



January 22, 2019

Via Electronic Mail (schoolboard@bcps.k12.md.us)

Ms. Cheryl A. Casciani, Board Chair
Baltimore City Board of School Commissioners
200 E. North Avenue, Room 406
Baltimore, Maryland 21202

RE: Written testimony urging the Baltimore City Board of School Commissioners to oppose legislation that would allow school police to carry firearms during school hours.

Dear Ms. Casciani:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (LDF), we appreciate the opportunity to submit written testimony for today's Baltimore City Board of School Commissioners' (the Board's) meeting, during which the commissioners will consider whether the Board should support any legislation changing state law that prohibits Baltimore School Police officers from carrying firearms on school grounds during school hours. As we detailed in our October 11, 2018, letter to the Board, we urge you to oppose any efforts to repeal or relax this statutory prohibition and urge the Board and Baltimore City Public Schools (BCPS) to continue to focus human and financial resources on improving school climates through initiatives and programs that effectively provide for safe school environments that promote student learning.

Maryland state law provides that Baltimore School Police officers who are assigned to schools or are on school property may only carry firearms at their assigned school outside of regular school hours.¹ BCPS General Order 10-10 reiterates this legal requirement by stating that officers must place their service weapons in a secure location during regular school hours "unless and until a legal and necessary ground requires the officer to retain possession and control of the firearm."² Recently introduced Maryland legislation House Bill 31 proposes to exempt Baltimore School Police assigned to schools from a criminal prohibition on carrying firearms on school property.³

¹ MD. CODE ANN., EDUC. § 4-318.

² BCPS General Order 10-10, Section C-3, available at https://www.baltimorecityschools.org/cms/lib/MD01001351/Centricity/domain/8818/2018/10-10_Firearms.pdf.

³ H.B. 31, Baltimore City - Weapons on School Property - School Resource Officer, <http://mgaleg.maryland.gov/2019RS/bills/hb/hb0031f.pdf>.

As we described in our prior letter,⁴ lifting the prohibition on school police carrying weapons in school would not make students safer. In fact, increasing the availability of weapons in schools is more likely to create gun violence than to resolve or prevent violence, as research consistently shows that the presence of guns is correlated with a higher risk of violence, homicide, and suicide.⁵ Allowing officers to carry guns in schools especially endangers Black students because the judgment of the very people charged with keeping them safe is often clouded by the implicit, and sometimes explicit,⁶ bias that is endemic in our society and can affect split-second decisions such as the decision to discharge a weapon.⁷

Allowing officers to carry guns in school is also likely to have negative psychological consequences for students, especially those who have already been exposed to gun violence and trauma. Studies have shown that efforts to “harden” schools, such as increased police presence and metal detectors – efforts which are disproportionately placed in schools with higher proportions of Black students – make students feel less safe.⁸

Maintaining the prohibition on school police carrying weapons in school is supported by a variety of stakeholders, including parents, students, and community advocates. At the public hearing in October, the Board heard from student leaders with Youth as Resources regarding how arming officers would relate to current student reports that school police use excessive force.⁹ A parent of two students wrote in the Baltimore Sun that she opposed allowing Baltimore school police to carry weapons because it would not make schools safer.¹⁰

⁴ Letter to the Board from LDF (Oct. 11, 2018), available at <https://www.naacpldf.org/wp-content/uploads/NAACP-LDF-Written-Testimony-to-Baltimore-School-Board-for-Public-Forum-on-School-Police-Firearms-FINAL-1.pdf>.

⁵ See, e.g., Matthew Miller, et al., *State-level homicide victimization rates in the US in relation to survey measures of household firearm ownership, 2001-2003*, SOC. SCI. & MED., Feb. 2007, available at <https://www.sciencedirect.com/science/article/pii/S0277953606004898?via%3Dihub>.

⁶ See, e.g., Matt Stevens, *Florida Teacher Says Her Racist Podcast Was ‘Satire’*, N.Y. TIMES, Mar. 7, 2018, available at <https://www.nytimes.com/2018/03/07/us/florida-teacher-racism.html>; WFLA Web Staff, *Florida teacher used n-word, told students dating black people was ‘not worth it,’ district says*, WFLA, Mar. 10, 2018, available at <http://wfla.com/2018/03/10/florida-teacher-used-n-word-told-students-dating-black-people-was-not-worth-it-district-says/>; *Florida teacher put on probation for telling racist jokes in classroom*, THE GRIO, Oct. 27, 2016, available at <https://thegrio.com/2016/10/27/florida-teacher-racist-jokes/>.

⁷ B. Keith Payne, *Weapons Bias: Split-Second Decisions and Unintended Stereotyping*, CURRENT DIRECTIONS IN PSYCHOL. SCI., 2006, available at <http://www.psych.uncc.edu/pagoalka/cdps287.pdf>.

⁸ See, e.g., Charles Anzalone, *Study finds tight school security can have unintended, negative consequences*, UNIV. OF BUFFALO NEWS CENTER, Nov. 19, 2015, <http://www.buffalo.edu/news/releases/2015/11/037.html>; Jason P. Nance, *Student Surveillance, Racial Inequalities, and Implicit Racial Bias*, 66 EMORY LAW J. 765 (2017), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2830885.

⁹ Talia Richman, *Arming school police is considered, School board hosts forum on whether school-based officers should carry guns*, BALTIMORE SUN, Oct. 12, 2018.

¹⁰ Aimee Harmon-Darrow, *Police would feel safer in city schools if students had proper support*, BALTIMORE SUN, Oct. 17, 2018.

Another parent testified that he was concerned that allowing school police to carry weapons would lead to students being shot for regular childhood behaviors.¹¹

Instead of arming officers, Baltimore City Schools should spend its time and resources on ensuring that each school's physical climate, i.e., air conditioning and heating, is conducive to learning, and continue on the path of creating safe and supportive school climates where students' emotional and academic needs are met.¹² Programs such as Positive Behavior Interventions & Supports (PBIS)¹³ and trauma-informed care¹⁴ are evidence-based and promising means of creating and maintaining supportive school environments.

Additionally, we urge the Board to continue ensuring that school police do not handle routine student discipline, which disproportionately impacts students of color. Investments in school safety should include school counselors who can help students address trauma and conflicts and efforts to reduce school arrests and ensure students receive the support and services they need through diversion programs. For more background on how to achieve these goals, please see our recent reports on implicit bias in school discipline¹⁵ and reducing reliance on the criminal justice system for girls in Baltimore.¹⁶

¹¹ Eddie Kadhim, *Heated debate over armed Baltimore City School Officers*, WMAR BALTIMORE, <https://www.wmar2news.com/news/region/baltimore-city/heated-debate-over-armed-baltimore-city-school-officers>.

¹² Guiding Principles: A Resource Guide for Improving School Climate and Discipline, <https://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf>; Directory of Federal School Climate and Discipline Resources, <https://www2.ed.gov/policy/gen/guid/school-discipline/appendix-1-directory.pdf>; *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, U.S. SECRET SERVICE & U.S. DEP'T OF EDUC. (Jul. 2004). See also U.S. DEP'T OF JUSTICE & U.S. DEP'T OF EDUCATION, DEAR COLLEAGUE LETTER ON THE NONDISCRIMINATORY ADMINISTRATION OF SCHOOL DISCIPLINE (January 8, 2014), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html> (providing that “[s]chools are safer when all students feel comfortable and are engaged in the school community . . . Equipping school officials with an array of tools to support positive student behavior . . . will both promote safety and avoid the use of discipline policies that are discriminatory or inappropriate.”); Anya Kamenetz, *Here's How to Prevent the Next School Shooting, Experts Say*, NPR, Mar. 7, 2018, <https://www.npr.org/sections/ed/2018/03/07/590877717/experts-say-here-s-how-to-prevent-the-next-school-shooting>.

¹³ See Jenni Owen, et al., *Instead of Suspension: Alternative Strategies for Effective School Discipline*, Duke Center for Child and Family and Policy, 2015, available at https://law.duke.edu/childedlaw/schooldiscipline/downloads/instead_of_suspension.pdf.

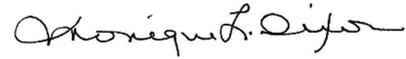
¹⁴ See Katy O'Grady, *Transforming Schools with Trauma-Informed Care*, ASCA SCHOOL COUNSELOR, Jan. 2017, available at <https://www.schoolcounselor.org/asca/media/asca/ASCAU/Trauma-Crisis-Management-Specialist/TransformingSchools.pdf>.

¹⁵ LDF, LOCKED OUT OF THE CLASSROOM: HOW IMPLICIT BIAS CONTRIBUTES TO DISPARITIES IN SCHOOL DISCIPLINE, 2017, available at http://www.naacpldf.org/files/about-us/Bias_Reportv2017_30_11_FINAL.pdf.

¹⁶ LDF, OUR GIRLS, OUR FUTURE: INVESTING IN OPPORTUNITY & REDUCING RELIANCE ON THE CRIMINAL JUSTICE SYSTEM IN BALTIMORE, 2018, available at http://www.naacpldf.org/files/case_issue/Baltimore_Girls_Report_FINAL_6_26_18.pdf.

Thank you for considering our recommendations. If you have any questions, please contact us at 202-682-1300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monique L. Dixon". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Monique L. Dixon
Deputy Director of Policy

Nicole Dooley
Policy Counsel

cc: Akil Hamm, Chief, Baltimore School Police
Christian Gant, Board Executive Officer