEN (Feb. 16, 2021), available at <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2776515>.

suspension. This legislature must take steps to address these root problems of violence through methods that do not increase policing, like passing Senate Bill 1093. As such, the ACLU-CT supports Senate Bill 1093, and urges this Committee to do the same.