

INTRODUCTION

“Make (our High School) more like a school and less like a prison. They have us on lockdown.”

– Veronica, 11th grade Denver student

Across the United States many public schools have turned into feeder schools for the juvenile and criminal justice systems. Youths are finding themselves increasingly at risk of falling into the school-to-prison pipeline through push-outs (systematic exclusion through suspensions, expulsions, discouragement, and high-stakes testing).¹ Yet, an even more direct schoolhouse-to-jailhouse track is transferring a growing number of youths to the penal system. In the name of school safety, schools have implemented unforgiving, overly harsh zero-tolerance discipline practices that turn kids into criminals for acts that rarely constitute a crime when committed by an adult. No one is safe from zero tolerance—age, grade, past behavior, and disabilities are often irrelevant. And, although students of all races and genders are victims of this track, it is especially reserved for children of color—and males in particular. Schools have teamed up with law enforcement to make this happen by imposing a “double dose” of punishment: suspension or expulsion and a trip to the juvenile justice system.

At age 10, Porsche tragically became a passenger on the schoolhouse-to-jailhouse track. In December 2004, Porsche, a fourth-grade student at a Philadelphia, PA, elementary school, was yanked out of class, handcuffed, taken to the police station and held for eight hours for bringing a pair of 8-inch scissors to school. She had been using the scissors to work on a school project at home. School district officials acknowledged that the young girl was not using the scissors as a weapon or

threatening anyone with them, but scissors qualified as a potential weapon under state law.

“My daughter cried and cried,” said Rose Jackson, Porsche’s mother. “She had no idea what she did was wrong. I think that was way too harsh.” Ultimately, city police did not charge Porsche with a crime because she had no intent to use the scissors as a weapon. She was, however, suspended from school for five days.² School district officials later apologized, calling the school’s actions extreme: “We do not think it’s valid to call police officers off their beats to deal with nonthreatening incidents on a primary grade level. The school can handle these incidents using trained school police, our suspension and expulsion policies, and our mandated reporting as part of our zero tolerance policy.”³

To some, American children have become Public Enemy #1. Society is becoming convinced that children are more violent than ever. Heavy media coverage of the rare instances of school violence has played into the public’s worst fears and prompted a law-and-order approach to dealing with children. The truth is that between 1992 and 2002, nationwide violent crimes at schools against students aged 12 to 18 dropped by 50%, and schools remain the safest places for children.⁴ In addition, between 1994 and 2002, the youth arrest rate for violent crimes has declined 47% nationally.⁵

Even in the face of these positive trends, schools are taking drastic steps. Visible measures to prevent serious crime in schools include: school security officers, police officers, metal detectors, tasers, canine dogs, drug sweeps, SWAT teams, biometric hand readers, and surveillance cameras.

The untold story is the way in which schools are turning harmless acts of youthful indiscretion into crimes. In many instances zero tolerance policies have become ludicrous, and, even worse, are destroying thousands of children's lives by sending them into the juvenile justice system. Of course, we must have safety in our schools; however, a delicate balancing act must be applied. Schools must take a thoughtful approach to discipline to ensure that young men and women are not robbed of opportunities to succeed.

This report is intended to ignite a dialogue about the negative side effects of law enforcement approaches to typical student misbehavior and to encourage efforts toward reform. We focus on three sites where the schoolhouse-to-jailhouse track is in full operation and where communities have begun to realize its adverse impact on students. Hopefully, the information provided will move educators, students, parents, and activists to eliminate the negative trends and to create caring learning environments where this track is non-existent.

Long-Lasting Effects

Zero tolerance has engendered a number of problems: denial of education through increased suspension and expulsion rates, referrals to inadequate alternative schools, lower test scores,⁶ higher dropout rates,⁷ and racial profiling of students. Also, according to the Center for Evaluation and Education Policy at Indiana University:

“Schools with higher rates of suspension have been reported to have higher student–teacher ratios and a lower level of academic quality, spend more time on discipline-related matters, pay significantly less attention to issues of school climate, and have less satisfactory school governance.”⁸

The criminalization of children by their schools leaves additional scars. These students face the emotional trauma, embarrassment, and stigma of being handcuffed and taken away from school—often shackled with an ankle-monitoring device.

They must then serve time on probation with no slip-ups. One class missed or one failing grade and the next step may be a juvenile detention facility. Once many of these youths are in “the system,” they never get back on the academic track. Sometimes, schools refuse to readmit them;⁹ and even if these students do return to school, they are often labeled and targeted for close monitoring by school staff and police. Consequently, many become demoralized, drop out, and fall deeper and deeper into the juvenile or criminal justice systems. Those who do not drop out may find that their discipline and juvenile or criminal records haunt them when they apply to college or for a scholarship or government grant, or try to enlist in the military or find employment. In some places, a criminal record may prevent them or their families from residing in publicly subsidized housing.¹⁰ In this era of zero tolerance, the consequences of child or adolescent behaviors may long outlive students' teenage years.

In 2003, Advancement Project released its first comprehensive report on the criminalization of youths by their schools for minor conduct. *Derailed: The Schoolhouse to Jailhouse Track* detailed the growing expanse of zero tolerance policies and practices and the shift of school discipline for trivial incidents from principals' offices to police stations and courtrooms.

Since the publication of *Derailed*, a scan of news headlines reveals that the schoolhouse to jailhouse track is picking up steam. Some cases were so absurd, law enforcement or courts refused to deal with them. For example:

- **Monticello, FL** – A 7-year-old, African-American boy who has Attention Deficit Disorder was arrested and hauled off to the county jail for hitting a classmate, a teacher, and a principal and scratching a school resource officer. The 4 foot, 6 inch, 60-pound second grader was fingerprinted and eventually cried himself to sleep in his jail cell.¹¹

- **Wilmington, NC** - A high school student was criminally charged by a sheriff's deputy for cursing in front of a teacher. Four months after the student went to court, facing the possibility of up to 30 days in jail, prosecutors dropped the charges.¹²
- **Bridgeport, CT** – A high school student was arrested and charged with second degree breach of peace for a shouting argument with his girlfriend.¹³ Bridgeport students and parents protested the over-reliance on law enforcement in schools after 140 students were arrested during the first six weeks of the school year.¹⁴
- **Craig, CO** – A 12-year-old student was charged with disorderly conduct for a shoving match with his classmate.¹⁵
- **Port St. Lucie, FL** – A 14-year old girl was arrested and charged with battery for pouring a carton of chocolate milk on the head of a classmate. The girl explained that she heard that the victim was “talking about her.” Local police stated that they believed “the quickest way to resolve it was to charge her.”¹⁶
- **Louisville, KY** – An 8-year-old elementary school student was charged with felony assault when he hit and kicked his teacher as she attempted to remove him from the classroom for misbehaving. The juvenile court judge dismissed the charges.¹⁷
- How zero tolerance, a policy originally designed to address the most serious misconduct, morphed into a “take no prisoners” approach to school discipline issues and created a direct track into the juvenile and criminal justice systems;
- The expanding role of law enforcement measures in schools;
- The disparate impact of these practices on students of color and those with disabilities and;
- How the schoolhouse to jailhouse track is unfolding in Denver, Chicago, and Palm Beach County.

This report concludes that schools have turned to law enforcement to assist in school disciplinary matters. In many instances the conduct at issue is so petty, law enforcement agencies and courts have refused to pursue the charges that schools have initiated, which has had costly financial and human consequences. Ultimately, communities, parents, and students must hold school and law enforcement officials accountable for these actions, and urge them to create programs and practices that will teach appropriate behavior and not merely punish misbehavior.

Furthermore, schools must work toward creating environments that are safe and conducive to learning, but also where no youth is discarded or pushed out. Zero tolerance and the criminal treatment of students must not undermine the trust students place in their schools or cut off the bright futures of thousands of youths while adding nothing to the creation of safer learning environments.

These examples underscore the need to further examine the roles that schools and law enforcement play in needlessly criminalizing students and the consequences of that criminalization.

Education on Lockdown: The Schoolhouse to Jailhouse Track, will dissect this track by examining: