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February 14, 2019

**To:** Chairman Lathrop and Members of the Judiciary Committee  
**From:** Juliet Summers, Policy Coordinator at Voices for Children in Nebraska  
**Re:** **LB 390 – Provide duties regarding school resource officers and security guards**

Education is a key indicator of future opportunity for children, and we should make every effort to ensure that our education system is setting students up for success. Voices for Children in Nebraska supports LB 390, because it will ensure that protecting children and maintaining safety in our school environments does not come with the unintended cost of pushing more students out of school and into the court system.

The presence and prevalence of law enforcement and security in our schools has been on the rise since a spate of school shootings in the 1990s. **During the 2015-2016 school year, 57% of public schools reported having any security staff present at least once a week, and 48% reported having any sworn law enforcement officers present.**<sup>1</sup> According to the National School Survey on Crime & Safety, officers participated most frequently in coordinating with local police and emergency teams and security enforcement and patrol. However, **43% of officers in primary schools and 63% of officers in secondary schools also reported participating in maintaining school discipline.**<sup>2</sup>

In Nebraska, we lack annual, statewide systemic data on student interactions with law enforcement at school. However, we know that best practices support responding to student misbehavior wherever possible with disciplinary approaches to keep the student in the educational environment. Students who are pushed out, whether by suspensions, expulsions, or arrests, experience disruption in their education that can lead to reduced educational attainment and increased likelihood of court involvement. The risk is potentially greater when we involve sworn law enforcement and security guards in the school environment without specific training or clearly-delineated boundaries around roles and duties. **These policy and practice choices, all too often, fall disproportionately on students of color, who are more likely to be subject to frequent and harsher punishment, placed in alternative disciplinary schools or settings, referred to law enforcement or subject to school-related arrest, and fail to graduate from high school.**<sup>3</sup>

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<sup>1</sup> National Center for Education Statistics. *Spotlight 1: Prevalence, Type, and Responsibilities of Security Staff in K-12 Public Schools*. March 2018. Available at [https://nces.ed.gov/programs/crimeindicators/ind\\_S01.asp](https://nces.ed.gov/programs/crimeindicators/ind_S01.asp)

<sup>2</sup> *Id.*

<sup>3</sup> Sarah E. Redfield & Jason P. Nance. *School to Prison Pipeline: Preliminary Report*. American Bar Association, February 2016. p 10. Available at [https://www.americanbar.org/content/dam/aba/publications/criminaljustice/school\\_to\\_prison\\_pipeline\\_report.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/criminaljustice/school_to_prison_pipeline_report.authcheckdam.pdf)

LB 390 strikes a sound balance between acknowledging the potential benefits of inter-agency agreements between schools and police, while requiring best practices be followed to mitigate unintended consequences to our children. Requiring training for officers, administrators and teachers in teenage brain development, adolescent behavior, trauma-informed responses, and diversity and cultural awareness (among other topics) will counter the potential for over-policing teenage behavior or biases that may contribute to disproportionate rates of arrest for students of color. Requiring clear memoranda of understanding between schools and law enforcement that address issues of student rights, parental notification, recording and reporting referrals, and draw clear lines between law enforcement and school discipline will ensure our children's rights are protected. Notably, these requirements also mirror the best practices identified by the National Association of School Resource Officers, which urges commitment to proper training and adopting a model memorandum of understanding so that roles and duties are clearly defined.<sup>4</sup>

For all these reasons, I'd like to thank Senator Pansing Brooks for bringing LB 390 and this Committee for your consideration. I would respectfully urge you to advance it.

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<sup>4</sup> Mo Canady et al. *To Protect & Educate: The School Resource Officer and the Prevention of Violence in Schools*. NASRO, 2012. Available at <https://nasro.org/cms/wp-content/uploads/2017/10/NASRO-Protect-and-Educate.pdf>