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The School-to-Prison Pipeline Gets Its First-Ever Airing in the Senate

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by [Julianne Hing](#)

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Despite all the outrage the school-to-prison pipeline stirs, it rarely gets the attention it demands in national policy discussions. But after years of aggressive agitating and advocacy, the topic is inching its way into the limelight. On Wednesday, Congress finally noticed, too. For the first time, the school-to-prison pipeline was the focus of a Senate hearing.

“There has never been a congressional hearing of its kind, ever,” said Jadine Johnson, an attorney with the Southern Poverty Law Center who was in Washington, D.C., for the meeting. “We see this as a landmark hearing and a very special day.”

The hearing comes less than two months after the Department of Justice filed a lawsuit against Meridian, Miss., and its juvenile justice court system, charging that city officials have violated students’ rights as they “routinely and systematically arrest and incarcerate children” for offenses like showing up late to class or wearing the [wrong color socks](#) [http://colorlines.com/archives/2012/11/school_prison_pipeline_meridian.html]. The city, youth court system, and youth court judges have denied that they violated children’s civil rights, and have refused to hand over court records because they say doing so would violate the privacy rights of youth. The Justice Department says this excuse is unconvincing.

Wednesday’s Judiciary Committee hearing was a milestone for a movement that has fought to raise awareness about these kinds of policies in schools around the country. The issue sits squarely at the intersection of race, educational equity and criminal justice. The committee heard testimony from Obama administration officials, a former Chicago Public Schools

student, reform advocates and criminal justice leaders who sought to answer some basic questions: What good has the rise of zero-tolerance school discipline policies, now responsible for three million suspensions a year, done for the students they were supposed to protect? And just as pressing: What justifiable explanations are there for the deep disparities that zero-tolerance school discipline so reliably produces?

“For many young people schools are increasingly a gateway to the criminal justice system,” said Illinois Democrat Sen. Dick Durbin, who chairs the Judiciary Committee. “A schoolyard fight that used to warrant a trip to the principal’s office,” he said, is increasingly landing kids in booking stations such that “this school-to-prison pipeline has moved scores of young people from classrooms to courtrooms.”

The phrase “school-to-prison pipeline” alludes to the structural dynamics within schools and the juvenile justice system that work to push the most vulnerable students, a disproportionate number of them black and Latino, out of school, away from their educational futures and into the waiting arms of a criminal justice system that’s all too prepared to dominate their lives. On a practical level, it refers to the rise of so-called zero-tolerance policies, which were inspired by the war on drugs and which critics argue have criminalized students with typical developmental challenges—while generating doubtful improvements in actual student behavior or school environments, but devastating impacts on students’ lives.

Research has shown that the more interaction a young person has with the criminal justice system, such as when students are introduced to the insides of police cars and detention facilities via harsh punishments for school-based infractions like talking back to a teacher or getting into a schoolyard fight, the more likely they are to come into contact with the criminal justice system in the future.

“Students who should be sent to the guidance counselor to find out what is really wrong end up at the police station,” Judith Browne Dianis, co-director of the civil rights advocacy organization Advancement Project, said during her testimony in front of the congressional panel. “We are facing a discipline crisis, one that is pushing students of color out of school, by either kicking them out of school or causing them to drop out, and one that is disproportionately impacting lesbian, gay, bisexual, transgender, and queer students and students with disabilities.”

It’s a cyclical, structural problem, said Dianis and others who testified. As it is, over 70 percent of those who are arrested in schools are African American or Latino, a number that wildly outstrips those students’ enrollment. And the unevenness extends elsewhere. When white students get suspended, it’s often for objective offenses like cutting class or graffiti, but black

students in particular are far more likely to get suspended for highly subjective offenses like “defiance” or “disorderly conduct,” suggesting that adults’ implicit and overt biases play a role in how punishment is meted out.

The Justice Department lawsuit comes after other forceful moves by the Obama administration to address the school-to-prison pipeline and its disparate impact on students of color.

But take even a cursory tour through the school-to-prison pipeline landscape and what’s immediately clear is that Mississippi’s particular version, while egregious, is hardly exceptional. From Colorado to Alabama, Illinois to Texas, advocacy groups are chasing after school districts where it’s common practice to respond with harsh, swift, mandatory punishment when what many young people really need is supportive school environments and a system of justice that gets to the root of an issue when students are perceived to be acting out.

“I think that schools need to throw out the assumption that young people are all dangerous or a threat,” said Edward Ward, a graduate of Chicago’s public school system and member of the Dignity in Schools campaign, in his testimony during Wednesday’s hearing. “The discipline policies seemed to overlook ways to help students succeed. They needed proper mentors, people who could understand them. They needed a place to grow, to learn, to escape everything in our worlds that was making us grow up too quickly otherwise.”

Advocates say the Senate hearing, along with the proactive steps taken by the Departments of Justice and Education in the last year, should be considered a hopeful arbiter of positive reforms to come, or at the very least a signal of a new openness to address issues which have been ignored for far too long.

“There was a time when people were afraid to talk about this issue,” said Deborah Vagins, senior legislative counsel at the ACLU. “And things are changing. It’s critical that we’re having this hearing now.”

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