June 15, 2021

Senator Chris Murphy  
United States Senate  
136 Hart Senate Office Building  
Washington, DC 20510

Representative Ayanna Pressley  
United States House of Representatives  
1108 Longworth House Office Building  
Washington, DC 20515

Re: 428 ORGANIZATIONS AND INDIVIDUALS SUPPORT THE COUNSELING NOT CRIMINALIZATION IN SCHOOLS ACT

Dear Senator Murphy and Representative Pressley,

The Federal School Discipline and Climate Group (FedSDC) and 428 undersigned organizations and individuals send this letter of support for the Counseling Not Criminalization in Schools Act of 2021 (CNC). FedSDC supports this legislation, which diverts federal funding away from police in schools, and toward evidence-based and trauma-informed services that create culturally-sustaining and positive learning environments. We are committed to ensuring that these environments affirm the mental and physical safety of all students. This commitment requires police-free schools.

FedSDC has long demanded and maintained that our schools should not mirror a criminal legal system that replicates and reinforces patterns of racial and economic oppression. The racist roots of our criminal legal system are well documented, tracing from enslavement, Black Codes, convict leasing, and Jim Crow laws, to mass incarceration, the War on Drugs, and the current school-to-prison pipeline. The increased criminalization of students and youth has resulted in an overreliance on law enforcement in schools; the implementation of discriminatory and exclusionary discipline; and school hardening practices and tactics that fuel the school-to-prison-and-deportation pipeline. These injustices disproportionately harm Black and Brown students; and far too many youth of color are denied the opportunities, legal equality, and human rights protections that all children and youth deserve.

For too long, the presence of law enforcement in schools has come at the expense of Black and Brown students’ safety in schools. This has been coupled with the defunding and divestment of resources for personnel and services that create safe, healthy, and inclusive school climates. CNC disrupts the school-to-prison and deportation pipeline and interrupts the continued proliferation of white supremacy through the presence of police in our public schools. This

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1 For more information on the racist history of policing and its extension to our schools, see The Advancement Project and Alliance for Educational Justice. (2019), We came to learn. https://wecametolearn.com/#assaltat-map.
legislation redirects federal dollars to provide students and youth with the opportunities they
deserve to learn, grow, and thrive in schools. For Black and Brown students and youth, with and
without disabilities, who are repeatedly and violently abused, assaulted, and bullied by police in
schools, CNC provides a building block towards an opportunity to learn in a safe and supportive
environment by establishing an urgently needed $5 billion grant program to provide adequately
trained personnel and trauma-informed services to improve the learning environment for students
and youth. CNC will also eliminate harmful and inefficient federal funding to schools and
districts for police in schools.

The federal government has spent roughly $1 billion in federal funds on increased police
presence in schools since 1999, and additional funding on school hardening measures, with no
evidence of increased safety or improved school climate. Rather, the evidence shows that police
in schools have no place in school settings.

Research has shown Federal support for police in schools directly promotes the school-to-prison
pipeline. Much of this funding has come through the Department of Justice Office of Community
Oriented Policing Services (COPS). COPS has provided approximately $1 billion in federal
grants to state and local governments for the policing, surveillance, and militarization of
schools.² The largest sustained effort of DOJ’s COPS Office was the Cops in Schools (CIS)
Program,³ which funded the hiring and training of thousands of school resource officers (SROs)
by local law enforcement agencies.⁴ This has had a profound impact on the number of law
enforcement officers in schools, with almost 57 percent of public schools nationwide reporting
having security staff present at least once a week as of 2016.⁵ As is the case with law
enforcement presence more generally, the increase in officers in schools disproportionately
harms students of color, students with disabilities, and LGBTQ students.

Recent research has also directly linked the COPS Program funding to negative outcomes for
students. For example, after reviewing data from 2.5 million students, researchers found that
receiving federal COPS funding for school police in Texas increases disciplinary rates for middle
school students by 6 percent, and exposure to the CIS grant decreases high school graduation
rates by approximately 2.5 percent and college enrollment rates by 4 percent.⁶ Another study

sites received nearly $3 million), Secure Our Schools Program (SOS) (2002–2011; $123 million), and Making Officer Redeployment Effective
(MORE).)

³ The Cops in Schools program was crafted to ensure local governments would sustain school policing even after they stopped receiving federal
dollars by requiring agencies accepting CIS grants to “commit to continuing the grant-funded SROs” for an additional year after federal funding
stopped. Although funding is no longer appropriated for the Cops in Schools Program, jurisdictions may still use grants obtained through the
COPS Office to hire SROs.

at least once a week, by type of security staff, school level, and selected school characteristics:2005-06, 2009-10, and 2015-16.
https://nces.ed.gov/programs/digest/d18/tables/dt18_233.70b.asp

⁵ Ibid.

examining the more recent COPS Hiring Program compared public schools that enhanced SRO staffing through that federal funding with a matched sample of schools that did not increase SRO staffing at the same time. The researchers concluded that increasing SROs does not improve school safety and that by increasing exclusionary responses to school discipline incidents it increases the criminalization of school discipline.”

Despite research on the devastating harms caused to young people’s futures and educational outcomes, the federal government continues to fund racially discriminatory and ableist practices, systemic biases, disproportionality in discipline and the criminalization of typical adolescent behavior. Moreover, school districts rely on federal funding to subsidize the addition of new officers or ongoing ineffective training costs. The COPS SRO grants that provide up to 75 percent of the cost of a single School Resource Officer (SRO)—up to $125,000 per position for the three-year grant period—and requires the school district or municipality to pay the remaining costs and retain the officer for at least a year after the grant ends is not the only program. The COPS’ School Violence Prevention Program (SVPP), the DOJ will distribute $53 million in grants for FY 2021 specifically for school districts to coordinate even more closely with law enforcement, including hardening our schools through measures that only criminalize our students and further transform our schools into harsh, punitive environments. The DOJ also provides funding through the Bureau of Justice Assistance (BJA)’s Students, Teachers, and Officers Preventing (STOP) School Violence Program, and $75 million has already been allocated for FY21 that can be used to train school police. There are other DOJ federal funding streams that school districts have tapped into to further entrench the presence of school police, including the COPS Hiring Program (CHP), and the Community Policing Development (CPD) Microgrants Program. The Department of Defense’s 1033 program has been used to transfer military surplus weapons into the hands of school-based law enforcement and must be completely eliminated. Other funding streams from the Departments of Education, Defense, Homeland Security, and Transportation must not be used to support the hardening of our schools and the continued presence of police in our schools.

We commend the efforts of Senator Chris Murphy and Representative Ayanna Pressley to develop and introduce bold legislation that will prohibit federal spending for these types of activities (surveillance, school hardening) and eliminate federal funds for the hiring, recruitment, and placement of police officers in K-12 schools.

We understand all too well the devastating harm to young people’s futures and educational outcomes the increased police presence in schools has and continues to cause. The direct consequence of police in schools, coupled with the systemic biases and failures of police

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departments across the country, is the criminalization of typical adolescent behavior, with deep and disturbing racial implications. While Black children are only 15 percent of all children in school nationwide, they make up 33 percent of the children arrested, despite research showing that children of color do not misbehave more than their white counterparts. Certain subgroups, like Southeast Asian American children of refugees, are also disproportionately affected by police in schools, but these data are often overlooked because of aggregated data on “others.” Troublesome disparities also exist for children with disabilities, where the data show they are nearly three times more likely to be arrested than children without disabilities. A child may be disciplined both by the school and by law enforcement, and studies show that students who are suspended or expelled are then up to three times more likely to become involved with the juvenile legal system. The school discipline system is operating as a quasi-legal system but in most instances, children have no access to counsel, particularly a specialized juvenile defense attorney, in this system. Moreover, students who face arrests are less likely to graduate, succeed academically, and have stable employment. All of these factors then increase one’s likelihood of coming into contact with either the juvenile or criminal legal system.

In addition to its troubling consequences for student success, increased presence of law enforcement officers in schools supported by federal funding undermines student safety. Proponents of school policing often cite student safety as their primary justification, but there is no substantial evidentiary support for that assertion. In fact, several studies have suggested that the presence of prison-like conditions such as armed officers in schools may actually make


16 American Civil Liberties Union (2019).


19 Ibid.

students feel less safe than if there were no police in the school. Moreover, constant policing and surveillance in a place where youth are supposed to feel safe can in and of itself be trauma-inducing, regardless of the intent of the officers. LGBTQ students have also reported facing hostile interactions with and, in some instances, verbal assaults by the SROs that have been appointed to protect them.

In contrast, supportive approaches to improving school climates — such as restorative and trauma-responsive practices, positive behavioral interventions and supports, mental health care, and additional counselors, nurses, and social workers — have proven to be effective at producing a safe and supportive learning environment, helping address the root causes of conflict and reducing school infractions. Nevertheless, many schools with SROs don’t have counselors, mental health professionals, or other individuals specifically trained to help students cope with stress or trauma. Federal funding must incentivize the replacement of police in schools with evidence-based practices, identified in collaboration with communities, for maintaining school safety, inclusion, and support to ensure child well-being.

As students and youth of color continue to lead local and national efforts in calling for police-free schools, their demands are now finally being met in some communities, as the national reckoning with violent policing — especially police violence directed at Black people — and corresponding policing budgets is forcing long overdue change. Our students and youth need more supportive staff who use evidence-based and trauma-informed practices to enable young people to thrive in positive learning environments. Congress has a responsibility to students and youth to prohibit funding for police in schools and use federal funds for counselors, social

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25 American Civil Liberties Union. (2019).


workers, school psychologists, school nurses, and other supportive adults who are specially trained to help build positive learning environments and support children’s success. Policymakers must follow this leadership and ensure Black, Native, Latino, Southeast Asian American students and youth, and other historically marginalized students attend schools that include the supportive professionals who build positive learning environments and are free police in schools.

We recognize your commitment towards these efforts and fully support the Counseling Not Criminalization in Schools Act, and unapologetically endorse the efforts to upend policies and practices rooted in white supremacy that continue to harm students and youth of color in our nation’s schools.

Thank you for your leadership and commitment. We look forward to working with you both to move CNC forward and ensure students and youth are afforded every opportunity to attend safe, inclusive, culturally-sustaining and healthy schools. If you have any questions about the issues raised in this letter, please contact Dave Pringle, The Center for Popular Democracy at dpringle@populardemocracy.org, or Breon Wells, The Daniel Initiative at Breon.Wells@thedanielinitiative.com.

Sincerely,

**ORGANIZATIONS**

Advancement Project National Office
Alliance for Educational Justice
Center for Disability Rights
Center for Popular Democracy
Community for Just Schools Fund
Dignity in Schools Campaign
Open Society Policy Center
The Daniel Initiative
Anti Police-Terror Project
A Black Education Network (ABEN)
A Little Piece Of Light
Advocating 4 Kids, Inc
Alliance of Rhode Island Southeast Asians for Education (ARISE)
American Association of People with Disabilities
American Civil Liberties Union
Arkansas Community Organizations
Autistic Self Advocacy Network
Aztlan Media - Launch 2024
Baltimore People’s Climate Movement
Baltimore Police Free Schools Coalition
Bazelon Center for Mental Health Law
BiNet USA
Black Parallel School Board
Blacks in Law Enforcement of America
Blue Future
Blue Hills Civic Association
Breaking the chains of your mind
Brighton Park Neighborhood Council
California Children's Trust
CASA
Center for Youth & Community Leadership in Education (CYCLE) at Roger Williams University
Children's Haven: A Place of Healing & Hope, Inc.
Children's Law Center, Inc.
Chispa
Church World Service
Clearinghouse on Women's Issues
Clevelanders Against Federal Policing
Coalition of Labor Union Women, AFL-CIO
Collierville Community Justice
Communities United for Restorative Youth Justice
Council of Parent Attorneys and Advocates
Critical Exposure
CT Students for a Dream
DC Prep PrepNext and ANC 1A07
DeCarcerate Memphis
Deep Center
Defending Rights & Dissent
Disability Rights Advocates
Disability Rights Education & Defense Fund (DREDF)
Disability Rights Oregon
Drug Policy Alliance
Education Justice Alliance
Education Law Center-PA
Edward Hazen Foundation
Ella Baker Center for Human Rights
End Mass Incarceration Georgia Network
Equality California
EveryBlackGirl, Inc
Faith in New Jersey
Faith in Texas
Families and Friends of Louisiana's Incarcerated Children (FFLIC)
Family Law Practice Clinic, CUNY School of Law
Feminist Majority Foundation
First Focus Campaign for Children
Florida Student Power Network
Girls Inc.
GLSEN
Gwinnett Parent Coalition to Dismantle the School to Prison Pipeline (Gwinnett SToPP)
Health in Justice Action Lab
Hilton Head for Peace
Hispanic Federation
Hour Children
Human Rights Campaign
IDRA (Intercultural Development Research Association)
Just City Memphis
Justice For Families
Justice Strategies
Justice Teams Network
Juvenile Law Center
Kentucky Student Voice Team
LatinoJustice PRLDEF
LAUSD
Leaders Igniting Transformation
League of Women Voters of the United States
Legal Aid Justice Center
Lehigh Valley Stands Up
Living United for Change in Arizona
Make the Road Nevada
Make the Road New Jersey
Make The Road New York
March For Our Lives DC
Mommieactivist andsons
MomsRising
NAMINYS Criminal Justice Committee
National Black Justice Coalition
National Center for Learning Disabilities
National Center for Youth Law
National Council of Churches
National Crittenton
National Disability Rights Network (NDRN)
National Equality Action Team (NEAT)
National Immigration Law Center
National Juvenile Justice Network
National Women's Law Center
New Athens Creative, Inc.
Next Level Vision DC
NEXT LEVEL VISION, Inc.
Nollie Jenkins Family Center, Inc. (NJFC)
One Pa
One Pennsylvania - Education Rights Network
Our Revolution Ohio
Pa'lante Restorative Justice
Parents Organized for Public Education
Polemics: Journal of the Workingclass Struggle and National Writers Union Philadelphia Chapter
NWU.ORG
Policing and Social Justice Project
Poverty & Race Research Action Council
Project KnuckleHead
Public Advocacy for Kids (PAK)
Public Justice
RACCE
Rebuilding Independence My Style
Reclaim Our Schools LA
Rights & Democracy VT and NH
Silver State Equality-Nevada
Sisters of St. Dominic of Blauvelt, New York
Sociedad Latina
Southern Coalition for Social Justice
Southern Maine Showing Up for Racial Justice (SURJ)
SPACEs In Action
Stand for Children
Strategies for Youth
Students for Sensible Drug Policy
SURJ Ohio
Tenants and Workers United (TWU)
The Advocacy Institute
The Black Police Experience
The Choice Program at UMBC
The Gathering for Justice
The Institute for Compassion in Justice
The Justice Roundtable
The National Parents Union
The Sentencing Project
United Methodist Women
Uplift MN LLC
Urban Youth Collaborative
Vday
Who Speaks For Me
Women's Leadership Project
Working Narratives
Young Voices
Youth Over Guns

**INDIVIDUALS**

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Glen Anderson
JL Angell
Sister Joan Agro
Sister Joan Argo
Sharon Baker
Dara Baldwin
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Jean Balls
Matthew Barbato
Anthony Barron
Grace Bauer-Lubow
Rebecca Berlant
J Beverly
Ralph Billick
Zoe Bird
Mary Catherine Bissell
Steve Bloom
Karen Boehler
Matthew Boguske
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CC:
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Rep. Bobby Scott – Chair House Education and Labor Committee
Rep. Virginia Foxx – Ranking Member House Education and Labor Committee
Sen. Charles Schumer – Majority Leader of the United States Senate
Sen. Mitch McConnell – Minority Leader of the United States Senate
Rep. Nancy Pelosi – Speaker of the House
Rep. Kevin McCarthy – House Minority Leader
All of the United States Senate
All of the House of Representatives
Dr. Miguel Cardona – United States Secretary of Education
Merrick Garland – United States Attorney General
White House Domestic Policy Council