

PO Box 51280
 Durham, NC 27717

919-323-3380

southerncoalition.org

July 10, 2024

Dear Mayor Colvin and Fayetteville City Council Members:

Southern Coalition for Social Justice (SCSJ) is aware that you are currently considering a proposal to have the Fayetteville Police Department (FPD) provide School Resource Officers (SROs) for public schools within Fayetteville municipal limits. We offer the following insights and recommendations as you navigate this process:

I. Problems with Police in Schools

The presence of police in public schools has dramatically increased since the 1990s. This growth has taken place despite research showing that the presence of School Resource Officers ("SROs") does not produce safer school environments, results in disproportionate policing of students of color and students with disabilities, and worsens the school-to-prison pipeline. Indeed, research shows that SROs do not improve school safety, and that armed officers within schools make schools less safe. On average, shootings at schools with an armed guard ended with three times as many people killed. As the Journal of the American Medical Association emphasizes, "[w]henever firearms are present, there is room for error, and even highly trained officers get split-second decisions wrong." For these and other reasons, SCSJ recommends that schools should be police-free.

In contrast to SROs, increasing the number of <u>counselors</u>, <u>nurses</u>, <u>psychologists</u>, <u>or social workers</u> has been proven to keep students—and schools—safer. Yet while the <u>American School Counselor Association (ASCA)</u> recommends a minimum of one school counselor for every 250 students, North Carolina currently maintains a 1-to-343 ratio.

Moreover, the current state of SROs in North Carolina schools indicates a woeful lack of appropriate training and oversight. According to the <u>2024 North Carolina School Resource Officer Census</u>, more than 73% of SROs working in North Carolina schools had not completed the NC Justice Academy's Advanced SRO Certificate Program. Further, only 32% had completed Crisis Intervention Team-Youth training, and a mere <u>27</u>% had completed Mental Health First Aid for Youth.



Due to these realities about police in schools, there have been an increasing number of cities and school districts nationwide have sought to follow the research by limiting—and in some instances, eliminating—law enforcement from schools. For example:

- Chicago, IL School District: The Chicago Board of Education <u>voted in February</u>
 2024 to remove all remaining SROs in Chicago Public Schools by the start of the
 2024-2025 school year. The <u>new policy</u> replaces SROs in Chicago's high schools with holistic conflict resolution alternatives such as restorative justice and crisis prevention personnel.
- Oakland, CA School District: In 2020, the Oakland Unified School District
 elected to remove all SROs from Oakland public schools. In addition to removing
 officers, the <u>resolution</u> diverts funds to expanding counseling, violence
 prevention, and other mental health support services. Early data tracking has
 suggested a positive shift; 134 police calls to campus were made between April
 2021 and April 2022; in that same timeframe, in 2019-2020, nearly 1,900 calls
 were made.
- Rochester, NY School District: In June 2020, the Rochester School District <u>voted</u> to remove all SROs from their public schools for the 2020-2021 school year. The district's decision was accompanied by a 4% cut to the Rochester police budget, saving the community approximately \$1.2 million. SROs were replaced with school sentries, unarmed individuals that provide security and support services. <u>City officials have remained committed</u> to restorative practices and have not considered reinstating armed SROs except during pick-ups and drop-offs.

SCSJ urges the city council to follow the lead of these courageous communities by removing police from schools and investing in alternatives that have been proven to be effective.

II. Concerns with Discipline & Punishment in Cumberland County Schools

We lack sufficient visibility on your experience with the Cumberland County Sheriff's Office's provision of SROs to adequately assess the recent state of policing in your schools. That said, while Cumberland County has one of the most diverse student bodies in North Carolina, the last five years of reporting shows that Black students make up a disproportionate number of the juvenile complaints from the school district.

- <u>2018-2019</u>: 46.9% of Juvenile Complaints originated in Cumberland County schools, 70.1% of which involved Black students (despite Black students making up only 45.1% of the district's student population).
- <u>2019-2020</u>: 23.9% of juvenile complaints originated in Cumberland County schools, 74.8% of which involved Black students (despite Black students making up only 44.4% of the district's student population).

- <u>2020-2021</u>: 1.4% of juvenile complaints originated in Cumberland County schools, 64.3% of which involved Black students (despite Black students making up only 45.6% of the district's student population).
- <u>2021-2022</u>: 22.2% of juvenile complaints originated in Cumberland County schools, 70% of which involved Black students (despite Black students making up only 45.5% of the district's student population); and
- <u>2022-2023</u>: 21.7% of juvenile referrals originated in Cumberland County schools, 79.2% of which involved Black students (despite Black students making up only 45.5% of the district's student population).

These racial disparities are, to be sure, deeply concerning—and make even more critical the terms and conditions under which you may seek to employ FPD to provide SRO services.

III. Recommendations

As you consider engaging with the Fayetteville Police Department to provide SROs, SCSJ respectfully suggests that any Memorandum of Understanding (MOU) should tightly prescribe roles and responsibilities for SROs and maintain clear expectations. For example:

A. Limited Scope

SRO involvement should not include the routine enforcement of school policies. School administrators, not SROs, should enforce school disciplinary policies. It is the role of teachers and other educators to administer school discipline in a way that supports personal growth and learning opportunities for all students.

SRO involvement in school-based matters should be limited to incidents that pose a serious and immediate threat of injury to an individual within the school community. School employees and officials must retain their authority and discretion to address student behavior through the existing school discipline structure.

B. Accountability & Transparency

Data should be collected for each school-based incident involving an SRO, including, but not limited to, type of offense, school response, law enforcement response, name of officer involved, manner in which law enforcement was notified, type of charge (if referred to court), and outcome of criminal case, type of diversion (if diverted) and outcome, and student demographics (gender, race/ethnicity, age, grade, school, disability status, limited English proficiency status). This information should be anonymized and shared with the City Council for further analysis.

Data should also be collected on each SRO position, including but not limited to, officer demographics, school assignments, and funding sources. The MOU should require a comprehensive SRO Impact Assessment by the end of the 2024-2025 school year to be shared with the City Council. The SRO Impact Assessment would analyze qualitative and quantitative data and all costs and benefits associated with the program to determine effectiveness and areas for improvement.

There should be a robust process for bringing student, staff, and parent/guardian complaints concerning SROs. The complaint process should protect the reporting party's identity, privacy, and anonymity while ensuring a thorough and efficient review and investigation into the allegations. SROs in the complaint process should temporarily be removed from SRO service until the investigation is complete. Data on the types of complaints, their frequency, and outcomes of investigations should be kept and released to city council and parents upon request while maintaining the required Family Educational Rights and Privacy Act (FERPA) and other confidentiality agreements.

A stakeholder group of students, teachers, administrators, parents, and community leaders should be established. This stakeholder group would be empowered to, among other things, monitor adherence to the MOU, and receive any and all non-identifiable data related to school-based offenses from FPD, as well as complaints concerning SROs. This stakeholder group would meet regularly with the public schools within Fayetteville municipal limits and law enforcement officials to discuss issues of school safety and climate, offer recommendations, and provide feedback. The stakeholder group should also have regular meetings with City Council to ensure visibility about concerns or issues related to FPD's provision of these SRO services.

C. Guidelines & Training

It is essential that any SROs be required to have robust training to acclimate them to an educational environment, inform them of the complex nature of adolescent socialization and development, and encourage them to use nonviolent means of conflict resolution. Best practices, including those suggested by National School Resource Officer Association, require violence prevention, community policing, restorative justice, adolescent mental health, recognizing and overcoming implicit bias, racial equity, emergency preparedness, trauma-informed practices, working with students with disabilities, and de-escalation techniques.

D. Juvenile Court Referrals

There should be clear expectations that arrest and referral to the juvenile justice system should be a last resort used only when other interventions are ineffective or when no other intervention will protect persons from injury. Particularly in light of Cumberland County's racially disproportionate juvenile referrals for Black students, the MOU should require a full analysis of all referrals made during the 2024-2025 school year.

E. Evaluation & Assessment

As noted herein, the MOU should include multiple requirements for data collection and assessment. The collection and dissemination of this SRO-related data should be a part of the yearly review by City Council, the Cumberland County School District, and the Fayetteville City Police Department in determining whether to renew the SRO agreement for each upcoming school year. Among other things, the assessment should review the racial, disability, and economic status of student interactions with SROs and the corresponding rates of arrest, school discipline, and school juvenile referrals. This transparent measure of accountability ensures compliance with federal and state guidelines concerning SRO activity.

IV. Conclusion

We strongly urge the City Council to take this opportunity to develop a more robust concept and process around school safety and resist the temptation to simply replace one agency with another. As the <u>National Juvenile Justice Network</u>, one of our partner organizations, notes:

When young people have access to positive school environments, they are better equipped to come to school with enthusiasm for learning, discover their dreams and passions, find ways to positively impact their school environment and learn from mistakes when they arise.

Unfortunately, a "surveillance" culture permeates many of our schools, where students are penalized instead of encouraged to achieve their highest goals. Black, Brown, Indigenous, LGBTQIA+, and disabled students more often experience these types of surveillance school environments, which <u>cause young people stress</u>, <u>trauma</u>, and <u>alienation</u> and <u>detract from their ability to learn and grow</u>.

School safety does not have to include SROs; however, if SROs are employed, city council should ensure they are acutely aware of their roles as public safety responders, not armed disciplinarians.

Thank you for your attention and consideration. Please let us know if we can assist or partner any manner in your ongoing efforts to support your students, teachers, and school communities.

Sincerely,

Jake Sussman Chief Counsel, Justice System Reform

Ian Courts Counsel, Justice System Reform