

Sent via e-mail

June 29, 2020

School Board
Superintendent
City of Portland

RE: Chief Clark's letter about the School Resource Officer program

Dear Portland School Board Members and Superintendent Botana,

I hope this letter finds you and your loved ones healthy.

Two weeks ago, Portland Police Chief Frank Clark submitted a letter urging you to reject the Resolution Supporting Equity in School Climate and Discipline and Ending the use of School Resource Officers (“Resolution”). In almost every respect, the letter is inaccurate. Instead of following the letter, which is misleading and misguided, the Board should follow the will of the hundreds of Portland students, families, and their allies in the community who have spoken clearly to call for the end of the SRO program. Most importantly, the Board should pay close attention to the experiences of students of color, especially the Black students, whom local and national research tells us SROs disproportionately harm. Indeed, the ACLU has advocated locally and nationally for years against policing in schools. The country is waking up to how SROs damage youth of color, especially Black youths. There are ample national studies and stories to prove this.

The most thorough and most relevant study on students’ experiences with the SRO program in Portland, Maine, is Danielle Layton’s *“They’re just, like, there”*: *Student Experiences with School Resource Officers*. Layton finds that some students view SROs with “skepticism and intimidation.”¹ About a third of the students Layton interviewed were students of color. She writes, “students were cognizant of the differential impact that police have on marginalized populations and the potential for misuse of force to jeopardize some students rather than keep them safe.”² She quotes students who describe a school fight that ends up in court. She quotes students who describe the shame and stigma of being criminalized for this developmentally predictable behavior. Layton’s findings show that SROs have been a source of profound harm for some Portland students.

¹ Danielle Layton, *They’re just, like, there: Student’s Experiences with School Resource Officers*, at 16.

² *Id.* at 9.

Chief Clark’s claim that SROs haven’t caused any “negative outcomes” in Portland ignores Layton’s study, as well as local data about suspension rates, students feeling intimidated by SROs, and the call by Black Lives Matter Portland to remove SROs from school budgets—all of which are addressed in the Resolution. All these local issues are addressed in paragraphs ten, seventeen, nineteen, and twenty, and footnote five (which references Layton’s study). To the extent that Chief Clark defines “negative outcomes” as something even worse than students feeling intimidated and unsafe in their own schools, and students of color being disproportionately suspended and punished, we respond that these outcomes are damaging enough to demand the removal of armed police officers from our schools.

Chief Clark’s argument rests heavily on a study about school police six hundred miles away in Ontario, Canada—the only study cited in his letter. He implies that the national U.S. data about the harm SROs cause is irrelevant to Portland, although he has no evidence to support that claim. Yet the only data he does cite to show the potential advantages of SROs is, in fact, from a different country. Tellingly, that Carleton University study references *no* Black students or other students of color. Black Lives Matter Toronto criticized the study for its failure to take race into account. Sandy Hudson, a spokeswoman for Black Lives Matter Toronto, said, “This research project was taken up as though race doesn't exist at all. In fact, race isn’t mentioned once in the entire report.”³ Given that U.S. research has consistently shown that race fundamentally shapes students’ experiences with SROs – with Black students experiencing disproportionately negative outcomes – overlooking race makes the Carleton study irrelevant at best to Portland.

Chief Clark also criticizes the Resolution for being “divisive.” But it is actually police in schools that are “divisive.” Board Member Trevorrow made a similar point two weeks ago: police “divide” students from their families. For some students, SROs may be an innocuous presence, but for others they are a threat. They exacerbate racial disparities. The Board’s Resolution removes a divisive presence from our schools.

The Chief argues that the Resolution employs a “disconcertingly subjective” standard for when to call police. In fact, the language of the Resolution is quite clear. By contrast, current law employs a “disconcertingly subjective” standard for what constitutes “criminal behavior.” That standard has led to ordinary student misbehavior turning into a court case, a criminal charge, and sometimes, prison time. These are adverse childhood experiences. The Board should seek to minimize them wherever possible. The Resolution does just that.

³ Caroline Alphonso, *Students benefit from police in schools, study suggests*, The Globe and Mail, September 21, 2017, available at <https://www.theglobeandmail.com/news/toronto/students-benefit-from-police-in-schools-study-suggests/article37569442/>

Finally, the Chief argues that the presence of SROs reduces mistrust between students and police. But the source of trust between civilians and police should not be, and cannot be, school police. The source of trust between civilians and police should be a police force that uses its power with restraint and wisdom. Admittedly, our society has handed much non-police work to police: treating substance use disorders and mental and behavioral health struggles, intervening in domestic disputes, and trying to solve dozens of other problems that social workers, counselors, and healthcare workers are better trained to solve. Even the examples that Chief Clark lists as requiring a law enforcement response—including a potentially suicidal student or students experimenting with drug use—are far better handled by social workers, counselors, and mental health professionals than by armed police officers. Removing police from schools honors this fact. Removing police would put the Portland School Board on the right side of history.

As always, please do not hesitate to contact me if you would like to discuss further. I am available by phone or email.

On behalf of our members, I urge you to enact the Resolution.

Thank you,

Michael Kebede
Policy Council
ACLU of Maine