



# YOUTH LEADERSHIP INSTITUTE

## Use Your Voice

March 17th, 2022

The Honorable Steven Bradford  
1021 O Street, Suite 7210  
Sacramento, CA 95814

### **Re: SB 1273 (Bradford) – Support**

DEAR SENATOR BRADFORD,

Youth Leadership Institute (yli) is pleased to support 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.

yli partners with thousands of youth across the state, the majority of whom are low-income youth of color. Many of these young people have had profoundly traumatizing experiences with law enforcement - both directly and as witnesses to the brutal treatment of their peers. These incidents don't just harm the individuals involved - they reverberate throughout the community, reinforcing the message that youth of color are criminals and are nowhere safe from police violence.

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.<sup>1</sup> Alarming, Black, Indigenous, and Latinx students, as well as students with disabilities, are disproportionately referred to law enforcement, cited, and arrested.<sup>2</sup>

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

<sup>2</sup> 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.

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.

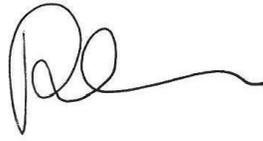
SB 1273 makes several positive and 21<sup>st</sup> century changes to existing law. First, it eliminates overreaching state mandates for school notification of law enforcement, thereby encouraging schools to adopt non-punitive, trauma-informed, and health-based approaches to school-related behaviors.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

Sincerely,

A handwritten signature in black ink, appearing to be 'PB' followed by a long horizontal flourish.

PATRICIA BARAHONA  
CHIEF EXECUTIVE OFFICER  
Youth Leadership Institute