THE SYSTEMIC RACISM OF SCHOOL POLICING

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

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.
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 police and metal detectors 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. Police also do not make students feel safer.

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. 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, as well as youth academic performance.

In NYC, data on school policing in the city’s public school illustrates that school police disproportionately interact with and cause harm to
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 police\(^{15}\) are present in each of the more than 1,500 public schools in the district.\(^{16}\)
NYC spends hundreds of millions of dollars on school policing each year, with its 2022 budget around $450 million. This is 10 times the money spent by Los Angeles, which has the 2nd largest school policing budget at $45 million for 211 school police and staff members.

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.
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 Year

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 age (the youngest in the data set being 8 years old).
• 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
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. For Black students, that figure rose to 78%.
- 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.
- About half of respondents walked through metal detectors daily, and many of them found it to be an invasive process.
- 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.
- The majority of respondents (68%) wanted to remove police from their schools 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.

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)
Additionally, what is not captured here are the more than 100,000 youth that go through metal detectors every day. Interactions with school police who operate the metal detectors can be brief or prolonged, 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. 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. During that time, the rate of arrests for misdemeanors dropped significantly as well, from 65.2% to 24.9%.
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, 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, yet were subject to 54.5% of all policing incidents.

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.
To speak specifically to mitigated incidents, which have significantly increased in relative frequency over the past four years, 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.**
Looking at all police interactions, the majority (51%) of handcuffing incidents involved arrests. 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. Black and Latinx youth were on average 92.4% of youth handcuffed across all categories. Additionally, Black and “Black Hispanic” youth were on average 68.7% of youth under 12 handcuffed by school police.

Graph 5: Average Percentage of Each Racial/Ethnic Group for All Incidents in which Youth Were Handcuffed (2016-2020)

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

<table>
<thead>
<tr>
<th></th>
<th>District Demographics</th>
<th>Arrests</th>
<th>Child in Crisis</th>
<th>Juvenile Reports</th>
<th>Mitigated</th>
<th>Summons</th>
<th>All Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black (+Black Hispanic)</td>
<td>25.7%</td>
<td>59.9% (70.0%)</td>
<td>60.5% (71.9%)</td>
<td>54.5% (65.3%)</td>
<td>66.0% (74.9%)</td>
<td>65.2% (75.2%)</td>
<td>60.2% (70.3%)</td>
</tr>
<tr>
<td>Latinx</td>
<td>40.5%</td>
<td>31.3%</td>
<td>32.8%</td>
<td>38.0%</td>
<td>29.9%</td>
<td>31.3%</td>
<td>32.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>16.1%</td>
<td>3.8%</td>
<td>2.1%</td>
<td>2.4%</td>
<td>0.8%</td>
<td>1.3%</td>
<td>2.9%</td>
</tr>
<tr>
<td>White</td>
<td>15.0%</td>
<td>4.1%</td>
<td>4.5%</td>
<td>5.1%</td>
<td>3.0%</td>
<td>2.1%</td>
<td>4.3%</td>
</tr>
</tbody>
</table>
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.\(^5\)

Graph 6: Average Percentage of Each Racial/Ethnic Group for All Interactions of Boys with School Police (2016-2020)\(^5\)

Table 3: Average Percentage of Each Racial/Ethnic Group for Boys for Each Interaction (2016-2020)\(^6\)

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

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.\(^6\) Black girls were
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. 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. The DOE provides the vast majority of funding to the NYPD for the SSD. Most of this funding is dedicated to the staff costs for the over 5,500 positions authorized in the budget.

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

The adopted budget for Fiscal Year 2021 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. NYC’s investment in policing schools is exceptional in scale. The country’s second largest school district—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
brutality and racism. 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.

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. 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. These events were often related to either mental health crises or disciplinary action 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. 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.

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.
- Black and Latinx students were 100% of youth who received arrests.
- Black students remained disproportionately represented as 72.0% of arrests, 65.8% of juvenile reports and 47.6% of total police interactions.

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. 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


18


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


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).


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


23 NYPD SY 2016-2017 SSA Reports by Precinct.


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 summoned. 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).


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.


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.


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.


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

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


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.


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.

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61 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.

66 See Table 6.


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.


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

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


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.

82 NYPD Reports by Precinct: Remote Learning.