



SAVING LIVES FOR
30
YEARS

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EXECUTIVE DIRECTOR

ANNE MARKS

March 28, 2022

The Honorable Steven Bradford
State Capitol, Room 7210
Sacramento, CA 95814

RE: SB 1273 (Bradford) – Support

Dear Senator Bradford,

On behalf of Youth ALIVE!, I write in support your SB 1273, which will eliminate some of the overreaching statutory mandates that require school staff to notify law enforcement about common school-related behavior. The changes made by SB 1273 will protect students from unnecessary contact with the justice system and help keep students in school.

Youth ALIVE! is a nationally recognized community-based organization known for initiating an international alliance to treat violence as a public health crisis and developing young leaders in the process. Tasked as Oakland’s anchor organization for violence prevention, intervention, and healing, Youth ALIVE! has maintained a successful track record of implementing evidence-based violence intervention and prevention services. Our decades of experience uplifting youth through our Pathways and Teens on Target programs, which both help young people chart and achieve positive goals, informs our support of SB 1273.

Decades of research show the long-term harm to young people of even minimal contact with justice systems. Young people arrested in school are less likely to graduate from high school and more likely to wind up incarcerated.¹ Alarming, Black, Indigenous, and Latinx students, as well as students with disabilities, are disproportionately referred to law enforcement, cited, and arrested.²

Yet existing law forces school administrators and staff to notify law enforcement of certain types of incidents, even when they know doing so will be harmful and regardless of the particular circumstances of the incident. Under Education Code section 48902, school administrators are required to notify law enforcement even when a student is caught in possession of a small amount of cannabis. Under Education Code section 44014, educators may also be fined for failure to make required reports to law enforcement.

SB 1273 makes several positive and 21st century changes to existing law. First, it eliminates overreaching state mandates for school notification of law enforcement, thereby encouraging schools to adopt non-punitive, trauma-informed, and health-based approaches to school-related behaviors. By eliminating these mandates, the bill increases educator discretion in

¹ Sweeten, G. (2006). Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement, *Justice Quarterly*, 24(4), 462-480.

² Mendoza, M., et al. (2020). Race, Gender, and Disability and the Risk for Juvenile Justice Contact. *The Journal of Special Education*, 53(4), 226-235.



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determining when to notify law enforcement about a student's school-related behaviors so that they can take into consideration the totality of the circumstances.

Second, the bill eliminates criminal penalties for school staff who fail to report incidents of alleged assaults or physical threats against school employees.

Finally, SB 1273 repeals Education Code section 32210, which makes it a misdemeanor to "willfully disturb" a public school or public school meeting. Section 32210 has been used to criminalize student behavior more appropriately handled through behavioral supports or school discipline. Moreover, this provision is unneeded: other Penal Code provisions exist that may apply if someone is creating a serious disturbance on a school campus.

SB 1273 will keep students in school by increasing educator discretion to decide how to handle student misbehavior and by protecting students from unnecessary contact with the justice system. For these reasons, Youth ALIVE! supports SB 1273.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anne Marks".

Anne Marks
Executive Director