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## TOWARD THE END OF SCHOOL POLICING IN TEXAS AND ARKANSAS

*Andrew R. Hairston* \*

### I. INTRODUCTION

School policing has existed in regions across the United States for decades. It remains a national problem with a broad impact, exacerbating the school-to-prison pipeline, but the practice is intriguing to study in the South. For the past several decades—through memoranda of understanding between school districts and law enforcement agencies, as well as internal school police forces—many Black and Brown children have expected to see school police officers on their school campuses. To get police in schools, rural districts often contract with local law enforcement agencies to supply their school police forces, using these memoranda of understanding more often than creating internal police forces.<sup>1</sup> However, by contracting with local school districts, these rural local law enforcement agencies often become overburdened—constantly balancing their obligations to schools and the community-at-large—and, as a result, may not be as ubiquitous in schools. Considering this landscape, the idea of a district-operated police department is growing in popularity in jurisdictions across the South.<sup>2</sup> One such example in Arkansas made local headlines in the summer of 2019, and several school districts in Texas are also toying with the idea of creating internal security and policing forces.<sup>3</sup>

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1. See, e.g., Chris McGreal, *The US Schools with Their Own Police*, GUARDIAN (Jan. 9, 2012, 3:00 PM), <https://www.theguardian.com/world/2012/jan/09/texas-police-schools>; see generally ARK. SCH. SAFETY COMM'N, FINAL REPORT ("Commission Final Report") 20, 24 (2018), [https://governor.arkansas.gov/images/uploads/181203\\_School\\_Safety\\_Commission\\_Final\\_Report.pdf](https://governor.arkansas.gov/images/uploads/181203_School_Safety_Commission_Final_Report.pdf).

2. See Jady Watson-Fisher, *Fort Smith Public Schools to Create Institutional Police Force*, TIMES RECORD (June 15, 2019, 12:25 AM), <https://www.swtimes.com/news/20190615/fort-smith-public-schools-to-create-institutional-police-force-maintain-resource-officer-program>.

3. *Id.*

On one hand, the limited resources of law enforcement agencies in the South make it a good place to focus on operationalizing police-free schools. On the other, community members and advocates should be wary of state-law proposals and state commission recommendations that would pour more funding into school policing and establish police departments within school districts. This article evaluates the current practices of school policing in Texas and Arkansas and recommends measures schools can take as alternatives to policing. It begins with an examination of the political and historical landscape that led to the ubiquitous presence of police officers on school campuses. It concludes with legal and policy recommendations for advocates throughout the South who are working to diminish the presence of school police officers in districts across the country.

## II. BACKGROUND

As the Nixon Administration commenced the modern War on Drugs, police began earnestly seeking to quell the voices of student protestors from the Civil Rights Movement.<sup>4</sup> During the 1990s, the bipartisan push for heavily policed schools reached a fever pitch. The Gun-Free Schools Act of 1994 provides a good illustration of the bipartisan response to perceived misbehavior by young people.<sup>5</sup> Professor Kristin Henning of the Georgetown University Law Center notes that, following Columbine and other mass school shootings, police surveillance surged in schools.<sup>6</sup> Although young white men are more likely to be perpetrators of mass violence,<sup>7</sup> majority-Black and majority-Latinx schools are the ones that feel the full brunt of school policing.<sup>8</sup>

American schools have entered an era of strict security measures, resulting in heavily militarized educational environments. Discounting educational and sociological considerations for Black and Brown students and the instructional school climate, Federal and State Programs continue to boost

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4. See *We Came To Learn: A Call to Action for Police-Free Schools*, ADVANCEMENT PROJECT: ALL. FOR EDUC. JUSTICE, <https://www.wecametolearn.com> (last visited on Feb. 16, 2020).

5. *A Brief History of School-Based Law Enforcement*, TEX. STATE UNIV.: TEX. SCH. SAFETY CTR. (Feb. 2016), <https://txssc.txstate.edu/topics/law-enforcement/articles/brief-history>.

6. Kristin Henning, *Boys to Men: The Role of Policing in the Socialization of Black Boys* in *POLICING THE BLACK MAN: ARREST, PROSECUTION, AND IMPRISONMENT* 57, 65 (Angela J. Davis ed., 2017).

7. See Leigh Paterson, *Many Mass Shooters Share a Common Bond: Male Grievance Culture*, WAMU 88.5: GUNS & AMERICA (Aug. 13, 2019), <https://wamu.org/story/19/08/13/many-mass-shooters-share-a-common-bond-male-grievance-culture/>.

8. See Jason P. Nance, *Students, Security, and Race*, 63 EMORY L.J. 1, 6 (2013).

funding for law enforcement and security equipment.<sup>9</sup> For example, the U.S. Department of Justice's Community Oriented Policing Services (COPS) provides schools up to \$500,000 to augment security measures, including purchases of metal detectors, electronic locks, surveillance cameras, security assessments, training for law enforcement, and other related equipment.<sup>10</sup> Metal detectors, increased surveillance, and myriad school police officers contribute to school environments that are often indistinguishable from youth detention centers.

Just as highly-patrolled schools exist throughout the country, they exist in the deep South, too. As advocates come to understand the systemic impact of the school-to-prison pipeline, exclusionary discipline<sup>11</sup> and school policing are increasingly common aspects of the education of young Black and Latinx learners across the country. These two pernicious practices play out in ways that can be psychologically damaging for young people. In her research, Professor Henning found that disorderly conduct and class disruption were the most common offenses charged by school police officers in McKinney, Texas, from 2012 to 2015.<sup>12</sup> Moreover, she determined that, during the same time period, Black children constituted 13% of the student population in McKinney, but they accounted for 53% of all disorderly conduct arrests.<sup>13</sup> The influx and expanding presence of police officers in school environments often results in unnecessary police intervention in routine student behavioral misconduct. Invading the school administrator role and lacking the proper training to deal with non-criminal behavior, school police frequently respond with excessively harsh action criminalizing minor disciplinary infractions.<sup>14</sup> Consequently, school police interference serves to punish and remove the student from the classroom instructional setting, akin to exclusionary discipline.<sup>15</sup> This treatment by police officers accompanies the militarized school environments that young people attend across the country—environments filled with metal detectors, surveillance cameras, and myriad opportunities for children to get arrested..

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9. *See id.* at 6–7.

10. *Id.* at 13–14.

11. “Exclusionary discipline refers to disciplinary placements that remove a student from his or her regular classroom assignment.” “*Exclusionary Discipline in Texas Schools: Legal Questions and Concerns*,” TEX. ASS’N OF SCH. BDS. (Nov. 2019), [https://www.tasb.org/services/legal-services/tasb-school-law-esource/students/documents/exclusionary\\_discipline.pdf](https://www.tasb.org/services/legal-services/tasb-school-law-esource/students/documents/exclusionary_discipline.pdf).

12. Henning, *supra* note 6, at 67.

13. *Id.*

14. Devan Byrd, Note, *Challenging Excessive Force: Why Police Officers Disproportionately Exercise Excessive Force Towards Blacks and Why This Systemic Problem Must End*, 8 ALA. C.R. & C.L. L. REV. 93, 111–13 (2017).

15. *Id.*

Not only does this criminalization of young people constantly play out in schools, but it also informs the ways in which the state targets children of color in their neighborhoods. At one point, 100% of the young people held in adult jails in Texas were children of color.<sup>16</sup> The same text concluded that young people who ended up in the adult jails of Texas were often charged with crimes so minor as to shock an observer.<sup>17</sup>

The same principle applies to the relationship between exclusionary discipline and school policing; as illustrated by the example in McKinney, Texas, school administrators will accuse students of nebulous offenses such as willful disobedience and disorderly conduct, and then a school police officer will carry out an arrest for this alleged conduct. The police officer will then add a penal code violation, such as disturbing the peace, resisting arrest, or assault of a peace officer, to the disciplinary enforcement.<sup>18</sup>

The past two decades of federal policymaking have reflected this insidious view of young Black and Brown children as criminals. The Department of Justice initiated the COPS grant program in 1999 to provide support to local law enforcement agencies as they policed schools; the program initially allocated \$750 million to agencies across the country to hire 6,500 school police officers.<sup>19</sup> In 2012, the Obama Administration renewed this grant, dedicating tens of millions more dollars to usher law enforcement officers into school campuses.<sup>20</sup> As a result, by 2015, there were about 19,000 police officers patrolling school campuses across the country.<sup>21</sup> These police officers do not prevent acts of mass violence as much as they disproportionately terrorize Black and Brown children, LGBTQ young people, and kids with disabilities on a daily basis.<sup>22</sup>

An additional troubling aspect of modern school policing concerns another facet of the relationship between the federal government and local law enforcement agencies. As of 2015, at least twenty-six school districts across the nation had received military-grade weapons from the 1033 Program of

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16. LAURA MAGNANI & HARMON WRAY, *BEYOND PRISONS: A NEW INTERFAITH PARADIGM FOR OUR FAILED PRISON SYSTEM* 142–43 (2006).

17. *Id.* Such alleged crimes included petty theft and disturbing the peace, among other offenses. Such actions draw parallels to the nebulous offenses in modern school codes of conduct that often entangle young people with the criminal legal system—actions such as willful disobedience and disorderly conduct.

18. See Henning, *supra* note 6, at 67.

19. *We Came To Learn*, *supra* note 4.

20. See Henning, *supra* note 6, at 66.

21. Mark Keierleber, *Why So Few School Cops Are Trained to Work with Kids*, ATLANTIC (Nov. 5, 2015), <https://www.theatlantic.com/education/archive/2015/11/why-do-most-school-cops-have-no-student-training-requirements/414286/>.

22. See, e.g., *Bullies in Blue: The Problem with School Policing*, ACLU, <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline/bullies-blue-problem-school-policing-infographic> (last visited Feb. 16, 2020).

the Department of Defense.<sup>23</sup> The 1033 Program refers to a section of the National Defense Authorization Act for Fiscal Year 1997, which created a pathway for the Department of Defense to transfer excess military equipment to state and local law enforcement agencies.<sup>24</sup> After September 11, 2001, more state and local law enforcement agencies clamored for such weapons-grade material, and the weaponry inevitably spilled over into school police departments.<sup>25</sup> With access to such resources, school police officers are empowered to terrorize young people with heavy-duty artillery.

### III. ARKANSAS

In November 2018, the Arkansas School Safety Commission (“Commission”) issued a report that calls for at least one school police officer at every school in Arkansas, as well as a constant presence of school police officers in schools across the state.<sup>26</sup> This counteracts some of the earlier recommendations of the report, calling for all school districts in Arkansas to implement a positive climate program.<sup>27</sup> As illustrated in the ACLU’s *Bullies in Blue*, the presence of police on school campuses is inherently antithetical to a positive climate program.<sup>28</sup> The Commission’s report cites the response of school police officers to relatively infrequent school shootings as a justification for more police in schools across the state.<sup>29</sup> The report notes that the sheriff’s deputy assigned to Marjory Stoneman Douglas High in Parkland, Florida—who was on campus during the time of the tragedy—did not prevent it.<sup>30</sup> This fact alone suggests that the presence of police officers does not serve the fundamental purpose of preventing acts of mass violence.

The report repeats language that has been championed by the National Association for School Resource Officers (NASRO); it asserts that school resource officers (SROs) are necessary to serve as educators, mentors, and informal counselors.<sup>31</sup> This increasingly popular narrative largely ignores

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23. Bethany J. Peak, *Militarization of School Police: One Route on the School-to-Prison Pipeline*, 68 ARK. L. REV. 195, 213–14 (2015).

24. *Id.* at 199–200.

25. *Id.* at 199, 213–14.

26. ARK. SCH. SAFETY COMM’N, FINAL REPORT (“Commission Final Report”) 20, 24 (2018), [https://governor.arkansas.gov/images/uploads/181203\\_School\\_Safety\\_Commission\\_Final\\_Report.pdf](https://governor.arkansas.gov/images/uploads/181203_School_Safety_Commission_Final_Report.pdf).

27. *Id.* at 10–12.

28. *Supra* note 22.

29. ARK. SCH. SAFETY COMM’N, FINAL REPORT, *supra* note 26, at 20–24.

30. *Id.* at 23.

31. *Id.* at 24. The Commission’s Final Report pulls language from NASRO’s website for this assertion. See *Frequently Asked Questions*, NAT’L ASS’N OF SCHOOL RES. OFFICERS, <https://www.nasro.org/faq/> (last visited Apr. 22, 2020). NASRO advises that an SRO be “a

that SROs are sworn law enforcement officers who are trained to enforce the criminal laws of a jurisdiction.<sup>32</sup> This fact does not change because SROs are in a school, and young people are the ones who ultimately suffer from the inclination of SROs to respond to misbehavior with violence or excessive force. Put another way, SROs are trained to enforce criminal laws and arrest people who they believe violate them, even when the people are young and in school. Many SROs are licensed peace officers by the state, and the only difference between an SRO and a city police officer is the SRO is employed to work in schools. However, although SROs walk the school halls among our youth, that does not make them educationalists. SROs are not educators, mentors, nor informal counselors. Not only do they lack the proper training and expertise to engage in child development work, their focus is not the educational support of young people but the apprehension of criminals.<sup>33</sup>

Arkansas state law includes permissive language concerning the staffing of SROs on campus. The school district board of directors can accept an SRO from a local law enforcement agency to assist with school security.<sup>34</sup> The only stipulation is that the officer must be certified, though that certification gives the officer statewide jurisdiction.<sup>35</sup> Such language provides an opportunity for community members and advocates to push back against school boards that attempt to increase the presence of police on their school campuses, since the operative word “can” is not “must.” Even though the board of directors can accept an SRO from a local law enforcement agency in Arkansas, school districts can also prioritize investments in trained professionals, such as school psychologists, social workers, and counselors, who employ evidence-based approaches to improve school climates.

Policymakers across the country often gravitate toward the solution of more police officers in schools to address acts of mass violence, as evidenced by the steady increase of police officers in schools over the past few decades. The Commission report echoes that approach,<sup>36</sup> without adding any evidence-based measures backed by data proving the deterrence of violence incidents to support the notion that school policing guarantees school safety. Most studies on school policing have either reached inconclusive results on

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career law enforcement officer with sworn authority who is deployed by an employing police department or agency in a community-oriented policing assignment to work in collaboration with one or more schools.” *Id.* According to NASRO, responsibilities of SROs should include functions of educator, informal counselor and mentor, and law enforcement officer. *Id.*

32. See generally NAT’L ASS’N OF SCHOOL RES. OFFICERS, *supra* note 31.

33. See ARK. CODE ANN. § 16-81-118 (clarifying that SROs may issue a citation to anyone who has violated a state criminal law while “participating in, observing, or assisting” a school function and must arrest a recipient who refuses to sign the citation).

34. ARK. CODE ANN. § 6-10-128(a).

35. *Id.* § 6-10-128(b).

36. See generally ARK. SCH. SAFETY COMM’N, FINAL REPORT, *supra* note 26.

the effectiveness of school policing or determined that school police officers do not necessarily guarantee safer school environments.<sup>37</sup>

The most recent data available, from the 2017–2018 school year, indicates that there were 316 SROs identified in 156 school districts across Arkansas.<sup>38</sup> That number reflects an increase of ninety-two officers from the 2012–2013 school year.<sup>39</sup> Such an increase follows regional and national trends that have resulted in more police officers being ushered onto school campuses. In Arkansas, one encouraging point in the fight to dismantle the school-to-prison pipeline is the total number of school police officers statewide. Even though that number has increased over the past several years, the number of SROs across Arkansas is comparable to the number of school police officers in the Houston Independent School District (HISD) alone.<sup>40</sup>

Unfortunately, there is no national database or resource that can definitively pinpoint how many police officers are in schools during any given academic year. Advocates fighting to dismantle the school-to-prison pipeline in Arkansas can use the numbers supplied by the Arkansas School Safety Commission report to hold their local school districts accountable. In subsequent academic years, advocates can send public records requests to local jurisdictions and the states to obtain updated numbers and determine whether the number of school police officers across Arkansas has increased. Using the comparatively low number of police officers in Arkansas, juxtaposed with Texas, advocates can make a case that these school police officers are not significantly contributing to improved school climates in ways that justify further investment in school police.

#### IV. TEXAS

With its expansive geography and varying demographics, Texas represents an intriguing landscape for school policing. On one hand, rural coun-

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37. See Constance A. Lindsay et al., *The Prevalence of Police Officers in U.S. Schools*, URBAN INSTITUTE: URBAN WIRE (June 21, 2018), <https://www.urban.org/urban-wire/prevalence-police-officers-us-schools>.

38. See ARK. SCH. SAFETY COMM'N, FINAL REPORT, *supra* note 26, at 24.

39. *Id.*

40. *Id.* Texas Appleseed submitted public records requests to HISD a couple of years ago to determine the number of police officers employed by the school district. The district responded and confirmed that, at that time, it employed over 200 school police officers. In subsequent public records requests, seeking an update of the information, HISD has argued that releasing school policing staffing numbers could undermine law enforcement activities within the district. The Texas Attorney General's Open Records Division has been persuaded by that argument and has upheld the district's ability to withhold these numbers. Office of the Att'y Gen. of Tex., Open Records Div., Open Records Letter Ruling OR2019-26620 (Sept. 24, 2019). See also *infra* note 40 and accompanying text.

ties throughout the state reflect similar political realities to those in Arkansas. On the other, Texas is home to some of the largest cities in the country, such as Dallas and Houston, and these cities have sophisticated and deeply entrenched school policing structures. The Dallas Independent School District (DISD) and the Houston Independent School District (HISD) both employ school police officers as school employees, as well as collaborate with the local police departments within the cities to fortify this policing structure.<sup>41</sup> The DISD's police department employs over 200 staff members who patrol and provide support to officers assigned to over 200 schools in DISD.<sup>42</sup> Although the district has its standalone police department, DISD police force works with the Dallas Police Department on various matters that come up throughout the year, particularly when graver violations of the Texas Penal Code occur on school campuses.<sup>43</sup> This principle holds particularly true for school-based conduct that leads to young people being referred to the Dallas County district attorney's office for criminal prosecutions.

A lack of transparency follows this complex structure governing Texas school policing. Under the Abbott administration in Texas, as my colleagues and I at Texas Appleseed have seen, state agencies have grown more comfortable with refusing access to public information that should be readily available. After a drawn out legal battle between my organization and the HISD's Legal Services Department this summer, the Open Records Division of the Texas Attorney General's Office declared that knowing the number of police officers at an individual school campus would pose a threat to safety and undermine the ability of law enforcement to carry out their duties.<sup>44</sup> This deference local school districts and state agencies show to police departments represents a growing challenge in the fight to dismantle the school-to-prison pipeline.

A 2019 study illustrates another detrimental effect of school policing in Texas: the impact on high school graduation and dropout rates. The study, which focused on schools that received federal grants for school policing across the state, determined that students within these middle and high schools were less likely to graduate and less likely to enroll in college than similar students enrolled in years when the schools had not received the

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41. See, e.g., *Dallas ISD Police Chief: New Way To Communicate Can Make Schools Safer*, CBS DFW, (Jul. 11, 2018, 7:41 PM), <https://dfw.cbslocal.com/2018/07/11/dallas-isd-police-chief-schools-safer/>.

42. *Dallas ISD Police Department*, DALL. INDEP. SCH. DIST., <https://www.dallasisd.org/pd> (last visited Mar. 20, 2020).

43. *Id.*

44. Office of the Att'y Gen. of Tex., Open Records Div., Open Records Letter Ruling OR2019-26620 (Sept. 24, 2019).

grants.<sup>45</sup> This study drew the connection between increasingly militarized school environments and their demoralizing impact upon teenagers.<sup>46</sup> Specifically, the study presents a correlation between increased police presence and negative student academic outcomes, including a decline in graduation and college enrollment rates. Relatedly, another study advises that “[h]igh rates of direct or indirect contact with police may . . . create stress and other . . . emotional responses” for students, weakening their cognitive performance.<sup>47</sup> These negative consequences compound and create myriad social, emotional, and psychological barriers to the ability of young people to fully access the benefits of their education. Worse, these effects last into adulthood, heaping trauma upon young people who are attempting to navigate the world.<sup>48</sup>

Despite the schools’ lack of transparency, incremental reforms made over the past several decades have chipped away at the absolute authority granted to school police in Texas. In 2015, the Texas Legislature passed a bill requiring Texas independent school districts with enrollments of over 30,000 students to provide youth-focused education to their school police officers.<sup>49</sup> The Texas Legislature followed up with legislation in subsequent years to require such training for all school police officers across Texas, as well as to clarify that school police officers should not be involved in the routine discipline of young people.<sup>50</sup> Specifically, in 2019 the Texas Legislature passed Senate Bill 11 and Senate Bill 1707.<sup>51</sup> Looking to rein in the interactions of police officers with students, these bills serve to clarify expectations and duties of school law enforcement officers.<sup>52</sup> For instance,

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45. Matt Barnum, *New Studies Point to a Big Downside for Schools Bringing in More Police*, CHALKBEAT (Feb. 14, 2019), <https://www.chalkbeat.org/posts/us/2019/02/14/police-schools-research-parkland/>.

46. *Id.*

47. *Id.*

48. See Henning, *supra* note 6; see also Eliza Orlins (@elizaorlins), TWITTER (Feb. 11, 2020, 5:42 AM), <https://twitter.com/elizaorlins/status/1227196261981458432> (depicting a young Black man being held in a chokehold by a school police officer in Camden, Arkansas, for over a minute).

49. H.B. 2684, 84th Leg., Reg. Sess. (Tex. 2015); see also TEX. APPLESEED, UPDATE FROM TEXAS’ 84TH LEGISLATIVE SESSION (2015): HB 2684: TRAINING FOR POLICE IN TEXAS PUBLIC SCHOOLS (2015), <https://www.texasappleseed.org/sites/default/files/HB%202684%20Explanation%20FINAL.pdf>.

50. See TEX. ASS’N OF SCH. BDS., SCHOOL SAFETY AFTER SENATE BILL 11 8 (2019), <https://www.tasb.org/services/legal-services/tasb-school-law-resource/business/documents/school-safety-after-senate-bill-11.pdf>; see also TEX. APPLESEED, SENATE BILL 1707 1 (2019), [https://www.texasappleseed.org/sites/default/files/SB1707\\_InTemplate\\_final.pdf](https://www.texasappleseed.org/sites/default/files/SB1707_InTemplate_final.pdf).

51. S.B. 11, 86th Leg., Reg. Sess. (Tex. 2019); S.B. 1707, 86th Leg., Reg. Sess. (Tex. 2019).

52. Tex. S.B. 11; Tex. S.B. 1707.

Senate Bill 1707 requires districts to adopt policies that outline the responsibilities of school law enforcement officers so as to focus their scope, increase their effectiveness, and eliminate their participation in routine disciplinary incidents better handled by other suitable staff.<sup>53</sup> Although these bills still maintain the structure of school policing in many districts across Texas, the language included in them can provide a springboard for challenging school police officers who frequently serve as the main disciplinarians in school.

Another emerging trend in Texas, one that is gaining steam in other parts of the country as well, is the idea of an internal school police force under the school district's authority. Two central Texas independent school districts, Manor and Round Rock, recently made news for entertaining this idea.<sup>54</sup> Although these arrangements could create a clearer path to accountability and seeking redress for police violence against young people, they represent the same fundamental issue of investing in policing and security over the true wellbeing of young people in schools. Advocates in Texas and across the deep South should remain vigilant in opposing the creation of these internal school police forces. They should urge their school boards to allocate whatever funds are dedicated to an internal police force to hiring more school psychologists, social workers, and counselors. Devoting resources to the addition of these school mental health professionals, who have thorough training in child development, will support students and aid in the deconstruction of the school-to-prison pipeline.

Finally, following the tragic school shooting in Santa Fe, Texas, in 2018, the Texas Legislature adopted a bill that creates threat assessment teams within school districts across the state.<sup>55</sup> Texas follows other states, such as Pennsylvania and Florida, that have formalized threat assessments—models of violence prevention developed by the Secret Service after Columbine.<sup>56</sup> The Texas threat assessment model requires law enforcement officers to be included in the multidisciplinary team that comprises the threat assessment team.<sup>57</sup> Data still needs to be collected and analyzed from the

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53. Tex. S.B. 1707.

54. See, e.g., Mike Marut, *Round Rock ISD Moves to Create Police Department After Law Enforcement Agencies End Partnership*, KVUE (Dec. 22, 2019, 9:27 AM), <https://www.kvue.com/article/news/education/schools/school-resource-officers-round-rock-isd-williamson-county/269-c7e5660e-4fbc-4b49-ae54-fd0204d4d427>; Katie Hall, *With Eye on Budget Savings, Manor School District Creates Police Force*, AUSTIN AMERICAN STATESMAN (Nov. 13, 2019, 5:18 PM), <https://www.statesman.com/news/20191111/with-eye-on-budget-savings-manor-school-district-creates-police-force>.

55. TEXAS ASS'N OF SCH. BDS., *supra* note 50, at 1.

56. See generally U.S. SECRET SERVICE NAT'L THREAT ASSESSMENT CTR., *PROTECTING AMERICA'S SCHOOLS* (2019), [https://www.secretservice.gov/data/protection/ntac/Protecting\\_Americas\\_Schools.pdf](https://www.secretservice.gov/data/protection/ntac/Protecting_Americas_Schools.pdf).

57. *Supra* note 52.

Texas threat assessment legislation, as the 2019–2020 academic year was the first year it was in effect. Because research has shown disproportionate numbers of Black and Latinx students punished with other forms of exclusionary discipline, there is a strong possibility that threat assessment teams in Texas may exacerbate the problem of the school-to-prison pipeline by disproportionately targeting Black and Latinx children. Advocates across the South should remain aware of proposed threat assessment legislation in their states, since the model only seems to be growing in popularity. If implemented improperly, threat assessments stand to strengthen and add a façade of legitimacy to current school policing structures. To avoid this camouflage, threat assessment teams must be mindful of the racism ingrained in the public-school disciplining of Black and Latinx students and strengthen policies and practices that ensure a principled implementation.

## V. CONCLUSION

Given the decades of policy and politics that led to the reality of school policing, it will certainly not be easy to dismantle. However, as with all efforts to eviscerate the school-to-prison pipeline, pushing for the end of school policing is a necessary and worthwhile fight for parents, young people, community members, and advocates. Exclusionary discipline and school policing operate hand-in-hand, and the deep South provides a number of opportunities to tackle these social ills. Any attempts by school districts and state legislatures to reallocate funds into initiatives that maintain the current school policing apparatus, such as youth-informed training for school police officers, will—at best—provide a temporary solution for a deeply rooted manifestation of structural racism. As rural school districts reduce their reliance on traditional memoranda of understanding with local law enforcement agencies, advocates should capitalize on calls for true investments in resources that will make schools welcoming and nurturing environments—more academic resources, mental health personnel, and restorative justice implementation.

The past few decades of coordination among federal, state, and local law enforcement agencies has yielded a school policing infrastructure that is widely accepted. Just as deference to police is deeply embedded in American culture, many school administrators, teachers, and parents have acquiesced to the idea that school police officers are a necessity in the twenty-first century, especially with all of the violence that pervades our society and globe. However, through the tenacious advocacy of parents and young people, the public has grown increasingly aware of the militarized school police on myriad school campuses across the country.

Remarkably, since the state-sanctioned murders of Breonna Taylor, George Floyd, and Tony McDade, Minneapolis Public Schools and Portland

Public Schools have taken significant steps to remove law enforcement officers from all of their campuses<sup>58</sup>. This development will embolden more people to call out the racism that has always characterized American education and push policymakers to eradicate this structural problem; dismantling school policing represents a tangible step toward that goal. With history as a teacher, and a vision of a truly racially just world as a North Star, the fight for police-free schools has its most significant achievements ahead of it.

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58. Katie Reilly, 'Police Do Not Belong in Our Schools.' *Students Are Demanding an End to Campus Cops After the Death of George Floyd*, TIME, (Jun. 5, 2020, 12:26 EDT) [https://time.com/5848959/school-contractsplce/?utm\\_source=twitter&utm\\_medium=social&utm\\_campaign=editorial&utm\\_term=\\_&linkId=90212299](https://time.com/5848959/school-contractsplce/?utm_source=twitter&utm_medium=social&utm_campaign=editorial&utm_term=_&linkId=90212299).