Montgomery County Council

Committee: Joint
Committee Review: At a future date
Staff: Robert H. Drummer, Senior Legislative Attorney
Purpose: To introduce agenda item – no vote expected
Keywords: #BuildingPositiveRelationships-SROs

AGENDA ITEM 8B
February 2, 2021
Introduction

SUBJECT

Bill 7-21, Police – School Resource Officer – Building Positive Law Enforcement Relationships Within Schools
Lead Sponsors: Councilmembers Rice and Katz

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce Bill – no vote expected

DESCRIPTION/ISSUE

Bill 7-21 would:

- authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the Superintendent of Schools;
- require enhanced training for a school resource officer;
- require the County to enter into a memorandum of understanding with the Montgomery County Public Schools governing the assignment of a school resource officer; and
- generally amend the law governing policing.

SUMMARY OF KEY DISCUSSION POINTS

This report contains:

Bill 7-21 ©1
Legislative Request Report ©6

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Agenda Item 8B
February 2, 2021
Introduction

M E M O R A N D U M

January 28, 2021

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: Bill 7-21, Police – School Resource Officer – Building Positive Law Enforcement Relationships Within Schools

PURPOSE: Introduction – No Council vote required

Bill 7-21, Police – School Resource Officer – Building Positive Law Enforcement Relationships Within Schools, sponsored by Lead Sponsors Councilmembers Rice and Katz and Co-sponsored by Councilmember Friedson, is scheduled to be introduced on February 2, 2021. A public hearing is tentatively scheduled for February 23, 2021 at 1:30 p.m.[1]

Bill 7-21 would:

- authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the Superintendent of Schools;
- require enhanced training for a school resource officer; and
- require the County to enter into a memorandum of understanding with the Montgomery County Public Schools governing the assignment of a school resource officer.

The County Police currently assign 23 police officers to work as a school resource officer in a specific public school pursuant to an existing MOU with the Montgomery County Public Schools. Bill 7-21 would continue these assignments with the consent of the Montgomery County Public Schools with enhanced training. MCPS is currently studying the use of school resource officers in County public schools.

Bill 46-20, Police – School Resources Officers – Prohibited, sponsored by Lead Sponsors Councilmembers Jawando and Riemer, was introduced on November 17, 2020. A public hearing on Bill 46-20 was postponed to wait for input from the Montgomery County Public Schools. Bill

[1] #BuildingPositiveRelationships-SROs

46-20 would prohibit the assignment of County police officers as school resource officers in County public schools.

This packet contains:	Circle #
Bill 7-21	1
Legislative Request Report	6

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Bill No. 7-21
Concerning: Police – School Resource Officer – Building Positive Law Enforcement Relationships Within Schools
Revised: 1/27/2021 Draft No. 5
Introduced: February 2, 2021
Expires: August 2, 2022
Enacted:
Executive:
Effective:
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Rice and Katz

AN ACT to:

(1) authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the Superintendent of Schools;
(2) require enhanced training for a school resource officer,
(3) require the County to enter into a memorandum of understanding with the Montgomery County Public Schools governing the assignment of a school resource officer; and
(4) generally amend the law governing policing.

By adding
Montgomery County Code
Chapter 35, Police
Section 35-23

Boldface	*Heading or defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets**]**	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets**]]**	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 35-23 is added as follows:

35-23. School Resource Officers.

(a) *Findings.*

(1) The causes of crime and violence in schools is varied, complex, and subject to change. Best practices for school safety recognize the need for a multi-faceted approach that addresses communications and emergency procedure protocols, building infrastructure, school safety plans, and staffing.

(2) President Obama's 2013 *Plan to Reduce Gun Violence* identifies the need for both law enforcement and mental health professionals, and advises:

(A) putting school resource officers and mental health professionals in schools can help prevent school crime and student-on-student violence; and

(B) when equipped with proper training and supported by evidence-based school discipline policies, school resource officers can deter crime with their presence and advance community policing objectives. Their roles as teachers and counselors enable them to develop trusting relationships with students that can result in threats being detected and crises averted before they occur.

(3) President Obama's plan provides a comprehensive approach to make schools safer, and envisions school resource officers working in conjunction with administration, teachers, and mental health professionals to:

(A) develop and update public safety plans;

(B) conduct threat assessments; and

(C) train "crisis intervention teams" of law enforcement officers to work with the mental health community to respond to and assist students in crisis.

(4) President Obama's *Task Force Report on 21st Century Policing* (2015) also recommends creating programs and projects for positive, consistent, and persistent interaction between youth and police.

(5) The Department of Justice similarly advises that "strong relationships of mutual trust between police agencies and the communities they serve are critical to maintaining public safety and effective policing."

(6) The assignment of school resource officers provides a significant opportunity to engage in nonenforcement activities with students in an effort to create and maintain that trust.

(7) Since Maryland began requiring all public schools to report arrest data beginning in the 2015-2016 school year, arrests in Montgomery County Public Schools have been on a downward trend and are far below the 2018-2019 State average of 3.5 arrests per 1,000 students with the use of school resource officers.

(b) S*chool resource officer assignment.* In this Section, *school resource officer* means a sworn law enforcement officer who is assigned to work as a liaison to students and staff of Montgomery County Public Schools. The Chief of Police may assign an appropriately trained police officer to work as a school resource officer in any school operated by the Montgomery County Public Schools upon the specific request by the Superintendent of Schools.

(c) *Enhanced training and professional development of School Resource Officers*. Prior to assigning a police officer to work as a school resource officer, the Chief of Police must ensure that the police officer receives training on:

(1) de-escalation techniques;

(2) mediation and conflict resolution;

(3) childhood and adolescent development;

(4) alcohol/drug response;

(5) gang prevention and response;

(6) truancy prevention;

(7) child abuse and neglect;

(8) culturally competent community engagement and outreach;

(9) emergency preparedness and response to critical incidents;

(10) threat assessment;

(11) mental health triage and crisis intervention training;

(12) trauma-informed response practices;

(13) restorative justice; and

(14) physical and developmental disability awareness.

(d) *Mentoring.* A newly assigned school resource officer must be mentored by an experienced and highly rated school resource officer during the officer's first year as a school resource officer.

(e) *Memorandum of Understanding.* Prior to assigning a police officer to work as a school resource officer, the County must enter into a memorandum of understanding with the Montgomery County Public Schools. The memorandum of understanding must be updated at least every two years to ensure the use of best practices, the need for additional training, and the effective use of data to enhance safety in schools,

positive relationships among youth and law enforcement, and equitable and restorative justice. The memorandum of understanding must include:

(1) a description of the duties of a school resource officer;

(2) the method to select and assign a school resource officer;

(3) training requirements;

(4) data collection and review protocols;

(5) information sharing; and

(6) investigation protocols.

(f) *Adherence to State law.* The County Police Department must continue to provide adequate local law enforcement coverage for public schools as required by State and County law.

(g) *Name.* This Act must be known as *Building Positive Law Enforcement Relationships Within Schools or B-PLERS.*

[35-23] 35-24 – 35-26. Reserved.

LEGISLATIVE REQUEST REPORT

Bill 7-21
Police – School Resource Officer – Building Positive Law Enforcement Relationships Within Schools

DESCRIPTION: Bill 7-21 would:

- authorize the Chief of Police to assign a law enforcement officer to work as a school resource officer in a County school upon the request of the Superintendent of Schools;
- require enhanced training for a school resource officer; and
- require the County to enter into a memorandum of understanding with the Montgomery County Public Schools governing the assignment of a school resource officer.

PROBLEM: MCPS is currently reviewing the use of school resource officers.

GOALS AND OBJECTIVES: Enhance school safety and build trust with law enforcement.

COORDINATION: Police, MCPS

FISCAL IMPACT: To be provided

ECONOMIC IMPACT: To be provided

RACIAL EQUITY AND SOCIAL JUSTICE IMPACT: To be provided

EVALUATION: To be provided

EXPERIENCE ELSEWHERE: Unknown

SOURCE OF INFORMATION: Robert H. Drummer, Senior Legislative Attorney

APPLICATION WITHIN MUNICIPALITIES: N/A

PENALTIES: N/A