



Legislation on gun violence must prioritize children's health, avoid exacerbating harms

The National Center for Youth Law protects the rights of children and youth, and advocates for sensible policies and practices that promote the safety and well-being of America's children and youth. We work at the local, state and national levels across multiple issue areas and in partnership with young people and communities, and our staff of national experts are at the forefront of efforts to protect America's children and youth.

As you draft this legislation to achieve our shared goal of reducing gun violence, please consider the following **to avoid unintended harmful consequences** for children, including children of color and children with disabilities.

Mental Health

We are delighted to see proposed historic investment in children's mental health, community mental health, and telemental health as part of this bill. These proposals could have a life-changing and positive impact on communities across the country; we encourage you to be bold and to center the health and wellbeing of youth, families and communities so every child has the opportunity to thrive.

New supports for children, family and community mental health must reflect that:

- Prevention, early identification and intervention by mental health professionals are key. We must proactively address needs before they escalate to crises.
- Youth and other individuals should not be punished or stigmatized for seeking or receiving care, or those most in need of support will never get that care.
- Mental health promotion and education must be embedded in community health and education systems to help destigmatize mental health needs, thereby increasing the willingness of people to access these supports.
- Effective care should include practices that are: culturally responsive, healing-centered, strengths-based, inclusive, anti-racist, non-stigmatizing, individualized and designed to meet the holistic needs of youth with intersectional identities, in trauma-informed, and empowering ways.
- Appropriate privacy protections are an essential element to effective health care. Without privacy, many people will not seek mental health treatment because of the risk of their private records and data being shared. Privacy must be ensured.

Student Safety

Thank you for striving to create caring, high-quality, supportive learning environments that promote student safety. Your efforts to end mass shootings in schools are laudable, and of urgent importance. To date, school hardening, additional police, student threat assessments and student surveillance have been used in public schools for years – and they've been increased after each high-profile school shooting tragedy – but they have been ineffective. The fact is, students are not safer from shootings, and many students are harmed by these approaches – especially students of color and students with disabilities.

It is time to create true student safety for all of our students through supporting the health and wellbeing of our nation's children, youth, families and communities:

- Ensure education systems identify and support mental health needs in trauma-informed, non-punitive ways that protect confidentiality.
- End reliance on school police for behavioral, mental health and educational interventions, and instead strengthen the focus on student well-being to avoid harming students, and disproportionately harming students of color and those with disabilities
- Stop funneling federal resources into [police on campuses](#), [student threat assessments](#), school hardening and student surveillance that won't stop the violence Congress seeks to address:
 - Rather than preventing crime, SROs have been linked with increased arrests for non-serious, youthful behavior, fueling the school-to-prison pipeline.
 - Police inside schools decrease safety, undermining the very sense of trust and safety in school environments that students require in order to learn. This is especially true for Black students and other students of color, as their personal experiences with policing often leaves them feeling unsafe and alienated from school when they see officers on campus.
 - Police assaults on students continue to further harm students.
- [NYT](#) article explained how such measures failed to protect Uvalde students and teachers.

With your historic investments in safety through this legislation, our nation's young people and families will be safer and have better access to school-based and school-adjacent mental health resources directly in their schools and communities. Done properly, this will improve student, family and community well-being, and public health and safety. We must move beyond the harmful responses of the past that have failed our nation's children so many times, including school hardening, and instead adopt common sense measures. We at the National Center for Youth Law offer our expertise, research or other support to help you achieve our shared goals of safety for our nation's children, youth and families.