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Press Contacts: Beth Swedeen, beth.swedeen@wisconsin.gov; (608) 220-2924;
Kristin M. Kerschensteiner, kitk@drwi.org; (608) 267-0214;
Patti Becker, pbecker@incontrolwisconsin.org; (608) 242-8335

Bill puts students with disabilities at greater risk

Today the state Assembly passed AB 69 which mandates reporting of any incident that occurs on school grounds to local law enforcement, and mandates schools hire armed school resource officers if too many incidents are reported.

In Wisconsin, 14.5% of students have disabilities, but those students represent over 34% of our state's school referrals to law enforcement. Wisconsin currently refers students with disabilities to law enforcement at a higher rate than any state other than Virginia.

Many children with disabilities act out or exhibit behaviors to communicate. Those behaviors are frequently criminalized and used to remove students with disabilities from school.

"Students with disabilities need to be in school to learn," said Beth Swedeen, Survival Coalition co-chair. "We should be moving students toward the path to graduation and jobs in the community, not setting them up to go from school to prison."

Students with disabilities and people with disabilities are disproportionately represented in the criminal justice and corrections systems.

The presence of a school resource officer increases the likelihood that a student with a disability may be arrested and charged due to behavior that is directly related to their disability.

"This bill locks in a familiar pattern," said Kit Kerschensteiner, Survival Co-Chair. "Rather than investing in positive behavioral supports and special education staff, the legislature would rather have schools pay for armed school resource officers to enforce possession of tobacco and similar crimes."

The definition of "incident" includes minor violations of municipal ordinances, disorderly conduct, and battery. Students with disabilities are frequently charged with battery or disorderly conduct for a wide variety of behaviors.

The bill's definition of "incident" includes crimes that would be reported to law enforcement regardless of where they occurred, such as homicide.

"We question how more school resource officers will result in fewer incidents," said Patti Becker, Survival Coalition co-chair. "We do see a correlation that will increase harm to students with disabilities."