



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Public Safety

Re: Oversight - NYPD's School Safety's Role and Efforts to Improve School Climate.

November 21, 2017

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Good afternoon. My name is Dawn Yuster, and I am the Director of the School Justice Project at Advocates for Children of New York. For over 45 years, Advocates for Children ("AFC") has worked with the City's low-income families to ensure a high-quality education for students who face a variety of barriers to academic success. AFC's School Justice Project advocates for families with students facing emotional and behavioral challenges, school discipline, or court involvement to help these students get the support they need to succeed in school.

AFC serves hundreds of students each year who come in contact with law enforcement officials in their schools. Based on AFC's experiences and NYPD data, a substantial portion of what the NYPD does in schools falls outside of law enforcement. Of the reported 9,385 interventions by School Safety Agents and police officers involving children 21 and younger during the 2016-17 school year, 40.1% were so-called "mitigations," incidents where the NYPD became involved and then released the student to the school for discipline without taking further police action such as issuing a summons or making an arrest. Mostly students of color are the subjects of NYPD mitigations. About 95% of these interventions involved students of color. Moreover,



61% were Black students, even though Black students made up only about 27% of overall student enrollment.

Earlier this month, AFC released a data brief showing that 28.8% of all police interventions in schools for the 2016-2017 school year were what the NYPD calls “child in crisis” interventions—incidents where the police became involved when a student displayed signs of emotional distress and was then taken to a hospital for psychiatric evaluation. Nearly half of these interventions involved children 12 years old or younger. Here, too, we see startling over-representation of children of color. About 95% of “child in crisis” interventions by police in schools involved students of color; half were Black students—again, vastly disproportional to their 27% share of the student population in New York City. The scope of law enforcement’s role as *de facto* mental health responders in school is likely much larger. For example, this reported data fails to capture the students in emotional distress where the NYPD responded and then made an arrest or issued a summons or juvenile report.

It is not that White children never experience episodes of emotional distress or that they are never involved in disciplinary incidents requiring adult intervention. But their conspicuous scarcity in the NYPD’s reporting suggests that when these situations do involve White students, they are more often addressed by someone other than police.

This disparity matters. Contacts with law enforcement often have a negative impact on the individual children directly involved, as well as the overall school climate. In particular, students who are handcuffed during police interactions may suffer lasting effects from trauma. About 61.8% of children handcuffed during child in crisis



interventions were Black; and 100% of children 12 and under who were handcuffed during this type of intervention were students of color. Likewise, not one of the 73 students handcuffed during mitigations was White.

Law enforcement's mission creep into matters of mental health and school discipline is cause for serious concern. And that this over-reach and its impact primarily affect New York City's children of color is cause for immediate reform. Mental health professionals with appropriate training and skills are best positioned to assess and address the needs of students in emotional distress. School staff with appropriate training, resources, and support are best positioned to prevent and de-escalate incidents that might otherwise lead to police intervention. Law enforcement plays an important and irreplaceable role in keeping our city—including its children—safe. But in matters of school discipline and student mental health, New York City should unambiguously place responsibility in the hands of the professionals whose lives and careers are centered on supporting the growth and well-being of the young people in their charge.

Towards that end, we recommend that the City Council collaborate with the Administration to realign City resources to reflect the critical need to appropriately support students' social-emotional needs and address the striking racial disparities in police interventions. As an initial step, the City Council should work with the Mayor to fund a network of mental health services in 20 high need schools. This pilot program, recommended by the Mayor's Leadership Team on School Climate and Discipline, would include school partnerships with hospital-based mental health clinics and call-in centers to assist schools with students in crisis, mobile crisis response teams, school-based



behavioral health consultants who help students get direct mental health services, whole-school training in the evidence-based model of Collaborative Problem Solving, and program evaluation.

Second, the City Council should work with the Administration to invest in a long-term plan with necessary funding to develop and expand school-wide and district-wide positive, inclusive, and supportive approaches to address student behaviors and improve school climate. Research shows that positive, evidence-based alternatives to policing students in school—such as Restorative Practices, Collaborative Problem Solving, and Trauma-Informed Approaches—support schools in building the skills and capacities of students and adults to constructively resolve conflict and de-escalate behavior. These approaches emphasize the prevention of behavioral incidents from occurring and de-escalating behavioral incidents when they do occur.

Third, the City Council should urge the NYPD and Department of Education to enter an information-sharing agreement that comports with privacy laws in order for the NYPD to publicly report data disaggregated by whether the student is receiving special education services. Reporting disaggregated data by disability status is required by the Student Safety Act and will allow government agencies and the public to come together to make changes where they are desperately needed.

Thank you for the opportunity to speak today. We look forward to working with the City Council and the Administration as the budget process moves forward. I would be happy to answer any questions you may have.