

December 6, 2022

Massachusetts POST Commission
100 Cambridge Street, 14th Floor
Boston, MA 02114

Dear members of the POST Commission,

My name is Marlies Spanjaard, and I am the Director of Education Advocacy for the Committee for Public Counsel Services. In that role, I oversee the EdLaw Project, which provides education legal services to court-involved children and youth. Our project is specifically set up to disrupt the school to prison pipeline. We have unique access to the hundreds of court-appointed attorneys across the state representing children charged with offenses in the juvenile court.

Under, Chapter 253 of the Acts of 2020, section 23, the MPTC was explicitly instructed by the legislature to consult attorneys experienced in juvenile law, education law in the development of the course of instruction, learning and performance objectives, and curricula and standards for training. Given our unique access to both education law and juvenile law, the EdLaw Project would be an obvious choice for consultation. We have not been consulted, nor has the leadership of the Youth Advocacy Division, the juvenile defender branch of the Committee for Public Counsel Services. We are further unaware that any of our colleagues in the education legal advocacy community have been consulted about the curriculum.

We ask that you assist the MTPC to fulfil their requirement to consult with education and juvenile attorneys so that we may share our experience. The attorneys from the Youth Advocacy Division, both staff and private, represent most students arrested in school across the state and have unique insight into some of the current challenges with SRO training and program implementation. We have knowledge and data to share about the disproportionate rate of arrest of students with disabilities and students of color.

We know from the 2020 juvenile arrest data, that although black youth account for just 10% of the population, they account for 30% of arrests, and Hispanic students account for 18% of population and 30% of arrests.¹

We also have data from the American Civil Liberties Union that shows that students with disabilities were nearly three times more likely to be arrested than students without disabilities.² This risk is higher at schools with police.

¹ Arrest data available at: <https://www.mass.gov/info-details/data-about-youth-arrests>

² <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline/cops-and-no-counselors> (based on data from U.S. Department of Education, 2015-2016 Civil Rights Data Collection (CRDC))

If we are going to have police within our schools, it is imperative that they be trained to understand implicit bias, child development, trauma, and disability related conduct.

We remain open and available for this conversation.

Thank you.



Marlies Spanjaard
Director of Education Advocacy