

DECEMBER 2021

THE SYSTEMIC RACISM OF SCHOOL POLICING

AN ANALYSIS OF NEW YORK CITY'S
SCHOOL POLICING DATA (2016-2021)



Urban Youth Collaborative

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Author's Note

In 2015, the Urban Youth Collaborative (UYC), civil rights organizations, legal advocates, and parent and educator advocates won the passage of amendments to the Student Safety Act. Passed in 2011, as part of a four-year campaign led by UYC youth leaders and allies, the Student Safety Act was a first-of-its-kind law that required the New York Police Department (NYPD) and NYC Department of Education (DOE) to make school discipline and policing data public. Building off that legislative breakthrough, the amendments forced the NYPD and DOE to release more discipline and policing data, providing a more comprehensive picture of the impact of police in schools.¹

This brief will analyze the deep and persistent racial disparities across all policing categories following the passage of the Student Safety Act amendments. The data and racial disparities cannot tell the whole story of the lived experiences of Black and Latinx students criminalized by their public schools, but it should motivate stakeholders to embrace young people's vision for police-free schools.

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Introduction

New York City spends nearly half a billion dollars each year to employ the largest school police force in the country, despite the mounting evidence that shows police in schools do not keep young people safe. There is little to no substantial evidentiary support that police² and metal detectors³ keep students safer than if they were not there. They do not decrease the likelihood of school shootings or prevent the harm done by such violent incidents.⁴ Police also do not make students feel safer.⁵

Instead, school policing is one of the major contributors to the school-to-prison-and-deportation pipeline, which disproportionately puts Black and Brown youth in direct contact with the criminal legal system. This contact is connected to lower graduation rates overall.⁶ An arrest or a court appearance during high school doubles and quadruples, respectively, the odds of a student dropping out. School policing has been shown in studies to have a negative impact on youth mental and emotional health,⁸ as well as youth academic performance.⁹

In NYC, data on school policing in the city's public school illustrates that school police disproportionately interact with and cause harm to

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students of color. Our analysis of the school policing data since the 2016-17 school year—the first full school year it was publicly reported in detail—found that:

- On average, Black and Latinx youth represented 90.9% of arrests, 89.7% of juvenile reports, and 92.3% of court summonses issued, despite being only 66.2% of the student population.¹⁰
- Black students were disproportionately impacted by school policing across the board. On average, Black students were only 25.7% of the youth population, yet were subject to 54.5% of all policing incidents.¹¹
- Black boys interacted with police the most of any demographic. Black girls (including the NYPD category of “Black Hispanic” girls) had the most disproportionate rate of arrests as compared with other girls, receiving 73.8% of all arrests of girl students.¹²

NYC has built a huge and costly school policing infrastructure that does not result in safer schools, but rather the disproportionate criminalization of students of color. NYC currently has the country’s largest school policing force, employing 5,511 people each year since 2016.¹³ This makes the SSD the 8th largest police force of any kind in the country.¹⁴ These school police¹⁵ are present in each of the more than 1,500 public schools in the district.¹⁶

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NYC spends hundreds of millions of dollars on school policing each year, with its 2022 budget around \$450 million.¹⁷ This is 10 times the money spent by Los Angeles, which has the 2nd largest school policing budget at \$45 million¹⁸ for 211 school police and staff members.¹⁹

NYC should divest from its racist, ineffective, and costly school policing system and invest in school support staff and practices that students have been calling for for decades.

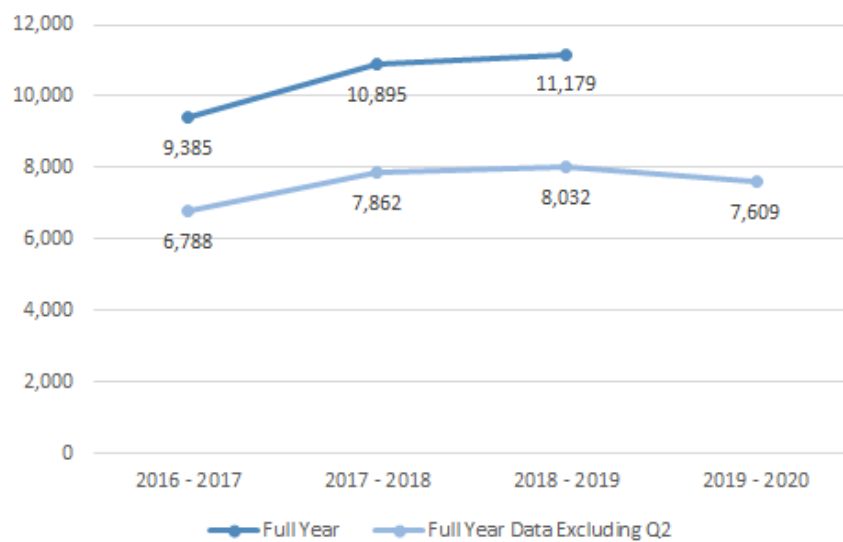


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OVERVIEW OF DATA

The number of recorded incidents involving police in schools each year reached an all-time high for the years there is publicly available data during the 2018-19 school year. That said, there is no evidence to suggest that a similar level could not have been reached during the 2019-20 school year if there had not been a transition to remote learning (which resulted in a portion of the first and all of the second quarter of 2020 having lower-than-usual school policing interactions).

Graph 1: Total Number of Incidents by School Year²¹



There are five types of incidents that get recorded:

- Arrests: School police, even with civilian status, can issue arrests at their discretion when a law seems to have been violated by students at any age²² (the youngest in the data set being 8 years old).²³

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- Child in crisis incidents: Child in crisis incidents are when school police respond to a student having a mental health problem requiring intervention.²⁴
- Juvenile reports: Juvenile reports are official write ups of actions committed by youth younger than 16, which would constitute a crime if committed by an adult.²⁵
- Mitigated incidents: Mitigated incidents are those to which police personnel respond, but ultimately result in discipline or other non-criminal consequences through the DOE for the youth involved.²⁶ For this reason, there is very little information publicly available about what happens during these incidents.
- Summons: Court summons are tickets that require a young person 16 or older to appear in criminal court. These are generally issued for non-criminal violations (ex. disorderly conduct) with a maximum penalty of 15 days in jail or a \$250 fine. Failure to appear in court will result in a warrant for a young person's arrest. Most of these are resolved with a fine, community service, or dismissal.²⁷

An analysis of these incidents since the 2016-17 school year show that, over time, there has been a shift away from arrests and court summons, which can largely be attributed to the success of youth-led organizing for policy change in NYC. Responses to mental health crises have remained relatively consistent, while there has been a rise in the proportion of juvenile reports filed and recorded mitigated incidents.²⁸ Overall, as Graph 1 demonstrates, there has been no significant drop in how often police were interacting with students, particularly youth of color.²⁹

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Youth Surveys of Experiencing Police in Schools

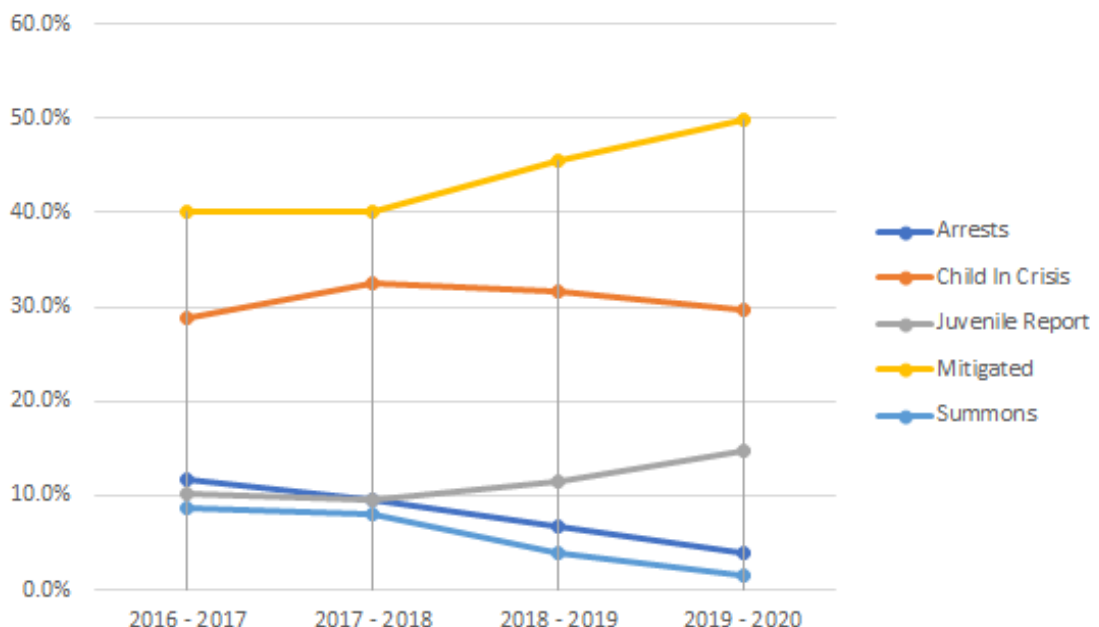
Between December 2020 and January 2021, UYC conducted a student survey on school policing in partnership with the Center for Popular Democracy and three other youth groups across the country. The survey was designed to surface information about students experiences, interactions, and feelings about police and security at school. Organizers were able to speak to 174 young people, not only recording their responses to survey questions, but also their stories to get a full understanding of the impact of school policing on individual youth. The results were published in April 2021 in *Arrested Learning: A survey of youth experiences of police and security at school*.

These were some of the key findings from New York City:

- Of those with police at school, 60% of respondents had experienced or knew someone who had experienced at least one negative interaction with school police.³⁰ For Black students, that figure rose to 78%.³¹
- Police at school do not make students feel safe and 28% of respondents felt targeted by school police based on some aspect of their identity.³²
- About half of respondents walked through metal detectors daily, and many of them found it to be an invasive process.³³
- Of those with police at school, 81% of respondents saw police in their school every day. Yet, only 7% of them had daily interactions with a guidance counselor, social worker, or school nurse.³⁴
- The majority of respondents (68%) wanted to remove police from their schools³⁵ and ensure that more resources were directed to college access programs (76%), mental health supports (75%), places to safely be with their peers (75%), teachers, and technology. Only 10% of respondents said they wanted more resources for school police.³⁶

For more information about the survey and its results, the full report is available for download at <https://www.youthmandate.org/arrested-learning>.

Graph 2: Proportion of Type of Incident by School Year (2016-2020)³⁷



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Additionally, what is not captured here are the more than 100,000 youth that go through metal detectors every day.³⁸ Interactions with school police who operate the metal detectors can be brief or prolonged,³⁹ can result in a physical search or worse, leaving much of what occurs untold.

Overall, thanks to advocates drawing attention to these issues, some of the worst practices in school policing have been limited. The number of arrests and issued court summons has decreased by 72.4% and 84.5%, respectively, between 2016 and 2020.⁴⁰ Additionally, the use of handcuffs on young people has also dropped significantly, with 1,627 handcuffing incidents occurring during the 2016-17 school year and 734 in the 2019-20 school year, prior to remote learning.⁴¹ During that time, the rate of arrests for misdemeanors dropped significantly as well, from 65.2% to 24.9%.⁴²



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RACIAL DISPARITIES

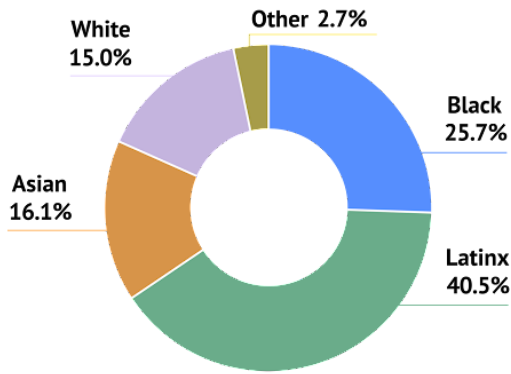
Data of police interactions with students show a disproportionate number of incidents between police and Black youth across every incident category. With increased attention on the impact of anti-Blackness in policing, and understanding the complexity of identity and impact of colorism on punitive discipline generally, those identified as “Black Hispanic” were analyzed with other youth as part of a larger Black community when possible. Latinx, generally, means youth identified as “White Hispanic” and “Black Hispanic” by the NYPD and “Hispanic” by the DOE.

While there is no evidence which suggests that young people of different races behave differently,⁴³ there is an over-representation of Black (with or without the inclusion of those identified as “Black Hispanic”) students. Black students were disproportionately impacted by school policing across the board. **On average, Black students were only 25.7% of the youth population,⁴⁴ yet were subject to 54.5% of all policing incidents.⁴⁵**

Additionally, on average, Black and Latinx youth represented 90.9% of arrests, 89.7% of juvenile reports, and 92.3% of court summonses issued, despite being only 66.2% of the student population.

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Graph 3: Average NYC School District Demographics (2016-2020)⁴⁷



Graph 4: Average Percentage of Each Racial/Ethnic Group for All School Policing Incidents (2016-2020)⁴⁸

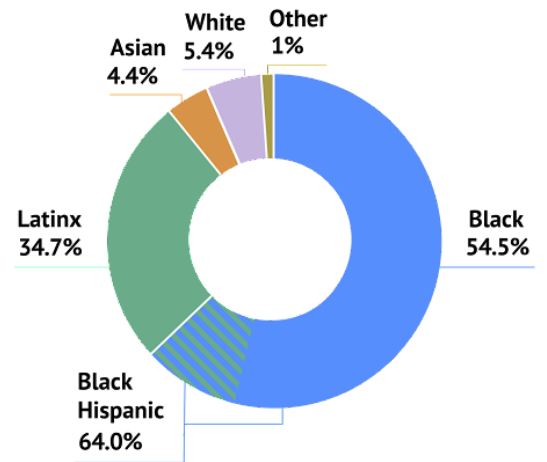


Table 1: Average Percentage of Each Racial/Ethnic Group for Each Incident (2016-2020)⁴⁹

	District Demographics	Arrests	Child In Crisis	Juvenile Reports	Mitigated	Summons	All Incidents
Black (+Black Hispanic)	25.7%	59.6% (67.8%)	47.7% (58.4%)	51.5% (62.1%)	59.1% (67.2%)	53.7% (67.2%)	54.5% (64.0%)
Latinx	40.5%	31.4%	40.0%	38.2%	30.4%	38.4%	34.7%
Asian	16.1%	3.9%	5.8%	3.7%	4.0%	2.6%	4.4%
White	15.0%	4.2%	5.7%	5.7%	5.6%	3.7%	5.4%

To speak specifically to mitigated incidents, which have significantly increased in relative frequency over the past four years,⁵⁰ students identified as part of the Black community interact the most with police, even when it results in no criminal consequences. It is these incidents we know the least about, as the data often fails to provide information on what happened during a particular incident outside of whether the young person was restrained. **On average, 66% of mitigated incidents which involved restraining a student with metal handcuffs happened to Black students. Three out of every four youth handcuffed during mitigated incidents would be categorized as Black or “Black Hispanic” by the NYPD.**⁵¹

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Looking at all police interactions, the majority (51%) of handcuffing incidents involved arrests.⁵² Yet, some of the worst racial disparities were found in “non-policing” activities—mitigated and child in crisis incidents. **Child in crisis incidents made up nearly one in five cases in which a young person was handcuffed.⁵³ Black and Latinx youth were on average 92.4% of youth handcuffed across all categories.⁵⁴ Additionally, Black and “Black Hispanic” youth were on average 68.7% of youth under 12 handcuffed by school police.⁵⁵**

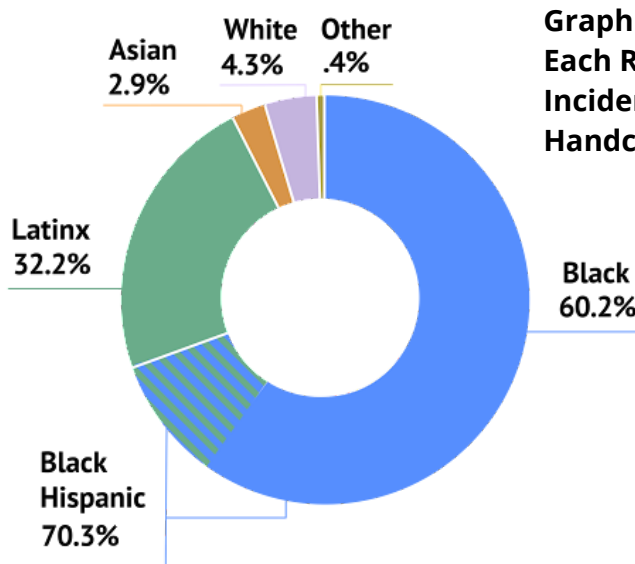


Table 2: Average Percentage of Use of Handcuffs on Youth (2016-2020)⁵⁷

	District Demographics	Arrests	Child in Crisis	Juvenile Reports	Mitigated	Summons	All Incidents
Black (+Black Hispanic)	25.7%	59.9% (70.0%)	60.5% (71.9%)	54.5% (65.3%)	66.0% (74.9%)	65.2% (75.2%)	60.2% (70.3%)
Latinx	40.5%	31.3%	32.8%	38.0%	29.9%	31.3%	32.2%
Asian	16.1%	3.8%	2.1%	2.4%	0.8%	1.3%	2.9%
White	15.0%	4.1%	4.5%	5.1%	3.0%	2.1%	4.3%

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School policing at the intersection of race and gender reflects these racial disparities. **Black boys were the demographic that interacted with police the most each year**, with boys overall experiencing 61.6% of police incidents and Black boys then experiencing the majority of those.⁵⁸

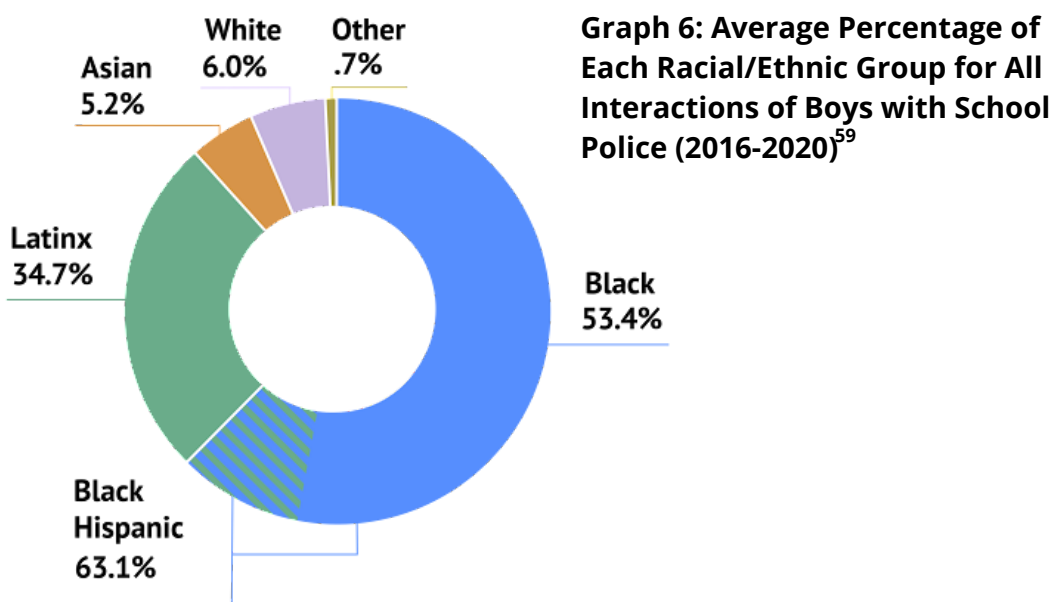


Table 3: Average Percentage of Each Racial/Ethnic Group for Boys for Each Interaction (2016-2020)⁶⁰

	Arrests	Child In Crisis	Juvenile Reports	Mitigated	Summons	All Incidents
Black (+Black Hispanic)	57.9% (68.2%)	49.6% (60.5%)	49.7% (60.6%)	55.9% (64.2%)	52.4% (65.1%)	53.4% (63.1%)
Latinx	31.8%	38.7%	38.1%	31.0%	38.4%	34.7%
Asian	4.6%	5.4%	5.0%	6.0%	3.4%	5.2%
White	4.7%	5.6%	6.2%	6.6%	4.1%	6.0%

Black girls, however, had the most disproportionate rate of arrests as compared with girls of different ethnicities, with Black and “Black Hispanic” girls receiving 73.8% of all girl arrests.⁶¹ Black girls were

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consistently the most disproportionately represented group across race and gender demographics with the exception of child in crisis incidents.⁶²

Graph 7: Average Percentage of Each Racial/Ethnic Group for Girl Arrests (2016-2020)⁶³

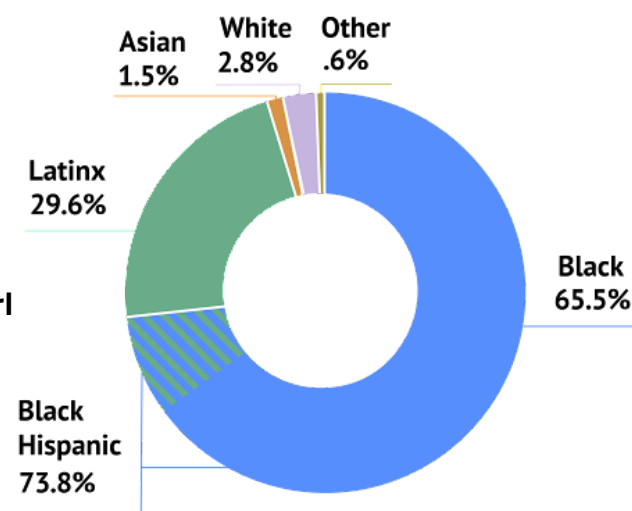


Table 4: Average Percentage of Each Racial/Ethnic Group for Girls for Each Interaction (2016-2020)⁶⁴

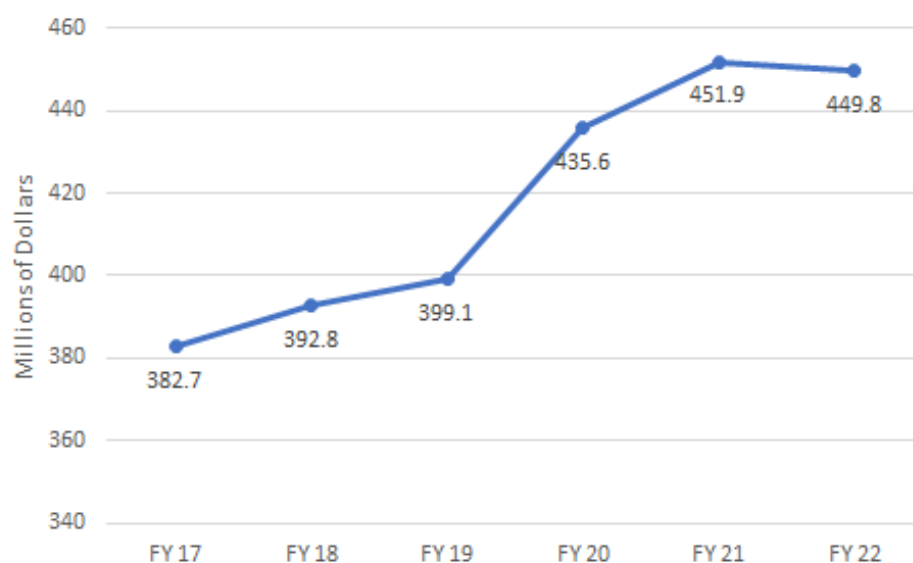
	Arrests	Child In Crisis	Juvenile Reports	Mitigated	Summons	All Incidents
Black (+Black Hispanic)	65.5% (73.8%)	45.2% (55.7%)	55.5% (65.1%)	64.0% (71.5%)	57.4% (67.5%)	56.4% (65.3%)
Latinx	29.6%	41.8%	38.3%	29.5%	38.3%	35.1%
Asian	1.5%	6.3%	1.1%	1.9%	0.5%	3.3%
White	2.8%	5.7%	4.6%	4.1%	2.7%	4.6%

Yet, racial disparities in school policing persist no matter the type of interaction, age, and gender. The disproportionate number of Black and Latinx youth receiving punitive responses from police remains consistent, no matter how many times a particular type of incident occurs in any given year. Research has shown that retraining police in an attempt to cure this bias does not work.⁶⁵ The only way to ensure that youth are not being disproportionately policed by their race in schools is to remove police.

COSTLY AND INEFFICIENT

The budget for the School Safety Division (SSD) has risen significantly during the final years of the de Blasio administration.⁶⁶ The DOE provides the vast majority of funding to the NYPD for the SSD.⁶⁷ Most of this funding is dedicated to the staff costs for the over 5,500 positions authorized in the budget.⁶⁸

Graph 8: Adopted Budgets to Fund Police in New York City Schools (in Millions of Dollars)⁶⁹



The adopted budget for Fiscal Year 2021⁷⁰ included more than \$450 million dollars for the SSD. This cost only covered basic operating and personnel costs, not large equipment such as metal detector and surveillance equipment purchase and maintenance.⁷¹ NYC’s investment in policing schools is exceptional in scale. The country’s second largest school district,⁷² Los Angeles Unified School District—with its more than 600,000 students—had a school policing budget of \$70 million before the school board voted to cut it by around 35% in the wake of protests against police

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brutality and racism.⁷³ The third largest school district in Chicago adopted a budget of \$15 million (down from the initially contracted \$33 million in response to protests) for school police in the 2020-21 school year.⁷⁴

Despite NYC's investment in policing, NYPD data indicates that the overwhelming majority of recorded policing incidents were ultimately resolved by the DOE or mental health staff. Of all the incidents to which school police initially responded, school police are recorded as resolving only an average of 11.2% of incidents.⁷⁵ Each year, between 64.6% and 75.6% of recorded school policing incidents are ultimately resolved by either the DOE or by those not in NYPD command.⁷⁶ These events were often related to either mental health crises or disciplinary action⁷⁷ which should not have involved police at any point in the process.

School Policing During Remote Learning

In March 2020, New York City shifted entirely to remote learning in response to the rise of COVID-19, with a partial re-opening involving a hybrid system of attendance in place for the following school year. Yet, school policing in the city's schools continued while the budget grew—with over \$4 million specifically paid to the SSD for pandemic-related overtime.⁷⁸ School police went into the 2020-2021 school year with a record high budget of over \$451 million even in the face of revenue shortfalls and the inability of many students to return to in-person learning.⁷⁹

While recorded contact between the SSD and young people dropped, the data continued to reflect the racial disparities found in other years.

- Black and Latinx students were subject to at least 86.6% of every kind of incident between school police and youth.⁸⁰
- Black and Latinx students were 100% of youth who received arrests.⁸¹
- Black students remained disproportionately represented as 72.0% of arrests, 65.8% of juvenile reports and 47.6% of total police interactions.⁸²

While more extreme, these figures are too similar to that of other school years for them to be blamed solely on a low sample size or families self-selecting who was attending school in-person. This data indicates that Black and Latinx students will remain the primary targets of school policing no matter the circumstance. As of this writing, youth fully returned to schools in-person for the first time under an administration committed to increasing police presence and random scanning.⁸³ This policy decision demonstrates a failure to understand youth needs and what truly creates school safety.

Conclusion

Police do not make schools safe. Black and Latinx students bear the most consequences of policing, interacting with police more than their peers on a day-to-day basis. Black students in particular are disproportionately represented in every policing metric. The data also shows that the overwhelming majority of work done by school police is ultimately the responsibility of school educators, administrators, and mental health professionals.

The role of police in school has long been acknowledged as a key pathway into the school-to-prison-and-deportation pipeline, and the data provided by the NYPD shows this holds true in NYC. Yet, despite the obvious harm done by school policing, the city continues to spend ten times that of the next largest school district on police in schools. The choice to continue investing such resources into an ineffective and structurally racist system demonstrates a failure of city leadership to prioritize the needs of young people.



Endnotes

1 New York Civil Liberties Union, "Amendments to Student Safety Act are a Win for School Discipline and Student Well-Being" (Sep. 29, 2015), <https://www.nyclu.org/en/press-releases/amendments-student-safety-act-are-win-school-discipline-and-student-well-being>.

2 Lucy C. Sorensen et al., "The Thin Blue Line in Schools: New Evidence on School Based Policing Across the U.S.," *Annenberg Institute at Brown University* (Oct. 2021), available at <https://www.edworkingpapers.com/sites/default/files/ai21-476.pdf>. See also The Center for Popular Democracy and the Urban Youth Collaborative, *Policy Brief: Young People's Vision for Safe, Supportive and Inclusive Schools*, 7 (Oct. 2017) <https://populardemocracy.org/sites/default/files/Policy%20Brief%20UYC%20and%20CPD.pdf> [hereinafter: "UYC Policy Brief"].

3 *Final Report on the Federal Commission on School Safety* 123 (Dec 18, 2018) <https://www2.ed.gov/documents/school-safety/school-safety-report.pdf>; Emily E. Tanner-Smith, "Adding Security, but Subtracting Safety? Exploring Schools' use of Multiple Visible Security Measures," 43 *American Journal of Criminal Justice* 102, 115 (2018); Jason P. Nance, "Student Surveillance, Racial Inequities, and Implicit Racial Bias," 66:4 *Emory Law Journal* 765, 793-96 (2017); National Association of School Psychologists, *School Security Measures and Their Impact on Students* (2013); Abigail Hankin, et al., "Impacts of Metal Detector Use in Schools: Insights from 15 Years of Research," 81:2 *Journal of School Health* 100, 104 (2011), <https://www.edweek.org/media/hankin-02security.pdf>.

4 Advancement Project, et. al, *Police in Schools are Not the Answer to School Shootings* 3 (2018), available at <https://advancementproject.org/resources/police-schools-not-answer-school-shootings/>; *UYC Policy Brief*, 7.

5 Jack Denton, "When Schools Increase Police Presence, Minority Students are Harmed Disproportionately," *Pacific Standard* (Feb. 15, 2019), <https://psmag.com/education/after-parkland-schools-upped-police-presence-has-it-made-students-safer/>; The Center for Popular Democracy & Urban Youth Collaborative, *The \$746 Million a Year School-to-Prison Pipeline: The Ineffective, Discriminatory, and Costly Process of Criminalizing New York City Students*, (Apr. 2017) 15-16, available at https://www.populardemocracy.org/sites/default/files/STPP_layout_web_final.pdf.

6 Russell W. Rumberger & Daniel Losen, *The High Cost Of Harsh Discipline and its Disparate Impact* (2016).

7 Gary Sweeten, "Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement," 23 *Justice Quarterly* 4 (Dec. 2006).

8 Thalia González, "Race, School Policing, and Public Health," 73 *Stanford Law Review* (Jun. 2021), <https://www.stanfordlawreview.org/online/race-school-policing-and-public-health/>.

9 Matt Barnum, "New studies point to a big downside for schools bringing in more police," *Chalkbeat* (Feb. 14, 2019), <https://www.chalkbeat.org/2019/2/14/21121037/new-studies-point-to-a-big-downside-for-schools-bringing-in-more-police>, citing Joscha Legewie and Jeffrey Fagan, "Aggressive Policing and the Educational Performance of Minority Youth," *American Sociological Review* (forthcoming) (2019), available at <https://osf.io/preprints/socarxiv/rdchf/>; and Emily K. Weisburst, "Patrolling Public Schools: The Impact of Funding for School Police on Student Discipline and Long-term Education Outcomes" (October 2018), available at <https://drive.google.com/file/d/1XbO7qyNWB4Fz54nGXJuej-yRhvTa5kMF/view>.

10 This document only analyzes police interventions for individuals 21 years old and younger. The NYPD's School Safety Data does not indicate whether an individual is a student or not, so the report uses 21 years old and younger as a proxy for indicating that the person is a student. See NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2016 SSA REPORT BY PRECINCT (2016); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2016 SSA REPORT BY PRECINCT (2016); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2017 SSA REPORT BY PRECINCT (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2017 SSA REPORT BY SCHOOL (2017), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [collectively hereinafter "NYPD SY 2016-2017 SSA Reports by Precinct"]. See also NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2017 SSA REPORT BY PRECINCT (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2016 SSA REPORT BY PRECINCT (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2018 SSA REPORT BY PRECINCT (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2018 SSA REPORT BY SCHOOL (2018), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [collectively hereinafter "NYPD SY 2017-2018 SSA Reports by Precinct"]. See additionally NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2018 SSA REPORT BY PRECINCT (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2018 SSA REPORT BY PRECINCT (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2019 SSA REPORT BY PRECINCT (2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2019 SSA REPORT BY SCHOOL (2019), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [hereinafter "NYPD SY 2018-2019 SSA Reports by Precinct"]. See further NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2019 SSA REPORT BY PRECINCT (2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2019 SSA REPORT BY PRECINCT

(2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2020 SSA REPORT BY PRECINCT (2020), *all available at* http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [hereinafter “NYPD SY 2019-2020 SSA Reports by Precinct pre-Remote Learning”] [hereinafter, collectively “NYPD School Data by Precinct, 2016-2020 pre-Remote Learning”]. Calculations on file with author.

11 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

12 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

13 Adopted Budget Fiscal Year 2017, Supporting Schedules, The City of New York, 728 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-16.pdf>; Adopted Budget Fiscal Year 2018, Supporting Schedules, The City of New York, 722 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-17.pdf>; Adopted Budget Fiscal Year 2019, Supporting Schedules, The City of New York, 735 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-18.pdf>; Adopted Budget Fiscal Year 2020, Supporting Schedules, The City of New York, 742 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-19.pdf>; Adopted Budget Fiscal Year 2021, Supporting Schedules, The City of New York, 741 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-20.pdf>; Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 762 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

14 “Top 10 Largest Police Departments in the United States!,” *Police Test Study Guide* (Nov. 28, 2019) <https://policeteststudyguide.com/largest-police-departments-in-the-united-states/> (the number of SSD employees would fall between that of Cook County Sheriff’s Office [5,600] and the Houston Police Department [5,000], making it the 8th largest police body in the country).

15 See e.g. *Memorandum of Understanding among Department of Education of the City of New York, New York Police Department of the City of New York and the City of New York on the Performance of School Security Functions by the New York City Police Department for the Benefit of the City School District of the City of New York and its Students and Staff* (signed Jun. 19, 2019), <https://cdn-blob-prd.azureedge.net/prd-pws/docs/default-source/default-document-library/nypd-doe-mou.pdf>; Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 763 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

16 Sahalie Donaldson, “NYC is moving almost 5000 school safety agents out of the NYPD. Will that help calm fears about policing in schools?,” *City & State New York* (Aug. 30, 2021), <https://www.cityandstateny.com/policy/2021/08/nyc-moving-almost-5000-school-safety-agents-out-nypd-will-help-calm-fears-about-policing-schools/184973/>.

17 Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 531, 758, 762, 778, 853 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

18 Aaron Stagoof-Belfort, “To Cut Police Budgets, Start in Public Schools,” *The Appeal* (Aug. 3, 2020), <https://theappeal.org/to-cut-police-budgets-start-in-public-schools/>.

19 Jill Cowen, et al., “Protesters Urged Defunding the Police. Schools in Big Cities are Doing it.,” *The New York Times* (Feb. 17, 2021), <https://www.nytimes.com/2021/02/17/us/los-angeles-school-police.html>. This figure is cited in a number of news outlets regarding the divestment, but is contradicted by the school police department’s website, which states it has a total of 268 staff members. See, Los Angeles School Police Department, “About Us,” *Los Angeles Unified School District* (last visited Oct. 22, 2021), <https://achieve.lausd.net/Page/15609>.

20 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

21 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

22 New York Police Department, “School Safety Agents” (last visited Oct. 5, 2021), <https://www1.nyc.gov/site/nypd/careers/civilians/school-safety-agents.page>; NY Admin Code §14-106 (2006).

23 NYPD SY 2016-2017 SSA Reports by Precinct.

24 From the Student Safety Act: “Child in Crisis: A student who is displaying signs of emotional distress who must be removed to the hospital for psychological evaluation. Only subjects for which mechanical restraints were used are reported here.” New York Police Department, “NYPD Student Safety Act Report Definitions” (last visited Oct. 5, 2021), https://www1.nyc.gov/assets/nypd/downloads/pdf/school_safety/student-safety-act-report-definitions.pdf (second sentence is not reflected in data as youth in child in crisis incidents are recorded regardless of whether they are restrained). For a detailed examination of Child in Crisis incidents, see Advocates for Children of New York, *Police Response to Students in Emotional Crisis: A Call for Comprehensive Mental Health and Social-Emotional Support for Students in Police-Free Schools* (Jun. 2021), available at https://www.advocatesforchildren.org/tracker?utm_campaign=pdf&utm_medium=pdf&utm_source=internal&utm_content=sites/default/files/library/police_response_students_in_crisis.pdf.

25 From the Student Safety Act: “Juvenile Report: Generally, a report taken for a subject under 16 who allegedly committed an act that would constitute an offense if committed by an adult. The report is prepared in lieu of an arrest or summons and the student is normally detained for the time it takes to gather the facts and complete the report.” New York Police Department, “NYPD Student Safety Act Report Definitions” (last visited Oct. 5, 2021), https://www1.nyc.gov/assets/nypd/downloads/pdf/school_safety/student-safety-act-report-definitions.pdf.

26 From the Student Safety Act: “Mitigation: The subject committed what would amount to an offense but was released to the school for discipline/mitigation rather than being processed as an arrest or summonsed. Only subjects for which mechanical restraints were used are reported here.” New York Police Department, “NYPD Student Safety Act Report Definitions” (last visited Oct. 5, 2021), https://www1.nyc.gov/assets/nypd/downloads/pdf/school_safety/student-safety-act-report-definitions.pdf (second sentence is not reflected in the data as youth in mitigated incidents are recorded regardless of whether they are restrained).

27 School-Justice Partnership Task Force, *Keeping Kid in School and Out of Court: Report and Recommendations*, 1 (May 2013), available at http://www.advocatesforchildren.org/sites/default/files/library/sjptf_report.pdf?pt=1.

28 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

29 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

30 “Negative interaction” here included, but were not limited to: various kinds of harassment, being removed from the classroom, being physically restrained or searched (beyond walking through a metal detector), responding to a mental health crisis, and arrests.

31 Center for Popular Democracy et al., *Arrested Learning: A survey of youth experiences of police and security at school*, 36 (Apr. 2021), available at: <https://www.youthmandate.com/arrested-learning> [hereinafter: *Arrested Learning*].

32 *Arrested Learning*, 35.

33 *Arrested Learning*, 38.

34 *Arrested Learning*, 37.

35 *Arrested Learning*, 39.

36 *Arrested Learning*, 39.

37 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

38 Cecilia Reyes, “100,000 NYC Children Face Airport-Style Security Screening Every Day,” *ProPublica* (Jan. 12, 2016), <https://www.propublica.org/article/nyc-school-children-face-airport-style-security-screening-every-day> (includes middle school students as well as high school); “Metal Detectors in New York City High Schools,” *WNYC* (last visited August 13, 2021) <https://project.wnyc.org/metal-detectors/>.

39 Students often report anecdotally how metal detectors make them late for class. See *Arrested Learning*, 42-3.

40 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

41 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

42 See NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2016 SSA REPORT BY SCHOOL (2016); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2016 SSA REPORT BY SCHOOL (2016); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2017 SSA REPORT BY SCHOOL (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2017 SSA REPORT BY SCHOOL (2017), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [collectively hereinafter: “NYPD SY 2016-2017 SSA Reports by School”]. See also NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2017 SSA REPORT BY SCHOOL (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2016 SSA REPORT BY SCHOOL (2017); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2018 SSA REPORT BY SCHOOL (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2018 SSA REPORT BY SCHOOL (2018), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [collectively hereinafter “NYPD SY 2017-2018 SSA Reports by School”]. See additionally NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2018 SSA REPORT BY SCHOOL (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2018 SSA REPORT BY SCHOOL (2018); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2019 SSA REPORT BY SCHOOL (2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2019 SSA REPORT BY SCHOOL (2019), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [hereinafter “NYPD SY 2018-2019 SSA Reports by School”]. See further NEW YORK POLICE DEPARTMENT, NYPD

REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2019 SSA REPORT BY SCHOOL (2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2019 SSA REPORT BY SCHOOL (2019); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2020 SSA REPORT BY SCHOOL (2020), all available at http://www.nyc.gov/html/nypd/html/analysis_and_planning/reports.shtml [hereinafter “NYPD SY 2019-2020 SSA Reports by School pre-Remote Learning”] [hereinafter, collectively “NYPD School Data by School, 2016-2020 pre-Remote Learning”]. Calculations on file with author.

43 “Are Black Kids Worse? Myths and Facts about Racial Differences in Behavior, A Summary of the Literature,” The Equity Project at Indiana University (2014), <https://www.justice4all.org/wp-content/uploads/2016/04/Are-Black-Kids-WorseMyths-and-Facts-About-Racial-Differences-in-Behavior.pdf>.

44 NYC Department of Education, “Demographic Snapshot – Citywide, Borough, District, and School SY 2016-17 to 2020-21 – All Grades” (last accessed Oct. 5, 2021), <https://infohub.nyced.org/docs/default-source/default-document-library/demographic-snapshot-2016-17-to-2020-21-public.xlsx>.

45 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

46 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

47 NYC Department of Education, “Demographic Snapshot – Citywide, Borough, District, and School SY 2016-17 to 2020-21 – All Grades” (last accessed Oct. 5, 2021), <https://infohub.nyced.org/docs/default-source/default-document-library/demographic-snapshot-2016-17-to-2020-21-public.xlsx>.

48 In order to conform as much as possible to understanding the “Asian” demographic category under the DOE’s system, we note Asian students as belonging to the NYPD categories of Arabic, Asian/Pacific Islander, and East Indian. NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

49 NYC Department of Education, “Demographic Snapshot – Citywide, Borough, District, and School SY 2016-17 to 2020-21 – All Grades” (last accessed Oct. 5, 2021), <https://infohub.nyced.org/docs/default-source/default-document-library/demographic-snapshot-2016-17-to-2020-21-public.xlsx>; NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

50 By frequency, this means that the proportion of mitigated incidents has steadily increased. The raw number of incidents have not increased between the 2018-2019 and 2019-2020 school year.

51 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

52 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

53 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

54 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

55 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

56 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

57 NYC Department of Education, “Demographic Snapshot – Citywide, Borough, District, and School SY 2016-17 to 2020-21 – All Grades” (last accessed Oct. 5, 2021), <https://infohub.nyced.org/docs/default-source/default-document-library/demographic-snapshot-2016-17-to-2020-21-public.xlsx>; NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

58 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

59 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

60 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

61 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

62 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

63 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

64 NYPD School Data by Precinct, 2016-2020 pre-Remote Learning.

65 Martin Kaste, "NYPD Study: Implicit Bias Training Changes Minds, Not Necessarily Behavior," *NPR WNYC* (Sep. 10, 2020), <https://www.npr.org/2020/09/10/909380525/nypd-study-implicit-bias-training-changes-minds-not-necessarily-behavior>; Alex S. Vitale, "The answer to police violence is not 'reform.' It's defunding. Here's why," *The Guardian* (May 31, 2020), <https://www.theguardian.com/commentisfree/2020/may/31/the-answer-to-police-violence-is-not-reform-its-defunding-heres-why>.

66 See Table 6.

67 *Memorandum of Understanding among Department of Education of the City of New York, New York Police Department of the City of New York and the City of New York on the Performance of School Security Functions by the New York City Police Department for the Benefit of the City School District of the City of New York and its Students and Staff*, ¶ 39 (signed Jun. 19, 2019), <https://cdn-blob-prd.azureedge.net/prd-pws/docs/default-source/default-document-library/nypd-doe-mou.pdf>. For example, \$424.9 million of the \$449.8 million total budget for the SSD was allocated under the DOE as a contract cost in Fiscal Year 2022. See Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 531 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

68 See, e.g., Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 762 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

69 Parsing the total exact cost of the Safety Division is impossible due to the unknown contribution of fringe benefits for non-SSA personnel members from others in the same category. The fringe benefit costs of School Safety Agents are listed separately in the budget. The numbers presented here are based on the following line items in each year's supporting schedules: NYPD School Safety Division Personnel Services, the NYPD School Safety Division Other Than Personnel Services, additional School Safety Agent Salary Costs under different NYPD departments, and School Safety Agent Fringe Benefits as listed by the DOE as a contract service. Adopted Budget Fiscal Year 2017, Supporting Schedules, The City of New York, 449, 724, 728, 744, 819, 3436 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-16.pdf>; Adopted Budget Fiscal Year 2018, Supporting Schedules, The City of New York, 504, 706, 719, 722, 738, 813, <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-17.pdf>; Adopted Budget Fiscal Year 2019, Supporting Schedules, The City of New York, 513, 732, 735, 750, 826 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-18.pdf>; Adopted Budget Fiscal Year 2020, Supporting Schedules, The City of New York, 519, 738, 742, 758, 834 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-19.pdf>; Adopted Budget Fiscal Year 2021, Supporting Schedules, The City of New York, 519, 737, 741, 757, 835 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-20.pdf>; Adopted Budget Fiscal Year 2022, Supporting Schedules, The City of New York, 531, 758, 762, 778, 853 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-21.pdf>.

70 July 1, 2020 - June 30, 2021.

71 These expenses fall under the capital budget which is concerned with large equipment and construction costs as opposed to the city's operating budget.

72 National Center for Education Statistics, "Table 215.30. Enrollment, poverty, and federal funds for the 120 largest school districts by enrollment size in 2017: 2016-17 and fiscal year 19," (last accessed Oct. 6, 2021), https://nces.ed.gov/programs/digest/d19/tables/dt19_215.30.asp.

73 Aaron Stagoof-Belfort, "To Cut Police Budgets, Start in Public Schools," *The Appeal* (Aug. 3, 2020), <https://theappeal.org/to-cut-police-budgets-start-in-public-schools/>.

74 Nader Issa, "CPS to slash school police budget to more than half, to \$15 million," *Chicago Sun-Times* (Aug. 10, 2020), <https://chicago.suntimes.com/education/2020/8/10/21361982/chicago-police-officers-schools-public-cps-prison-pipeline-lori-lightfoot>.

75 NYPD School Data by School, 2016-2020 pre-Remote Learning.

76 NYPD School Data by School, 2016-2020 pre-Remote Learning.

77 NYPD School Data by School, 2016-2020 pre-Remote Learning.

78 Adopted Budget Fiscal Year 2021, Supporting Schedules, The City of New York, 739 <https://www1.nyc.gov/assets/omb/downloads/pdf/ss6-20.pdf>.

79 Public Advocate Jumanee Williams, White Paper: On Reimagining School Safety 20 (Mar. 1, 2021), available at <https://pubadvocate.nyc.gov/reports/white-paper-on-reimagining-school-safety/>; Dana Rubinstein, "We're at War: New York City Faces a Financial Abyss," *The New York Times* (Sep. 28, 2020), <https://www.nytimes.com/2020/09/28/nyregion/nyc-budget-coronavirus.html>; Giulia Heyward, "From shutdown to reopening: Here's a look at N.Y.C. schools' trek through the pandemic," *The New York Times* (Sep. 13, 2021), <https://www.nytimes.com/2021/09/13/world/reopening-timeline-nyc-schools.html>.

80 See NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2020 SSA REPORT BY PRECINCT (2020); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 3RD QUARTER 2020 SSA REPORT BY PRECINCT (2020); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 4TH QUARTER 2020 SSA REPORT BY PRECINCT (2020); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 1ST QUARTER 2021 SSA REPORT BY SCHOOL (2021); NEW YORK POLICE DEPARTMENT, NYPD REPORTS: SCHOOL SAFETY DATA, 2ND QUARTER 2021 SSA REPORT BY PRECINCT (2021), all available at <https://www1.nyc.gov/site/nypd/stats/reports-analysis/school-safety.page> [collectively hereinafter “NYPD Reports by Precinct: Remote Learning”].

81 NYPD Reports by Precinct: Remote Learning.

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