



**LEGISLATION &  
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April 20, 2021

Honorable Patrick O'Donnell  
Chair, Education Committee  
California State Assembly  
1020 N Street, Room 159  
Sacramento, CA 95814

**RE: AB 610 (KALRA) as amended March 25, 2021 — Co-Sponsor**

Dear Assemblymember O'Donnell:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, is proud to **cosponsor AB 610**. This bill is scheduled to be set for hearing before Assembly Education Services Committee.

AB 610 would eliminate some of the overreaching statutory mandates that require school staff to notify law enforcement about common school-related behavior. The changes made by AB 610 will protect students from unnecessary contact with the justice system and help keep students in school. We have witnessed the negative impact that any form of contact with law enforcement has on our clients, who have reported feeling stigmatized, over-surveilled, and discriminated against in their communities. This harm is further magnified when such contact occurs on school campuses in the presence of their teachers and peers.

Decades of national, statewide, and county-specific research reflect the aforementioned long-term harm to young people of even minimal contact with the juvenile legal system. Young people arrested in school are less likely to graduate from high school and more likely to wind up incarcerated.

Alarming, Black, Indigenous, and Latinx students, as well as students with disabilities, are disproportionately referred to law enforcement, cited, and arrested.

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.

AB 610 makes several positive changes to existing law. First, it eliminates overreaching state mandates for school notification of law enforcement. 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, thereby encouraging schools to adopt non-punitive, trauma-informed, and health-based approaches to school-related behaviors. Second, the bill eliminates criminal penalties for school staff who fail to report incidents of alleged assaults or physical threats against school employees. Finally, AB 610 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.

AB 610 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, DRC is proud to cosponsor this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink that reads "Gregory Cramer". The signature is written in a cursive, flowing style.

Gregory Cramer  
Senior Legislative Advocate  
Disability Rights California

cc: Honorable Members, Assembly Education Committee  
Honorable Ash Kalra, California State Assembly