



By Electronic Mail

June 22, 2020

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Maria Mendez, Board Vice President, Board of Education
Cecilia Mendez, Board Clerk, Board of Education
AngelAnn Flores, Board Trustee, Board of Education
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Re: ACLU Support for Resolution No. 19-69 to Promote Shared Safety for Stockton Students & Families and Defund the Stockton Unified School District Police Department

Dear Board of Trustees and Superintendent,

We write urging you to support the civil, human, and educational rights of families, students, and communities of color in Stockton by eliminating the Stockton Unified School District (“Stockton USD”) Police Department. The ACLU Foundations of Northern California and Southern California (“ACLU”) have a longstanding commitment to advocate against the toxic harms perpetrated by school policing practices that disproportionately criminalize Black students, students of color, and students with disabilities. In concert with this work, we declare unwavering support for the leadership of the Stockton Coalition for Shared Safety and urge you to support the passing of the first reading of the Resolution to Promote Shared Safety for

Stockton Students & Families and Defund the Stockton Unified School District Police Department (“Resolution to Promote Shared Safety for Stockton Students & Families”).

The ACLU’s prior research, in collaboration with our partners in the Stockton Education Equity Coalition, unequivocally refutes the assumption that police make schools safer, and instead reveals a pattern of disproportionate negative impact on Black, Native, and disabled students in Stockton USD who are targeted by school police for minor low-level school misbehavior such as “disturbing the peace.” This unjust targeting has led to a damaging school climate, significant student mental health needs arising from trauma from police contact, and decreased graduation rates for students of color and disabled students who are exposed to Stockton USD school police. In contrast, providing counselors and mental health professionals is the more effective approach to school safety, the value of which is recognized by Stockton USD as it has aimed to become a center for trauma-informed care and instruction. Acknowledging this movement towards trauma-informed practices, and in response to a long history of brutalization and killing of Black people leading to local, national and international calls to end anti-Black racism and over-policing practices, Trustee Lange Luntao introduced the Resolution to Promote Shared Safety for Stockton Students & Families. The ACLU supports the Resolution as currently drafted to completely eliminate the Stockton USD Police Department and reinvest in transformative and/or restorative justice programs, mental health professionals, a positive Ethnic Studies program to combat systemic racism, expansion of music and art classes, and basic needs assistance for Stockton USD students. If the resolution is amended to attack the spirit of the community’s call for true change and the Stockton Coalition for Shared Safety withdraws its support, then consider the ACLU’s support for the resolution withdrawn as well.

In voting yes for the Resolution to Promote Shared Safety for Stockton Students & Families, you will support a movement against an increasingly toxic climate created by the presence of law enforcement—both inside and outside the classroom—that discriminates against Black and Native students, and students with disabilities, in Stockton USD. And you will join a growing list of school districts—from Minneapolis to Portland to Denver to West Contra Costa—that are eliminating school police to achieve authentic student well-being, safety, and equity. School districts across the nation are recognizing that policing students in schools continues a legacy of mass incarceration that reinforces white supremacist goals against vulnerable youth. Rather than spending millions of dollars to operate a police department, Stockton USD must invest in resources for its students to access a quality education, such as mental and behavioral health professionals, and transformative and/or restorative justice practitioners, who work to keep students in school and on track to succeed in the 21st Century.

Over the last several years, the Stockton Education Equity Coalition and other community advocates have brought forward abundant data demonstrating the disproportionate harms of the school-to-prison pipeline on Stockton USD students and families of color. For example, from 2012-2016, Stockton USD police officers were more than two times as likely to arrest or cite Black students than white students and more than three times as likely to arrest or cite Black students for the vague and subjective offense of “disturbing the peace” than every other student

group in the district. The disparate criminalization and “push-out” of students of color with disabilities is also evident in Stockton USD. From 2012-2016, 11% of students in the district identified as Black, but 27.5% of all students who received an out-of-school suspension were Black students. A staggering 42% of Native American or Alaskan Native students with disabilities received at least one out-of-school suspension; and the percentage of Native American or Alaskan Native students with disabilities who received at least one out-of-school suspension was almost 5 times the rate of enrollment of Native American or Alaskan Native students overall. Stockton USD police were more than two times as likely to arrest or cite Black students with disabilities than white students with disabilities.¹

These discriminatory practices have real-world, damaging impacts on students. An arrest doubles high school students’ odds of dropout, and subsequent court involvement doubles those odds again, even when controlling for key indicators of future academic achievement, including parental poverty, grade retention, and middle school grade point average.² Additionally, Stockton USD has incurred significant legal liability arising from its police department, most recently leading to a comprehensive consent decree with the California Attorney General to significantly reform and try to bring an end to blatant constitutional and other civil rights violations against Stockton USD students.

Punitive discipline and the criminalization of Black and Native students and students with disabilities in Stockton USD schools is in serious conflict with the District’s stated goal to reinforce and expand trauma-informed care and instruction. Stockton USD spends approximately \$8 million each year from classroom budgets to put armed police in its schools. Every student deserves an educational environment where they can thrive. Our schools should be a place of learning for youth where we prevent conflict through trained restorative justice practitioners and mental health professionals, not law enforcement. The \$8 million currently spent on the Stockton USD Police Department should instead be used to build a transformative justice program and other student supports for social and equitable justice, in keeping with the mission of Stockton USD to “Provide all students with a world-class education, high-quality classroom instruction, a well-rounded educational experience, and the support necessary to succeed.”

The presence of law enforcement in schools is a threat to the physical and mental health of students, especially for vulnerable communities of color. This is your opportunity to take action to end discriminatory school policing and turn the District away from a long history of disproportionate harmful treatment of Black, Native, and disabled students. While we stand in solidarity with the District’s commitment to provide “sanctuary” for immigrant students and families, this action rings completely hollow as long as Stockton USD fails to stop the mass

¹ “Over-Policing in Stockton Schools: A Report Card,” the Stockton Education Equity Coalition, available at https://www.aclunc.org/sites/default/files/Report_Card_SEEC.pdf

² Gary Sweeten, “Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement,” available at https://www.masslegalservices.org/system/files/library/H.S.ed_and_arrest_-_ct_involvement_study_by_Sweeten.pdf.

criminalization and school push out of Black students and families. ***For the reasons discussed, your vote in support of the leadership of the Stockton Coalition for Shared Safety is urgent and will position Stockton USD as a leader in the fight against racial oppression and injustice in California. We urge you to vote in support of passing the first reading of the Resolution to Promote Shared Safety for Stockton Students & Families on June 23.***

Sincerely,

A handwritten signature in blue ink, appearing to read "Linnea Nelson", is written over a horizontal line.

Linnea Nelson, Education Equity Staff Attorney, ACLU Foundation of Northern California
Victor Leung, Deputy Director of Litigation, ACLU Foundation of Southern California