



June 8, 2020

Dr. Grenita Lathan
Superintendent
Houston Independent School District
4400 West 18th Street
Houston, Texas 77092-8501

Re: Call to Divest from HISD’s School Policing

To Whom it May Concern:

As members of the Safe & Supportive School Collaborative the undersigned social justice organizations write to urge the Houston Independent School District (“HISD”) to divest from school policing in the district. HISD faces a budget shortfall given the uncertainty of the district’s financial outlook amid the novel Coronavirus pandemic. During the 2016-2017 year alone, HISD allocated \$18,173,064.00 to policing.¹ HISD should prioritize divestment of the \$18 million it spends on policing. Children’s Defense Fund Texas, Disability Rights Texas, The Earl Carl Institute at Texas Southern University, ONE Houston, and Texas Appleseed collaborate to advocate for policies that make schools safe and supportive of all learners, including black and brown students and those with disabilities. As our nation mourns the murder of Houston ISD alumni George Floyd, we are reminded of the physical and psychological harms of over policing on students from minority communities as well as those with disabilities. In this moment of heightened awareness of the trauma experienced by so many at the hands of police officers, HISD should follow in the footsteps of other districts, like Portland Public Schools² and Minneapolis Public Schools,³ by divesting in school policing.

In the May 10th all district correspondence celebrating National Police Week, Dr. Lathan said “Our HISD police officers play a key role in not only the safety of our students, but their academic achievement as well. Each day, I see first-hand their efforts to create safe and healthy learning environments by building meaningful relationships with students and staff.” We do not doubt that some individual officers are carrying out their duties as you describe, but the reality is that many students of color in particular actually feel less safe when officers are assigned to their campuses.⁴

¹ *Community Recommendations to End the School-to-Prison Pipeline in Houston ISD*, ONE Houston, https://drive.google.com/file/d/1-84-AyM6uM8Sg9U1J_ByGltES7rSknOb/view.

² Eder Campuzano, *Portland superintendent says he’s ‘discontinuing’ presence of armed police officers in schools*, Oregon Live (Jun. 4, 2020), https://www.oregonlive.com/education/2020/06/portland-superintendent-says-hes-discontinuing-school-resource-officer-program.html?fbclid=IwAR3IDRyBPICwWJqBPU5_59FthdSLXbYKKvbeR4gxNekOkzaoq2LNT5CvsAw.

³ Ryan Faircloth, *Minneapolis Public Schools terminates contract with Police Department over George Floyd’s death*, Minneapolis Star Tribune (Jun. 2, 2020), https://m.startribune.com/mps-school-board-ends-contract-with-police-for-school-resource-officers/570967942/?fbclid=IwAR11j715iBCne7Z_n3rVYjSD46fkkGzQVOhjS2q0R6ueO8o0q4vDSne4-k.

⁴ *Education Under Arrest: The case against police in schools*, Justice Policy Institute, 21-23 (2011), http://www.justicepolicy.org/uploads/justicepolicy/documents/educationunderarrest_fullreport.pdf.

For most of American history, schools did not maintain their own law enforcement departments.⁵ Schools once relied instead on natural and educational interventions and discipline practices. Schools should continue to rely on tiered interventions systems as part of discipline practices. Schools can, like in the past, make calls to outside police in rare emergencies that necessitate law enforcement involvement.

School-based policing is one of the fastest growing areas of law enforcement.⁶ While there is no official count of school resource officers (“SROs”), there are over 14,000 officers alone in only thirty (30) percent of our nation’s schools.⁷ Yet there is no evidence to show that adding SROs actually results in safer schools, according to the Justice Policy Institute.⁸ In fact, adding SROs to campuses tend to specifically harm certain student demographics like students of color and students with disabilities.

Students of color, particularly Black and Hispanic students, are overrepresented in law enforcement referrals for offenses. In fact, Black students are referred for offenses like exhibition of firearms and terroristic threat at *twice* the rate of all other students.⁹ Houston ISD has the highest number of school-based referrals in Texas for terroristic threats—a misdemeanor.¹⁰

Students with disabilities represent only twelve (12) percent of student enrollment nationwide yet disproportionately make up twenty eight (28) percent of students referred to law enforcement.¹¹ These students face an increased likelihood of harm when interacting with SROs. The data shows SROs respond to outbursts from students with disabilities with escalated practices, without regard to whether these students pose actual threats.

There is a breadth of examples:

- a fourteen-year (14) old student in Houston ISD—this district—was restrained, handcuffed, and pepper sprayed by an SRO after allegedly throwing a single item of food during lunch¹²;
- a seventeen-year (17) old student in Katy ISD was tased six times by an SRO after leaving the classroom where he was being bullied¹³;
- a seven-year (7) old in Dallas ISD was tased and handcuffed by an SRO after a verbal outburst in the classroom¹⁴;
- a ten-year (10) old in Denton ISD was handcuffed and pinned on the floor face down by an SRO¹⁵;
- an eight-year (8) old in Southlake, Texas was secluded and mocked by an SRO, escalating an already upsetting outburst¹⁶.

⁵ *A Brief History of School-Based Law Enforcement*, Texas State: Texas School Safety Center (Feb. 2016), <https://txssc.txstate.edu/topics/law-enforcement/articles/brief-history>.

⁶ Cheryl Corley, *Do Police Officers in Schools Really Make Them Safer?*, NPR (Mar. 8, 2018), <https://www.npr.org/2018/03/08/591753884/do-police-officers-in-schools-really-make-them-safer>.

⁷ *Id.*

⁸ *Measured Responses: Why increasing law enforcement in schools is not an effective public safety response to the Newtown tragedy*, Justice Policy Institute (Dec. 2012), <http://www.justicepolicy.org/uploads/justicepolicy/documents/schoolsafetyfactsheet.pdf>.

⁹ Deborah Fowler and Morgan Craven, *Collateral Consequences: The Increase in Texas Student Arrests Following the Parkland and Santa Fe Tragedies*, Texas Appleseed, <http://stories.texasappleseed.org/collateral-consequences>.

¹⁰ *Id.*

¹¹ U.S. Department of Education, *Office for Civil Rights, 2015-2016 Civil Rights Data Collection, School Climate & Safety*, p. 39-40, available at: <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>.

¹² *MC v. HISD TEA Special Education Complaint 202015305*.

¹³ Brooke A. Lewis, *Parent of Katy ISD Special-needs student sues district over Tasing incident*, Houston Chronicle (Jun. 8, 2018), <https://www.chron.com/neighborhood/katy/news/article/Lawsuit-filed-against-Katy-ISD-after-tasing-of-12975360.php>.

¹⁴ E.A. Crunden, *Dallas school police tased a 7 year old, and then body slammed a 12 year old the next day*, Think Progress (May 18, 2017), <https://archive.thinkprogress.org/dallas-police-schools-violence-kids-fd6cd565a8c0/>.

¹⁵ *Denton ISD Faces Scrutiny After Officer Seen Handcuffing, Pinning Down Autistic Child*, CBSDFW (Aug. 11, 2018), <https://dfw.cbslocal.com/2018/08/11/denton-isd-officer-seen-handcuffing-pinning-down-autistic-child/>.

¹⁶ *Wilson v. City of Southlake*, 936 F.3d 326 (5th Cir. 2019).

All incidents were related to the students' disabilities. SROs are entangled in a long history of abusive uses of force that leave students with disabilities suffering from harmful, lasting effects. This pattern is no different in HISD.

Students can face expulsion or suspension when referred to law enforcement. In fact, when law enforcement charges students, they are almost always also suspended or expelled. Students with disabilities are four times as likely to be suspended from school than students without.¹⁷ Black and Hispanic students are suspended from school at a disproportionate rate too.¹⁸ When a student is suspended or expelled, that student misses out on relationship development that promotes pro-social growth and positive life outcomes.¹⁹ By maintaining SROs or other law enforcement mechanisms, districts are placing students with disabilities at a distinct disadvantage.

This is why we urge HISD to divest from school policing. The district will not only protect students but also save resources. Of the cases even referred to police, only twenty-five (25) percent even result in a guilty plea or verdict; a majority of the cases are dismissed or adjudicated.²⁰ HISD spends money on military style equipment – tear gas, rubber bullets, and battering rams. These are unnecessary tools for an educational environment. Meanwhile, Houston ISD has among the worst ratios for mental health counselors to students, with one counselor for every 1,111 students.²¹ The American School Counselor Association recommends a 1 to 250 ratio.²²

HISD must take a stand against school-policing for the sake of its students. We urge HISD to divest from school policing and allocate any available resources instead to hire and train mental health counselors and social workers to handle instances of bullying, harassment, disruptiveness, vandalism, drug and alcohol abuse, and other non-violent incidents. In order to for this to work, HISD must adequately fund these additional positions and programs.

In solidarity,

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CC: HISD Trustees

¹⁷ *Education Under Arrest: The case against police in schools*, Justice Policy Institute, 21-23 (2011), http://www.justicepolicy.org/uploads/justicepolicy/documents/educationunderarrest_fullreport.pdf.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *How many counselors does your school district have for students?*, Houston Chronicle (May 31, 2018), <https://www.chron.com/news/education/article/Slideshow-How-many-counselors-does-your-school-12944802.php>.

²² *Career and Roles*, America School Counselor Association (last visited Jun. 5, 2020), <https://www.schoolcounselor.org/school-counselors-members/careers-roles#ratios>.