The Criminal (in)Justice System

Understanding the School-to-Prison Pipeline and Mass Incarceration

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MASS INCARCERATION

The United States incarcerates more of its citizens than any other nation in the world.

The increase in the jail and prison population from less than 200,000 in 1972 to **2.3 million** today has led to unprecedented prison overcrowding and put tremendous strain on state budgets.

The United States has **5%** of the world’s population but nearly **25%** of its prisoners.

From Education to Incarceration: The School-to-Prison Pipeline

75% of all inmates are high school dropouts.

ACESCHOLARSHIPS.ORG
When you hear the following terms, what comes to mind?

• The School to Prison Pipeline
• Cradle to Prison Pipeline
• Classroom to Courtroom
• Schoolhouse to the Jailhouse
• From Fingerpaint to Fingertips

The School to Prison Pipeline is a disturbing system of local, state and federal education and public safety policies that pushes students out of school, into the streets and into the juvenile criminal justice system.

The pipeline to prison refers to school discipline policies (e.g., zero tolerance) and practices that remove students from learning opportunities (e.g., out of school suspension) and push students out of school (e.g., expulsion, school-based arrest) and into the juvenile and criminal justice systems increasingly for minor offenses and non-violent behavior such as smoking cigarettes, coming to school out of uniform or using a cell phone.

Research and data have indicated that racial/ethnic minorities students with disabilities and LGBTQI students are disproportionately affected by such policies and practices.

Inequities are in areas such as school discipline, policing practices, high-stakes testing & the prison industry contribute to the pipeline.
BLACK BOYS are disproportionately disciplined...starting in pre-k.

- Black students, boys and students with disabilities are a minority in K-12 schools across the U.S., but are disciplined more than anyone else, according to a new Government Accountability Office study.
- It also found that discipline rates were the same across poverty levels.

By the numbers:
- Black students make up 15.5% of the population in the schools studied, but represented 30% of students being suspended.
- Students with disabilities account for nearly 25% of students referred to law enforcement for discipline despite being 12% of all public school students.
- In schools with poverty levels between 0 and 21%, black students are still overrepresented in suspensions out of school by 12.2%.
- Boys were overrepresented by 27% among students who receive corporal punishment as discipline.

United States Government Accountability Office

This pipeline reflects the prioritization of incarceration over education. For a growing number of students, the path to incarceration includes the following "stops":

- Falling schools (overcrowded classrooms, a lack of qualified teachers, and insufficient funding for "extras" such as counselors, special education services, and even textbooks)
- Zero-Tolerance and Other School Discipline
- Criminalizing the Classroom: Policing School (police surveillance, drug-sniffing dogs, metal detectors, and sworn in security officers)
- Disciplinary Alternative School
- Court Involvement and Juvenile Detention

Zero Tolerance

- A harsh predefined mandatory consequence is applied to a violation of school rules without regard to the seriousness of the behavior, mitigating circumstances, or the situational context.

- Originally meant to address only the most serious violent behavior, these rules now unreasonably target normal, non-violent adolescent behavior. E.g. Some students have been suspended and or expelled for nail clippers, Advil and mouthwash.

Zero Tolerance

- Zero tolerance policies move youth directly into the juvenile and criminal justice systems by involving police personnel in minor disciplinary matters. Criminal charges are often brought against students for actions that would never be considered a criminal if committed by an adult.
**Columbine Massacre**

It resulted in an increased emphasis on school security with zero tolerance policies.
In late 1995, Dilulio wrote a magazine article that gives us a pretty good taste:

**The Coming of the Super-Predators**

We're talking about kids who have absolutely no respect for human life and no sense of the future…And make no mistake while the trouble will be greatest in black inner-city neighborhoods, other places are also certain to have burgeoning youth-crime problems that will spill over into upscale central city districts, inner-ring suburbs, and even the rural heartland.

..."They kill or maim or impair, without any intelligible motive"…The buzz of impulsive violence, the vacant stares and smiles, and the moronic eyes…they quite literally have no concept of the future…they place their fate on the lives of their victims, whom they reflexively dehumanize…capable of committing the most heinous acts of physical violence for the most trivial reasons…for as long as their youthful energies hold out, they will do what comes "naturally": murder, rape, rob, assault, burglarize, deal deadly drugs, and get high.

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**Re-characterization of Student Behavior**

- **Pushing & shoving** — "Battery"
- **Swiping headphones** — "Theft" or "robbery"
- **Talking back** — "Disorderly conduct"
HARSH DISCIPLINE POLICIES DO NOT WORK!

These policies result in:

- Lost Learning Time
- Disengagement from school
- Escalation in rule breaking
- Likelihood of engaging in future misbehavior
- Likelihood of dropping out of school
- Increased risk of being funneled into the justice system

Most incarcerated youth are locked up for nonviolent offenses.

And for 2,000 youth, they are locked up for “offenses” that aren’t even crimes.

The 2,000 youth locked up in adult prisons or jails are not reflected here and are instead represented in the adult parts of the graph. Because we did not consider the almost 20,000 youth held by the juvenile justice system in residential facilities away from home to be “incarcerated,” they are not currently reflected in any size of the pie.
1 MILLION children are arrested each year, with 500,000 youth sent to over 1,300 juvenile detention facilities across the country. Over 57,000 teenagers are serving a sentence in a detention facility.

1,900 juvenile detention centers BUT ONLY 30% of locked up youth have access to faith-based programs.

Bonus number: 50%

A Tale of Two Schools
Carlos had a heated argument with his parents before leaving for school, so he’s running late. Let’s see the difference that restorative policies and practices can make.

Zero-tolerance education system
- He is greeted by metal detectors and a police search.
- His teacher stands in front of the class. Carlos talks back, and is given a detention.
- A school police officer details and arrests both students.
- Carlos is held in a juvenile detention facility all afternoon, missing school. He now has an arrest record and is facing suspension.

Restorative practices-based education system
- Teachers and administrators welcome him and his fellow students as they enter.
- His teacher waits until after class to speak with Carlos to learn more, and sets up a meeting with his school counselor.
- A school police officer details and arrests both students.
- Carlos spends a school alternative in his counselor.
- Carlos and the other student agree to help ease the conflict during a free period. Carlos meets with his counselor and parents after school to help resolve the conflict at home.
DO YOU KNOW: HOW THEY DETERMINE HOW MANY PRISONS ARE GOING TO BE BUILT IN THE FUTURE?

**BASED ON 3RD AND 4TH GRADE READING SCORES**

**Fact of the Day:**
States are spending almost FOUR TIMES as much on incarcerating prisoners than educating students.
Mandatory Minimums sentencing requires that offenders serve a predefined term for certain crimes, commonly serious and violent offenses.

**Policing of Communities of Color**

- mandatory minimum sentences
- extraordinarily harsh and racially disparate penalties for even minor drug offenses
- and the explosion in life sentences without parole
A racial caste is one in which people are "locked into an inferior position by law and custom" according to the color of their skin. Many like to believe that the racial caste system was overcome during the Civil Rights era. However, systems such as mass incarceration have evolved to ensure that it continues.

PRISONS FOR PROFITS

The Prison Industrial Complex (PIC) is a term we use to describe the overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social, and political problems.

The term "prison-industrial complex" (PIC) is used to attribute the rapid expansion of the US inmate population to the political influence of private prison companies and businesses that supply goods and services to government prison agencies.
The number of prisoners housed in private facilities has jumped 1600% since 1990. Private prison companies have been able to secure everything from lucrative government contracts to harsher laws to guarantee a steady stream of inmates for their facilities. These companies turn our tax dollars into a lucrative business that hauls in $3 billion a year.

CHANGING OBAMA REFORM:
- Attorneys are told to “charge and pursue the most serious and readily provable offenses,” and craft a legacy for the Trump administration that increases draconian and retributive justice.
- The reform consists of mandatory minimum sentences and an intensification of aggressive policing in America’s poorest communities of color.

WHY?

Must watch!

Jeff Sessions
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DIFFERENT LEVELS:
- Prevention
- Court Involved
- Probation
- Detention
- Parole/Re-Entry

ANOTHER WAY:
ADVOCACY! (Juvenile Justice)
- Dismantle School to Prison Pipeline
- Juvenile Life without Parole
- Trying Juveniles as Adults
- Raise the Age
- Rape Elimination Act
- Mental Health Services
- End Solitary Confinement

Every year...
1.2 million children are arrested
500,000 sent to detention

Every night...
57,000 youth are locked up
in 2,000 detention facilities

Imagine If This Crisis Became An Opportunity
www.everyyouth.org