

Maryland Commission on the School to Prison Pipeline and Restorative Justice

June 4, 2018

1:00 – 4:00 pm

Krongard Room

University of Maryland Francis King Carey School of
Law Baltimore, Maryland 21201

Minutes

Commission Members Present:

Barbara Grochal, C-DRUM

Michael Bunitsky, Maryland Association of Boards of Education

Jon Carrier, Maryland Association of School Resource Officers

Robin McNair, Maryland State Education Association

Marla Posey-Moss, Maryland PTA

Aimee Evan, Maryland PTA

Walter Sallee, Maryland State Department of Education

Rhonda Richetta, City Spring Elementary School

Gail Sunderman, Maryland Equity Project

Shantay McKinily, Positive School Center

Kimberly Humphrey, American Civil Liberties Union of Maryland

Shamarla McCoy, Advocates for Children and Youth

Lorig Charkoudian, Community Mediation Maryland Designee

Melanie Shapiro, Maryland Office of the Public Defender

Phillip Leaf, Youth Leadership and Advocacy Network

Deborah Eisenberg, C-DRUM

Other Interested Parties Present:

Akil Hamm, Baltimore City Schools Police Chief

Lori Hines, Baltimore City Public Schools

Erik Bandzak, Baltimore City Public Schools

Jenn Williams, Community Mediation Maryland

Tina Dove, Maryland State Education Association

Pat Marks, Deaconess United Methodist Church

Sylvia Lawson, Maryland State Department of Education

Ed Clarke, Maryland Center for School Safety

Dawn O'Croinin, Maryland Center for School Safety

Alex Bezek, University of Maryland School of Law

Call to Order

Chairperson Grochal called the meeting to order promptly at 1 pm. She welcomed all of the present parties and thanked them for their ability to attend the meeting. She then invited Phil Lead to share some brief opening remarks.

Opening Remarks

Phil Leaf (Youth Leadership and Advocacy Network) mentioned that there was recently a meeting between 18 local school representatives and the State Superintendent discussing restorative practices and disparities in school discipline. He asked if it was possible for this commission to create possible discussion points or questions that we could provide for future meetings.

Walter (Maryland State Department of Education) added that there have been recent meetings discussing school safety, bullying etc. The goal of these meetings was to tease out the best practices that can be implemented into other school systems.

Phillip stated that high staff turnover makes training and resource gathering for restorative practices difficult, especially in the smaller school districts. Added that ideally funds at the state level could be allocated to regional training or other resources to help these smaller counties to incorporate restorative practices.

Barbara asked the group to collectively create questions that may be helpful for future meetings between school reps. Said she will give the group a week for ideas to percolate, then she will email everyone to get their ideas.

Phillip lastly added that it would be ideal for us to find out when these future meetings will be, so that if possible the commission could send a rep to attend the meeting.

Safe to Learn Act of 2018 (Senate Bill 1265)

Jon Carrier (Maryland Association of School Resource Officers (MASRO)) and Ed Clarke (Maryland Center for School Safety) gave a PowerPoint presentation on this legislation, which creates a uniform standardization for police officers or school resource officers (SROs), operating in Maryland schools. The bill creates a school safety governing board and a school

safety subcabinet governing board. It requires the appointment of local school system mental health services and school safety coordinators. The Act will also significantly increase the budget and amount of staff allocated to this project. The subcabinet created is responsible for developing a Model Threat Assessment Policy (MTAP), and MTAP teams will be created at each school. They will also collect data on the use of force by SROs on students in school. A curriculum will be created for the SROs which will be approved by the Police Training and Standards Commission. The curriculum is to be 40 hours long, focusing on special needs awareness, bullying, social media and other important areas to best prepare the officers to work in schools with kids. Guidelines will also be created for adequate law enforcement responses to emergencies in schools. The aim of the legislation is to have all SROs in Maryland trained and operating in the same way. After the presentation was over, the floor was opened for questions.

Q: Melanie Shapiro (Maryland Office for the Public Defender) expressed concern over the broad language of the bill, including the lack of clear definition of the word "threat". It is possible (even likely) that the effect of the bill will increase the amount of kids falling into the School-to-Prison Pipeline (STPP), because although this bill seems to be aimed at preventing school shootings that is not the type of conduct that puts the vast majority of kids into the Pipeline.

A: Proper training of SROs and oversight of their operation in schools will prevent an increase in the STPP. The legislation's intent is not to solely combat school shootings but encompasses broader aspects like dating violence and domestic abuse.

Q: Kimberly Humphrey (American Civil Liberties Union of Maryland) echoed Melanie's concern, stating there are persistent issues of disproportionate impact of aggressive school discipline policies. She wondered how we can be responsive to those disparities and build upon current SRO training to make it stronger.

A: We want all Maryland schools to be on the same page of standards and requirements of SROs. They surveyed the state to find out ways to better SRO training. SROs have four major roles: educator, informal counselor/mentor, enforcement, and emergency management.

Q: Gail Sunderman (Maryland Equity Project) stated that the definition of what counts as an arrestable offense has caused inconsistencies/issues... and asked if the bill would solve this problem.

A: Yes, the gray areas of acceptable school arrests should be closed by the bill.

Q: Gail Sunderman then asked, "What efforts will be done to monitor and evaluate the effect of the SROs? Will there be internal or independent evaluation?"

A: Discussion of evaluation has not been finalized yet but is on the current agenda. Input by the commission is welcome.

Q: Robin McNair (Maryland State Education Association) voiced concern over the subjective nature of what counts as a "threat", and about who is going to provide the training for SROs (must be qualified personnel). Evaluation of SROs should include student input. She stated that bias comes not just from race/religion but is also socioeconomically based. Socioeconomic bias and biased questioning of students need to be addressed as well. She asked when funding from the bill will be available to schools.

A: The subcabinet meets for the first time in June to determine the criteria for getting financial assistance, and grants will be incorporated into the 2019 fiscal year budget.

Q: (came from unknown party – sat next to Shamarla McCoy) How will this bill improve relations between the SROs and the students/communities?

A: MASCRO's goal is to improve that relationship and has begun to attempt to do so through after school groups. The bill will also increase the voice of students in the process of policing schools, which will hopefully have a positive impact on that relationship.

Walter Sallee added that coordination and collaboration with student services is critical for the success of this bill, and positively impacting the relationship between students/community and SROs.

Q: Marla Posey-Moss (Maryland PTA) asked whether this bill addresses who is responsible for informing/helping parents navigate through the system if their child is arrested? Is it the school's or the police's responsibility?

A: The SRO should explain the process to both the juvenile and the parent(s). The new standardization will provide the proper training to ensure of this happening.

Q: Phillip Leaf stated that training people outside of the SROs on restorative practices would be helpful as well and asked about the possible rewording of language so that the students can understand the rules they are subjected to. He also added that sometimes when the SRO arrives to a situation, fault is assumed to be on the part of the student when the staff may be to blame.

A: Rewording of the bill or other possible relevant materials so that students can understand their obligations is not currently on the agenda. However, there needs to be a memorandum of understanding between SROs and school staff, so they can efficiently work together. People must stay in their own lanes as they operate.

Q: Aimee Evan (Maryland PTA) asked, "will school staff and SROs be trained together? And during the normal school day where will the SROs be working?"

Q: Shantay McKinily (Positive School Center) You've stated over and over that we want this bill to operate the Maryland way. What does that mean?

Q: Jenn Williams (Community Mediation Maryland) There is plenty of research stating that the presence of SROs in schools increases school arrests. Is there any data from any school that shows the presence of SROs decreases arrests?

Q: Barbara Grochal (C-DRUM) Can the funds granted from this bill be used towards ensuring that SROs and school staff are trained together?

Q: Shamarla McCoy (Advocates for Children and Youth) predicted that the bill will have an adverse impact on minorities. She asked, "how will we combat this?"

A: It would be ideal to have school staff and SROs trained together, but there are challenges to this including time/money and finding creative ways to train them together to create one united staff working together. The best way to define the Maryland way is "prevention and intervention". The goal of the bill is to have everyone trained at a baseline. Perhaps the partnership with this Commission can lead to regional training to combat the disparate impact of

the bill. (Note: He did not have any data supporting idea that the presence or increase in the presence of SROs in schools led to a decrease in school arrests.)

Baltimore City School SROs and Restorative Practices

Akil Hamm, Baltimore City School Police Chief, gave a brief presentation on the operation of SROs in Baltimore City Schools. He started off with the following statistic: in 2007 971 students were arrested in Baltimore City Schools, while in this year there have been 58 arrests thus far. In an ideal world there would be zero police in schools, but unfortunately police are needed in schools. SROs are given a clear delineation of responsibilities, including major "dos and don'ts". SROs are being training in trauma and de-escalation to best prepare them for their roles in schools.

The floor was then opened for questions.

Q: Robin McNair asked, "who provides the restorative practice training?"

A: Certified trainers from Open Society Institute and the Center for Prevention and Early Intervention.

Q: Melanie Shapiro asked, "can you share the "dos and don'ts" given to the officers?"

A: The biggest lesson from that list is that routine school disciplinary conduct should not be handled by the police. It was not long ago that arrests by police for disorderly conduct in schools was in the hundreds, and it has been two years since the last arrest in a Baltimore City school for disorderly conduct.

Q: Aimee Evan asked, "how did you decrease that number, as well as the number of school arrests in general?"

A: It was not just one thing, or a quick fix. It took conversations between police and school staff to get on the same page, and proper training of the SROs for dealing with kids. But perhaps most important is the methodical assignment of police officers to specific schools.

Q: Shantay McKinily asked, "how can we ensure opportunities for police and school administration to be trained together?"

A: Training should be with the police and the entire school staff (not just administrators), to better educate on when police should be involved in school incidents.

Rhonda Richetta (City Spring Elementary School) added that police involvement in school incidents has changed over the years for the better. Police used to be overused and involved in simple school disciplinary matters, when that is not their responsibility. Now they are being called upon much more appropriately, for only matters that require police assistance.

Q: Deborah Eisenberg (C-DRUM) can you say more about the impact of restorative commissions or diversion programs?

A: The new policy is supposed to create an evaluation tool, right now it is rather ad hoc.

Q: Shamarla McCoy asked, "how do we work with the Baltimore Police Department to combat bias, and help bridge the gap where community relations with police are not great?"

A: We currently use school police report cards for students to evaluate their SROs. Some students reported that they perceived SROs used excessive force on students, but most felt that SROs helped to better and contribute to the school community.

Q: Kimberly Humphrey asked, "what is the best direction or way to move forward with police in schools?"

A: The appointment process of SROs to schools is critical, and many interviews for SROs include a representative from the school where they would be placed.

Q: Robin McNair asked, "what do SROs do during the school day?"

A: Walk the halls, check in with staff and students, but most importantly develop relationships with the staff and students.

Groupwork

Barbara Grochal stated that in order for the commission to work the most efficiently, it would be a good idea to split into three groups: School-to-Prison Pipeline, implementation of restorative practices, and best practices to engage parents. STPP is to analyze current discipline practices, and document the relationship between history and involvement with justice system. The restorative practices implementation group is charged with the task of developing strategies that prioritize prevention, while considering the overall school climate. The last group is to research the best methods for parent engagement in restorative practices, because parent buy-in is critical to the success of restorative practices. The groups then met to discuss their respective roles, and plan for future meetings.

Going Forward

The groups are to meet over the summer and report back to the commission on their work.

The meeting adjourned at 4pm.