



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 22 – H 8310, AN ACT RELATING TO EDUCATION June 14, 2022

In the weeks following the tragic school shooting in Uvalde, there was an understandable increase in speculation about the most effective way to foster a safe, secure, and enriching educational experience for students. While we all have a collective goal in ensuring this type of environment for all youth, it is just as critical that this conversation not veer into purported solutions that actually carry more opportunity to harm the school environment than they do to protect it. It is with this perspective that the ACLU of Rhode Island is opposed to H 8310, which would require the placement of a minimum of two school resource officers (SROs) on every public-school campus in the state.

While we understand the intent of protecting the student body, SROs are instead often relied upon to provide routine school discipline, and the tools that police have at their disposal to approach adolescent behaviors are inappropriate in the school setting. In an open records request from a few years ago, we discovered that many incident reports arising from student arrests at school documented examples of escalation of minor infractions (such as wearing a hat in violation of a school dress code) into arrests for open-ended crimes such as disorderly conduct. That is, a police presence often led to arrests for minor misconduct that could and should – and otherwise would – have been treated internally as a school disciplinary matter. And, critically, the increased presence of SROs often redefines as issues of criminal justice those behaviors that may be rooted in social, psychological, or academic problems, for which involvement in the juvenile justice system is hardly the solution.

This is particularly important to note because, as data further consistently indicates, disciplinary and enforcement protocols in schools disproportionately affect BIPOC students, students with disabilities, and LGBTQ+ students. The ACLU has released multiple studies over the years which show a consistent discrepancy in the rates that BIPOC students and students with disabilities are suspended in Rhode Island. Statistics also show that these groups are much more likely to be arrested for school misconduct than other students. While there is a lack of evidence supporting the belief that SROs reduce or prevent school shootings, there is strong, reliable data showing the severity of the discriminatory disparities that an SRO presence can and does perpetuate.

In fact, in just the past few years, our organization has filed two lawsuits on behalf of marginalized students who faced extremely inappropriate action at the hands of a school SRO. One was on behalf of a Black, female, middle-school honors student in Pawtucket who was

unlawfully handcuffed and arrested by an SRO who had been recently overheard expressing that he was “itching” to arrest someone; the second was on behalf of a special education student in Narragansett who was thrown to the ground by an SRO solely because the student made a rude gesture at the officer. The concerns of abuse that students face at the hands of SROs are not speculative, hypothetical, or paranoid – they are rooted in incidents like these which have occurred in Rhode Island within just the past few years.

We are further concerned that a statutorily required reimbursement process for the hiring of SROs will incentivize schools to funnel resources into the hiring of SROs over other staff, such as school guidance and mental health counselors, who are sorely needed on campuses in Rhode Island. The mandate contained within this bill would force some schools – which are already struggling with their budgets – to fund SROs against their own desires when they might prefer directing funding towards personnel with professional understanding of the behavioral, psychological, and interpersonal needs of students. It is our sense that most students and teachers agree that scarce financial resources could best be used on preventive services and more school counselors and social workers, not an additional police presence. As long as schools prioritize punishment over treatment and services, at-risk students will be pushed out of schools and into the school-to-prison pipeline. This hurts us all.

For all of these reasons, as well as the continued objection of many youth-serving organizations and programs in our state to the implementation of SRO programs, we strongly urge rejection of this legislation.

Thank you for your attention to our views.