Facts about the School-to-Prison Pipeline

Prepared by Dr. Fred Cheesman for the *National Consortium on Racial and Ethnic Fairness in the Courts 28th Annual Conference.*

What is the "School-to-Prison Pipeline?"

The "school-to-prison pipeline" refers to the policies and practices that push our nation's schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems. This pipeline reflects the prioritization of incarceration over education. (https://www.aclu.org/fact-sheet/what-school-prison-pipeline)

Society:

Almost 3% of black male U.S. residents of all ages were imprisoned on December 31, 2013, compared to 0.5% of white males. (http://www.bjs.gov/content/pub/pdf/p13.pdf)

On December 31, 2013, about 37% of imprisoned males were black, 32% were white, and 22% were Hispanic. In contrast, the percentage of these groups in the US population were 12%, 65%, and 15%, respectively. (http://datacenter.kidscount.org/data/Tables/6539-adult-population-byrace?loc=1&loct=1#detailed/1/any/false/869,36,868,867,133/68,69,67,12,70,66,71,2800/13517,13518)

Class inequalities in incarceration are reflected in the very low educational level of those in prison and jail. The legitimate labor market opportunities for men with no more than a high school education have deteriorated as the prison population has grown, and prisoners themselves are drawn overwhelmingly from the least educated. State prisoners average just a tenth grade education, and about 70 percent have no high school diploma. (https://www.amacad.org/content/publications/pubContent.aspx?d=808)

Most of the growth in incarceration rates is concentrated at the very bottom, among young men with very low levels of education. In 1980, around 10 percent of young African American men who dropped out of high school were in prison or jail. By 2008, this incarceration rate had climbed to 37 percent, an astonishing level of institutionalization given that the average incarceration rate in the general population was 0.76 of 1 percent. Even among young white dropouts, the incarceration rate had grown remarkably, with around one in eight behind bars by 2008. The significant growth of incarceration rates among the least educated

reflects increasing class inequality in incarceration through the period of the prison boom. (Ibid)

Conventional estimates of the employment rate show that by 2008, around 40 percent of African American male dropouts were employed. These estimates, based on the household survey, fail to count that part of the population in prison or jail. Once prison and jail inmates are included in the population count (and among the jobless), we see that employment among young African American men with little schooling fell to around 25 percent by 2008. Indeed, by 2008 these men were more likely to be locked up than employed. (Ibid)

Family:

The effects of the prison boom extend also to the families of those who are incarcerated. Through the prism of research on poverty, scholars find that the family life of the disadvantaged has become dramatically more complex and unstable over the last few decades. Divorce and non-marital births have contributed significantly to rising rates of single parenthood, and these changes in American family structure are concentrated among low-income mothers. As a consequence, poor children regularly grow up, at least for a time, with a single mother and, at different times, with a variety of adult males in their households. (Ibid)

- In 2014, 53 % of American Indian, 66% of African-American/Black, 42% of Hispanic or Latino, and 25% of White children lived in single-parent families. (http://datacenter.kidscount.org/data/tables/107-children-in-single-parent-families-by#detailed/1/any/false/869,36,868,867,133/10,11,9,12,1,185,13/432,431)

High rates of parental incarceration likely add to the instability of family life among poor children. Over half of all prisoners have children under the age of eighteen, and about 45 percent of those parents were living with their children at the time they were sent to prison. About two-thirds of prisoners stay in regular contact with their children either by phone, mail, or visitation. (https://www.amacad.org/content/publications/pubContent.aspx?d=808)

Children who have experienced parental incarceration at some point in their childhood, 2011-2012: 5,113,000 or 7% (http://www.aecf.org/resources/a-shared-sentence/)

- The number of children with a parent in prison or jail grew five times between 1980 and 2012, growing from about 500,000 to 2.6 million, according to recent

estimates by sociologists Bryan Sykes of University of California-Irvine and Becky Pettit of University of Texas-Austin. (http://www.prb.org/Publications/Articles/2014/incarcerated-parents-and-childrens-health.aspx)

- Children who are living with their fathers before they are incarcerated are much more likely to develop behavioral problems (acting out or breaking rules, or attention difficulties such as impulsivity or daydreaming) than children who live elsewhere. (Ibid)
- Incarceration is starkly concentrated, leaving some children more likely to have an incarcerated parent than others. Among black children whose fathers lacked a high school diploma in 2009, about 64 percent will experience parental incarceration by age 17, compared with about 15 percent of white children with similarly educated fathers, Sykes and Pettit report. On any given day in 2012, one in nine black children had a parent in custody. (Ibid)

School:

These findings suggest that teachers, school administrators, and school social workers may benefit from training that increases their awareness, support, and sensitivity toward the challenges faced by children of incarcerated fathers. (http://www.prb.org/Publications/Articles/2014/incarcerated-parents-and-childrens-health.aspx)

See infographic from Community Coalition (http://cocosouthla.org/inforgraphics/)

Possible causes:

- Failing public schools
- Zero-tolerance and other school discipline
  - Schools are positive institutions and have been found to be a protective buffer against negative influences. Zero tolerance policies that remove students who do not pose a serious threat to safety may very well be increasing the risk of negative outcomes for the student — especially if removed in handcuffs — as well as the school and the community (Teske and Huff, 2011).
  - A study of the impact of zero tolerance policies shows that minority youth are disproportionately suspended and referred to court on school-related offenses. Black students are 2.6 times as likely to be suspended as White students. For example, in 2000, Black students represented 17% of the nation's student population yet represented 34% of the suspended population. There is no evidence connecting this disparity to poverty or assumptions that youth of color are prone to disruptive and violent behavior. On the contrary, studies indicate that

this overrepresentation of Black students is related to referral bias on the part of school officials. (Teske and Huff, 2011); see also (https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf) for a study in Texas

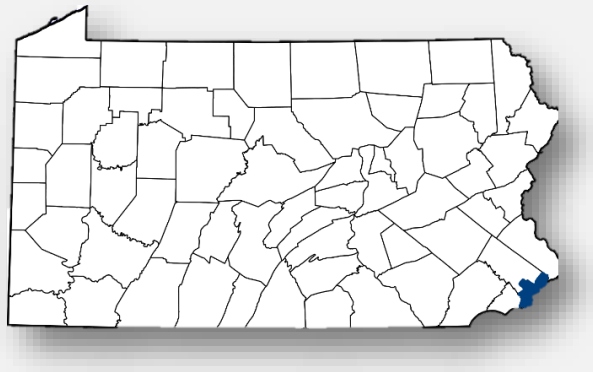
- Policing school hallways
  - A student arrested in school is twice as likely not to graduate and four times as likely if he or she appears in court (Teske and Huff, 2011).
  - When police were placed on school campuses in Clayton County, Ga., in 1994, the number of referrals from the school system increased approximately 1,248%. Approximately 90% of these referrals were infractions previously addressed by administrators. Jefferson County, Ala., experienced a similar increase. During this time, school suspensions increased while graduation rates decreased to 58% by 2003. The data in both jurisdictions supported the research that increased suspensions and arrests were resulting in higher drop-out rates (Teske and Huff, 2011).
- Disciplinary Alternative Schools
- Court involvement and detention
  - Keeping students from entering the juvenile justice system is an important step in curbing the flow of the school-to-prison pipeline and making sure they can get their lives back on track. Diversion programs help keep youth out of the system, and these programs work best when youth are diverted before they're even arrested. (http://jlc.org/blog/diversion-programs-can-help-keep-youth-out-system-preventing-arrests)

Solutions:

Clayton County, GA: Judge Steven Teske, in partnership with the police department and school district, implemented a program to reduce the number of arrests in schools based on the School Referral Reduction Protocol. Under this program, police officers give kids a warning for a first, low-level offense; students are given a referral to a Conflict Diversion Program or Mediation Program for a second offense. Eligible offenses include fighting, disorderly conduct, disrupting a public school, criminal trespass, and failing to obey commands from a police officer. The program reduced school arrests by more than 80% without reducing school safety: weapons and fighting in schools decreased substantially since the program started. (http://jlc.org/blog/diversion-programs-can-help-keep-youth-out-system-preventing-arrests)

To read Judge Teske's testimony about the Clayton County program during a Senate Subcommittee hearing, see http://www.judiciary.senate.gov/imo/media/doc/12-12-12TeskeTestimony.pdf.

Philadelphia, PA: The Philadelphia Police Department, Philadelphia Department of Human Services (DHS), School District of Philadelphia and other community stakeholders created the Police School Diversion Program for youth who commit a first-time low-level summary or misdemeanor act on or near school property. In the first year of the program, school arrests dropped 54% across the city, with approximately 850 fewer youth arrested. Re-offending among diverted youth was low. DHS provides diverted youth and families with preventative services targeted to their needs. (http://jlc.org/blog/diversion-programs-can-help-keep-youth-out-system-preventing-arrests)



The program's brochure can be found at http://www.stoneleighfoundation.org/sites/default/files/SchoolDiversionProgram-Spreads.pdf, and you can read former Deputy Police Commissioner Kevin Bethel's testimony about the program to the President's

Taskforce on 21st Century Policing here: http://www.cops.usdoj.gov/pdf/taskforce/submissions/Bethel_Kevin_Testimony.pdf.

MAP and WISE arrest diversion programs in NY state (http://nysjjag.org/our-work/MAP-WISE%20arrest%20evaluation.pdf)

The Courts Role in Dismantling the School-to-Prison Pipeline (Teske and Huff, 2011) (http://www.ncjfcj.org/sites/default/files/Today%20Winter%202011Feature%20(2).pdf)

- A review of the literature generally recommends that courts can address this problem through better screening of referrals.
- A multi-system integrated approach
  - Identify stakeholders (school, police, prosecutor, public defender, social services, juvenile court)
  - Select a neutral moderator
  - Provide data and research
  - Develop a written protocol among stakeholders to address the problem
  - Appoint a monitor
  - Provide cross-training in the use of the protocol
  - Inform the community
  - Collect the data

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