

Statement of Lisa H. Thureau, on Behalf of Strategies for Youth  
Regarding Boston Public School Policy:

**PREPARING AND SHARING STUDENT INCIDENT REPORTS AND OTHER STUDENT  
INFORMATION WITH THE BOSTON POLICE DEPARTMENT**

August 19, 2020

I submit this statement on behalf of Strategies for Youth, a national policy and training organization dedicated to improving police/youth interactions. My comments focus on the policy developed by the Boston Public Schools (BPS) and a group of legal, student and educational advocates concerned about the disclosure of student information to law enforcement agencies and to U.S. Immigration and Customs Enforcement. The precipitating reason for the development of this policy was the disclosure of vague information about a student that culminated in his deportation.

While the proposed policy attempts to address and mitigate the harm of such disclosures, which are not unique to BPS, it raises important questions about the role of law enforcement officers in the BPS and requires the School Committee to reconsider the role of law enforcement in the city's schools.

I feel it important here to note SFY's experience with the BPS in 2017. That year SFY was funded by the Hyams Foundation to assess and train Boston School Police officers. These are officers who are employees of the Boston Public Schools, authorized under Rule 400A of the Boston Police Department. During the course of conversations with these school police, we learned that BPS had no specific policies for its school police officers and did not annually train them in best practices for working with youth. The Boston Police Department, which then deployed more than 20 sworn officers to BPS, chose not to attend the training. Subsequently, SFY made several efforts to collaborate with BPS to create policies and develop training. Our overtures were ignored.

**With these considerations in mind, Strategies for Youth *applauds*:**

- Dr. Brenda Cassellius and her team at BPS for developing a comprehensive policy addressing information-sharing between the public schools and law enforcement officers, including Rule 400A School Officers and the Boston Police Department;
- The policy's explicit commitment to the Boston Trust Act and explicit prohibitions on information-sharing by school personnel of the legal status of students with outside law enforcement agencies, including the BPD officers, the Boston Regional Intelligence Center (BRIC), ICE and the FBI;
- The policy's explicit clarification of the differences in the legal status of school safety personnel and BPD's sworn police officers;
- The policy's termination of the production and use of School Safety Reports;
- Changing the name of Boston School Police to School Safety personnel;

- Distinguishing between criminal and non-criminal activities;
- Creating audit systems that will ensure regular internal review, and identify red flags about high numbers of school-based police referrals of students for arrest, or other potentially problematic behavior of school safety personnel;
- Creating an advisory group to continually monitor how the processes defined by this policy are implemented;
- Recognizing that an essential next step requires intensive, mandated training of School Safety personnel and changing the overall culture to promote a public health approach where student arrests and court referrals are strongly discouraged ;
- The appointment of Neva Grice to the position of Chief of School Safety for BPS; her well known commitment to youth and community policing makes her a great choice and will no doubt breathe new life into the department.

**Strategies for Youth *remains concerned* about several aspects of the policy:**

- Section IIIA(1) of the policy permits issuance of reports to the BPD for arrest of youth for misdemeanor behaviors (e.g. threats, simple assault) that SFY recommends are better treated as violations of the school code of conduct;
  - We are especially disappointed that this provision remains in effect because it puts youth charged with minor offenses at risk of being pushed into the school to prison pipeline; thus heightening the likelihood that they will drop out of school and/or become system-involved;
  - While the Criminal Justice Reform Act of 2018 blocked the use of “disturbing a school assembly” charges against youth, we fear that invoking other charges may be used as a “work around”;
- BPS needs to provide more information about student information databases; we are aware of the existence of three student intelligence databases, but it remains unclear who is entitled to view them, for what purpose, and in what context;
- The proposal for training personnel on this policy is presently limited to school safety officials; from our assessment and training experiences with Boston School Police, the limits of the use of arrest by School Safety Personnel is only vaguely grasped by teachers and administrators who often insist on arresting students absent an understanding of when arrest is legally warranted. Therefore, we believe that teachers and administrators should receive a copy of the policy and participate in the training.

While the primary focus of this policy is to clarify information-sharing, it necessarily raises larger questions about the role, purpose, and need for law enforcement in Boston’s public schools. Indeed, school systems across America are presently grappling with these questions. We suggest they warrant thoughtful review by the BPS School Committee, too.

We recommend the School Committee recognize and further investigate the significant costs to the legitimacy and efficacy of BPS when students are arrested within its walls. Too often students manifesting a disability or asserting their rights are criminalized. The public defenders and education attorneys representing Boston students in these situations have a wealth of information about these very questionable arrests that can inform the Committee's analysis.

The School Committee should also keep in mind that not all students view the presence of School Safety personnel and BPD officers in their schools as comforting. In fact, many become deeply fearful and anxious in their presence. A growing body of research suggests that armed police can create a hostile environment that triggers traumatic responses in some students and depresses student achievement. As the Superintendent of the Seattle Public Schools noted, "The presence of an armed officer prohibits many students and staff from feeling fully safe and welcome in our buildings." This is true in Boston, too, especially for students who feel vulnerable to law enforcement—students who are immigrants and those who live in highly policed neighborhoods.

Finally, we want to make special mention of Dr. Cassellius' commitment to this process. As an advocate of education and criminal justice reform efforts for close to 40 years, I have never seen a leader take the time, make the effort, and commit herself to community involvement and decision-making to the extent that Dr. Cassellius has. She deserves our gratitude and admiration for working so hard to get this policy "right," and for balancing diverse interests that are hard to reconcile.

Dr. Cassellius' efforts and commitment to protecting students and ensuring all students feel safe in school is a great gift to BPS and its students. Her next challenge will be to translate this policy into effective practices through training and culture change.

We hope Dr. Cassellius can count on the School Committee to support this process. SFY commits to helping her.