



HB 3 Offers an Illusion of Safety but Fails to Invest in Real Solutions for Safe and Supportive Schools

IDRA Testimony Against House Bill 3, submitted by Paige Duggins-Clay, J.D., to the Texas House Select Committee on Youth Health and Safety, March 27, 2023

Dear Chair Thompson and Honorable Members of the Committee:

My name is Paige Duggins-Clay, J.D., and I serve as the chief legal analyst at IDRA, an independent, non-partisan non-profit committed to achieving equal educational opportunity for every student through strong public schools that prepare all students to access and succeed in college.

At IDRA, we work to transform education by putting children first. It is with that spirit that I respectfully submit this testimony opposing HB 3, which would require every school in the state to have at least one armed security officer present on every campus during regular school hours; authorize TEA to take over school districts who fail to comply with state school safety mandates (including the armed police officer requirement); and require school district bonds to fund state-mandated school safety requirements (including armed officers on campus) before funding any other measures deemed necessary at the local level.

We agree that the legislature must prioritize passing legislation to protect students from horrific acts of physical violence, including school shootings. But we must also ensure our students feel safe every day, in every way, by adopting practices that have been shown to promote safe and welcoming schools and do not compromise the overall well-being of our children.

HB 3 and its emphasis on requiring police in schools would be a step in the wrong direction and make schools less safe – particularly for Black students, other students of color, and students with disabilities who research shows are more likely than their peers to be targeted by school-based law enforcement.

First, I want to be clear: guns are at the root of gun violence and are the leading cause of death for youth in the United States (Johns Hopkins, 2022; Goldstick, et al., 2022). We cannot offer a complete solution for increasing school safety that does not address the common denominator present in so many instances of violence in our schools and communities.

Second, and relatedly: the answer to gun violence in our schools is not more people with guns in our schools.

It is critically important to recognize that school-based police officers have not been shown to make schools safer or prevent school violence. A recent study (Peterson, et al., 2021) of 133 school shootings between 1980 and 2019 had two key findings:

- (1) “The data suggest **no association** between having an armed officer and deterrence of violence in [school shooting] cases.”
- (2) “An armed officer on the scene was the number one factor associated with **increased casualties** after the perpetrators’ use of [high-capacity] guns.”

Other studies have reiterated the finding that there is “no evidence that the presence of resource officers in schools lessened the severity of school shooting incidents” (Livingston, et al., 2018).

In addition, the regular presence of police in schools can undermine student success and feelings of safety and belonging by criminalizing students for ordinary misbehavior and destabilizing school climates. Studies show that increasing police presence in schools has resulted in higher arrest, exclusionary discipline and absenteeism rates – especially for Black students, Latino students, and students from families with limited incomes (Homer & Fisher, 2019; Weisburst, 2018).

National data show that Black students, in particular, are more likely than their peers to be arrested and referred to law enforcement in their schools, despite not being more likely to break school rules. According to the most recently-available data on school arrests – which the state does not track – Black students accounted for 32% of reported arrests in U.S. schools, though they only made up 15% of the total student population (CRDC, 2021; IDRA, 2022).

Research also shows that students’ attendance and academic performance – including high school graduation and college enrollment – can be negatively impacted by police presence and increased investments in school police programs (Gottlieb, et al., 2019; Weisburst, 2018).

And of course, students experience physical harm and trauma due to violent interactions with law enforcement officers who are able to use tasers, pepper spray, and other weapons and force. Unfortunately, Black students, other students of color, and students with disabilities are disturbingly overrepresented in adverse and harmful police contacts. (Whittenberg, et al., 2022; Alliance for Educational Justice, 2022; OCR, 2020, Gottlieb, et al., 2019).

Increased contact with police is traumatic, pushes students into the school-to-prison pipeline, and exposes them to a host of issues that erect barriers to their success, like grade retention, missed classroom time, contact with the juvenile and adult criminal legal systems, and dropping out (St. John, et al., 2022; Gottfredson, et al., 2020; Nance, 2016; Ryan, et al., 2018).

While we certainly want a swift and appropriate response to violence when it occurs in our schools and communities, that response cannot threaten the daily safety of our students. A regular police presence in schools is ineffective, expensive, unnecessary, and can lead to the targeting of Black and Latino students, LGBTQ+ youth, and young people with disabilities.

Finally, when policymakers and school administrators invest in school police programs, there likely will be fewer resources for the school personnel and programs that work to protect students and increase safety. We are in the midst of an unprecedented teacher shortage, and the indisputable need for additional educators and support professionals, including counselors, behavioral health specialists, and special education service providers, is clear.

We therefore oppose Section 6 of HB 3, which would authorize TEA to takeover districts that fail to submit to agency monitoring or comply with state-mandated safety requirements – including the requirement to hire an armed police officer on every campus. This provision, which is concerning enough on its own due to its undemocratic nature and likely disparate impact on Black and brown communities (Wilson, et al., 2020), is doubly disturbing because it further requires local taxpayer dollars raised through local bonds to be applied first to the state’s policy agenda, as opposed to responding to the many legitimate needs and priorities of the individual families and taxpayers of a community.

Safe schools are built and maintained through strong, enduring relationships between diverse staff, educators, students and families within the school community. It is unacceptable to propose spending money on increasing armed personnel in schools instead of investing in resources that will actually make our children safer.

Recommendations

Instead of mandating the use of a harmful and ineffective policy that ultimately will negatively impact children for the mere illusion of safety, we urge the legislature to invest in evidence-based practices and resources that support students and educators, address the root causes of challenging youth behaviors (David-Ferdon, et al, 2016), promote safety, and strengthen school communities. These include:

- Allocate funding and provide technical support to aid school districts in implementing evidence-based strategies to strengthen relationships, support students and educators, and improve school climate, such as positive behavior interventions and supports (PBIS), social emotional learning, and restorative practices;
- Increase school-based mental health resources, including counseling, behavioral intervention and social work professionals;
- Invest in effective alternatives to exclusionary discipline that address root causes of challenging and problematic behavior;
- Promote family leadership in education, instead of hostile school takeovers (Montemayor, 2016);
- Train and provide technical assistance to support full implementation of student support teams established in SB 11 (2019) to intervene and prevent violence before it occurs; and
- Require robust data collection and reporting and hold districts accountable for disproportionate policing and discipline rates that target students of color, students with disabilities, LGBTQ+ students and others.

IDRA is available for any questions or further resources that we can provide. For more information, please contact Paige Duggins-Clay, J.D., at paige.duggins-clay@idra.org.

Resources

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IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by leading policy analyses and advocacy; dynamic teacher training and principal coaching; useful research, evaluation and frameworks for action; and innovative student, family and community engagement.