The School to Prison Pipeline

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Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. Ability is stretched or stunted by the family that you live with, and the neighborhood you live in—by the school you go to and the poverty or the richness of your surroundings. It is the product of a hundred unseen forces playing upon the little infant, the child, and finally the man.
The Good News
Obama Triumphs

Promise of change propels first black president to White House

Obama elected first black president

Biden achieves highest office for a Delawarean

Peace of mind comes standard on every vehicle.

High Turnout Swings Florida. And the Nation, To Obama

The Huntzville Times

YES HE DID!

Barack Obama promises to "be everyone's president"

Five blacks, "This day was coming"

Casa Grecque

Special Crevettes

15 PÂTES
The National Criminal Justice Commission Act of 2009 that I introduced in the Senate on March 26, 2009 will create a blue-ribbon commission to look at every aspect of our criminal justice system with an eye toward reshaping the process from top to bottom. I believe that it is time to bring together the best minds in America to confer, report, and make concrete recommendations about how we can reform the process.

Why We Urgently Need this Legislation:

- With 5% of the world’s population, our country now houses 25% of the world’s reported prisoners.
- Incarcerated drug offenders have soared 1200% since 1980.
- Four times as many mentally ill people are in prisons than in mental health hospitals.
- Approximately 1 million gang members reside in the U.S., many of them foreign-based, and Mexican cartels operate in 230+ communities across the country.
- Post-incarceration re-entry programs are haphazard and often nonexistent, undermining public safety and making it extremely difficult for ex-offenders to become full, contributing members of society.

America’s criminal justice system has deteriorated to the point that it is a national disgrace. Its irregularities and inequities cut against the notion that we are a society founded on fundamental fairness. Our failure to address this problem has caused the nation’s prisons to burst their seams with massive overcrowding, even as our neighborhoods have become more dangerous. We are wasting billions of dollars and diminishing millions of lives.

We need to fix the system. Doing so will require a major nationwide recalculation of who goes to prison and for how long and of how we address the long-term consequences of incarceration.
There are few things rarer than a major politician doing something that is genuinely courageous and principled, but Jim Webb's impassioned commitment to fundamental prison reform is exactly that.

Glenn Greenwald
Salon.com, March 28
Other Promising Headlines

**To Cut Costs, States Relax Prison Policies**
— NY Times, March 24, 2009

**Bills would loosen Florida zero tolerance policies**
— Florida A.P., March 25, 2009

**$50 million of the workforce-training money is set aside for YouthBuild**
— Education Week, March 11

**South School looking at the bright side; rewarding positive student behavior**
— Tri-State Media, March 17

**Albany Reaches Deal to Repeal 70’s Drug Laws**
— New York Times, March 26
Promising futures
The Bad News
The School to Prison Pipeline Marches On

- Arrests of students in school are no longer an anomaly, but an accepted fact.
- Principals and teachers often embrace the idea of police arresting students, sometimes more than the police themselves.
- District attorneys, police, and some judges now consider schools as part of their “territory” – e.g. rise in Facebook and cell phone “crimes.”
Framing the Pipeline

- This is more than a legal issue involving abusive discipline and policing
- The School to Prison Pipeline really begins in neighborhoods of concentrated disadvantage
- Series of conditions and experiences can converge in insidious ways to make it difficult for children of color to succeed in school
What Are These Conditions?

- Poverty
- Exposure to violence and trauma
- Environmental hazards
- Poor access to health care—vision and dental problems
- Lack of nutrition
- Over-stressed families and parents
- Lack of preparation for kindergarten
- Falling behind academically can lead to increasingly severe behavioral issues
Schools Worsen the Problem

- Cultural “disconnect” between mostly white and middle class teachers and the children of color in their classrooms.
- Crowded conditions, under-resourced facilities, over-taxed teachers, many with little experience, leads to chaotic environments.
- Misreading and misunderstanding of behaviors and affects—leading to suspensions, expulsions, etc. that increase dramatically as children become teenagers in middle school.
- Lack of parental and community engagement.
Implicit—unconscious—racial bias and stereotyping by teachers, school officials, police

Lack of understanding of home and neighborhood environments of children and stresses they live with

Narrow and rigid educational orientation—pressure to increase test scores and adhere to rigid and punitive zero tolerance policies

Perverse institutional incentives to “push out” certain students or engage in “selective discipline”
New Research Changes Our Diagnosis of Both the Problem and the Remedies

Recent neuro-scientific research helps us to understand how the developing brain is altered by conditions in the social environment. This casts a new light on how and why children behave in a certain way in school, particularly those who have been exposed to trauma, violence and toxic stress.
New Research Changes Our Diagnosis of Both the Problem and the Remedies (continued)

- Implicit bias research helps us to understand how unconscious prejudice may affect decision-making process of teachers, administrators, and school resource officers.
Need to Look Both Within and Outside of School for Solutions

Need to focus on:

- Changing the climate of school, and punitive orientation of officials
- Increasing access to health and mental health resources for students and families
Need to Look Both Within and Outside of School for Solutions
(continued)

Need to focus on:

- Building trusting relationships between children and adults
- Building stronger collaborations with organizations outside of school
However....

- Solutions cannot be found just in schools
- Children bring the rest of their lives into school with them; these must be addressed as well
Challenge For Litigators

- Can we use litigation to do more than stop most egregious abuses, but also advocate for positive systemic and structural reforms?
- Can we start to bring some of our new knowledge about the ways in which children are affected by their environments into remedies portion of litigation?
- Can we coordinate litigation with other advocacy strategies?
Beyond Litigation

- Training for police, teachers, and principals in adolescent psychology, conflict resolution, identifying signs of trauma, developing brain, implicit bias

- Transparent data collection, particularly around school arrests

- Better and more community/parent oversight of school arrests and police interventions
Beyond Litigation

- Advocacy for more health and mental health services in the schools; and other non-punitive options and supports

- Clearer understanding and guidelines for the role and purpose of SROs in school

- More after-school and out of school opportunities, resources for children and families

- Advocacy for redistribution of funding streams away from corrections/juvenile justice toward increased services
Window of Opportunity

“Dropping out is no longer an option....”

- President Barack Obama
The Challenge

- Need to connect **school to prison pipeline** issues more closely to dropout discussion: to move more forcefully and aggressively into the public domain, congressional hearings, etc. the notion that dropping out is not always an individual choice, but often an institutional one, that students are being “pushed out.”

- Must make ending “pushouts” an integral part of the dropout prevention discussion and strategies