



Senator Steven Bradford

REPRESENTING THE 35TH DISTRICT

SB 1273 – School Reporting to Law Enforcement

SUMMARY

SB 1273 will eliminate the mandatory requirement that schools notify law enforcement for student behavior categorized as an assault or minor possession of cannabis or alcohol and protect students from unnecessary contact with the criminal justice system.

BACKGROUND

Decades of research show the long-term harm to young people of even minimal contact with the juvenile or criminal justice systems. Once students make contact with these systems, they are less likely to graduate high school and more likely to wind up in jail or prison.

Our existing system has led to alarming disparities in the type of students who are most likely to suffer these harms. Black students, Latinx students, students of color, and students with disabilities are disproportionately referred to law enforcement, cited, and arrested.

However, existing law often forces school administrators and staff to notify law enforcement even when they know this will be harmful to students. As many California educators seek to support students by responding to behavioral issues with needed services, existing laws remain in place which legally mandate school officials to notify law enforcement of certain behaviors. These laws require notification regardless of the particular circumstances of the incident or the individual student's situation. In some instances, these laws even authorize educators to be fined for failing to report such incidents.

Furthermore, California students and parents can also be criminally prosecuted for “willful disturbance” of public schools or public school meetings. This unreasonably vague provision has led to students being arrested for offenses as simple as knocking on classroom doors when class is in session.

SOLUTION

SB 1273 will reduce law enforcement involvement in schools and give teachers and administrators, who are often best suited to determine the appropriate response, the flexibility and power they need to support students by:

- Eliminating state mandates for school notification of law enforcement, thereby encouraging schools to adopt non-punitive, supportive, trauma-informed and health-based approaches to school related behaviors.
- Increasing educator discretion in determining when to notify law enforcement about a student’s school related behaviors.
- Eliminating prosecution of school staff who fail to report incidents of alleged assaults or physical threats against school employees.
- Eliminating the criminal penalty for “willful disturbance” of public schools and public school meetings.

Teachers and administrators will still be able to call law enforcement if they believe that is the right response to a particular incident, but they will not be required to do so.



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