

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

RE: Oversight - New York City Police Reform and Reinvention Collaborative Draft Plan

New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2022, The Preliminary Capital Commitment Plan for Fiscal Years 2021-2025 and The Fiscal 2021 Preliminary Mayor’s Management Report

March 16, 2021

My name is Dawn Yuster, and I am the Director of Advocates for Children of New York’s (“AFC’s”) School Justice Project. For nearly 50 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We speak out for students whose needs are often overlooked, such as students with disabilities, students with mental health needs, students involved in the juvenile or criminal justice system, students from immigrant families, and students who are homeless or in foster care. AFC is a member of Dignity in Schools Campaign-New York (“DSC-NY”), a coalition of youth, parents, educators, and advocates dedicated to shifting the culture of New York City schools away from punishment and exclusion and towards positive approaches to discipline and safety.

We are here today to comment on the Mayor’s New York City Police Reform and Reinvention Collaborative Draft Plan and the Fiscal Year 2022 Preliminary Budget as it pertains to the students we serve in NYC public schools.

Through our work with students in NYC schools, we have seen the significant and disproportionate impact school policing has on Black and Brown students. While the number of students arrested has decreased, Black and Latinx students continue to comprise the vast majority of them.¹ For example, in the 2019-2020 school year before schools closed due to COVID-19, Black and Latinx students represented 65% of all students and about 92% of students arrested in school. Black students, in particular, have had to bear the brunt of school policing, representing about 25% of all students and about 56.5% of students arrested and issued summonses in school. Over the past four school years, NYPD officers, including school safety agents and precinct officers, intervened in 12,050 incidents of students in emotional crisis who were removed from class and transported to the hospital when medically unnecessary. Nearly half of these incidents involved children between the ages of 4 and 12. Before schools closed last year due to COVID-19, the NYPD – and not clinically trained mental health professionals – had already intervened in more than 2,250 incidents involving students in emotional crisis, handcuffing some as young as 5 years old. Of the students handcuffed, 58% were Black.

¹ The data in this paragraph was publicly reported by the NYPD pursuant to the Student Safety Act and analyzed by Advocates for Children. See NYPD Reports, School Safety Data, <https://www1.nyc.gov/site/nypd/stats/reports-analysis/school-safety>.

In addition, AFC works in coalition with youth, parents and school staff members who have repeatedly called for the removal of police in schools. The experiences these school community members have shared are compelling and cannot be ignored: policing deeply impacts our Black and Brown youth and has no place in our schools. As articulated in a 2018 report on the historical roots of school policing, “safety does not exist when Black and Brown young people are forced to interact with a system of policing that views them as a threat and not as students.”² Schools must be nurturing, inclusive learning environments for all students. We support removing NYPD officers, including school safety agents, from schools, and shifting NYPD funding from school policing to education and social services that will support a new vision of safety in schools. We must ensure all students – especially Black and Latinx students, who are disproportionately harmed by police – are truly safe and supported in school. Our students are facing incalculable hardship and need significant support to learn in nurturing environments free from the threat of law enforcement intervention.

We support elements of the Mayor’s plan to break the school-to-prison pipeline, and some of the language in the plan about investing in school staff to support students’ social-emotional and behavioral needs mirrors language in our recommendations for the Fiscal Year 2022 budget.³ However, we are deeply concerned that the recommendations in the Mayor’s Police Reform Plan related to school safety are mere words, as the blueprint fails to contain an action plan to truly invest in our students and school communities and keep our children safe from harmful policing practices and in school supported and learning.

For example, despite asserting that the City may invest in staff trained and coached in providing direct services to students, such as social workers, behavior specialists, trauma-informed de-escalation staff, conflict resolution specialists, peacemakers, and school climate and restorative justice staff, the Mayor’s Police Reform Plan does not include any steps to reach this goal. Furthermore, the Fiscal Year 2022 Preliminary Budget only contains an additional \$35 million to address the mental health and social-emotional needs of students, while the school policing budget is over \$450 million. Meanwhile, NYPD school safety agents outnumber school social workers 5,400 to 1,500. For the Mayor to truly fulfill his promise, the City must invest sufficient resources in our schools to address the social-emotional needs of our students.

In addition, we do not support the transition of school safety agents to the Department of Education (“DOE”) without first working with the community to identify a new vision of school safety that will keep all students safe and free from law enforcement intervention. While the Mayor’s plan claims the City will redesign the role of school safety agents, it also states that the City and DOE will not critically review all policies related to school safety officers’ use of physical interventions on students, including handcuffing, until *after* the school safety agents transition to the DOE. We stand with Dignity in Schools Campaign – New York and other allies in calling for school safety to be transformed and not merely transferred to the DOE. The City must instead not only redesign the role of school safety agents prior to any transfer to the DOE,

² Advancement Project, We Came To Learn, 2018, <https://advancementproject.org/wp-content/uploads/WCTLweb/docs/We-Came-to-Learn-9-13-18.pdf>.

³ Advocates for Children of New York, Vision for NYC Schools: Recommendations for the Next Administration, https://www.advocatesforchildren.org/sites/default/files/library/mayoral_education_recommendations_2021.pdf.

but also reallocate NYPD funding to resources and positions that support students directly. We do not need over 5,400 school safety agents to keep our students safe. Furthermore, the City should pass Int. No. 2188-2020 and immediately adopt and implement a policy emphasizing that trained clinical school staff must be the first responders to students in emotional crises; requiring documentation of steps used to de-escalate an incident before law enforcement is involved; and significantly limiting police response to students in emotional crisis, including the use of handcuffs, unless necessary to prevent imminent serious physical injury. Students need schools where they face social workers, behavioral specialists, and restorative justice practitioners, instead of school safety agents, and where they receive mental health supports and services instead of handcuffs.

Finally, we are deeply troubled by the news that the City may spend \$20 million to hire 475 new school safety agents to start working in the School Safety Division within the next few months. These \$20 million dollars should be used to hire hundreds of school support staff for our students and school communities. This news undermines the recommendations in the Mayor's Police Reform Plan to prioritize the health and wellbeing of youth and minimize the potential exposure to trauma in City schools.

Thank you for the opportunity to speak with you. I would be happy to answer any questions you may have.