

School to Prison Pipeline

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The Honorable Elizabeth Trosch
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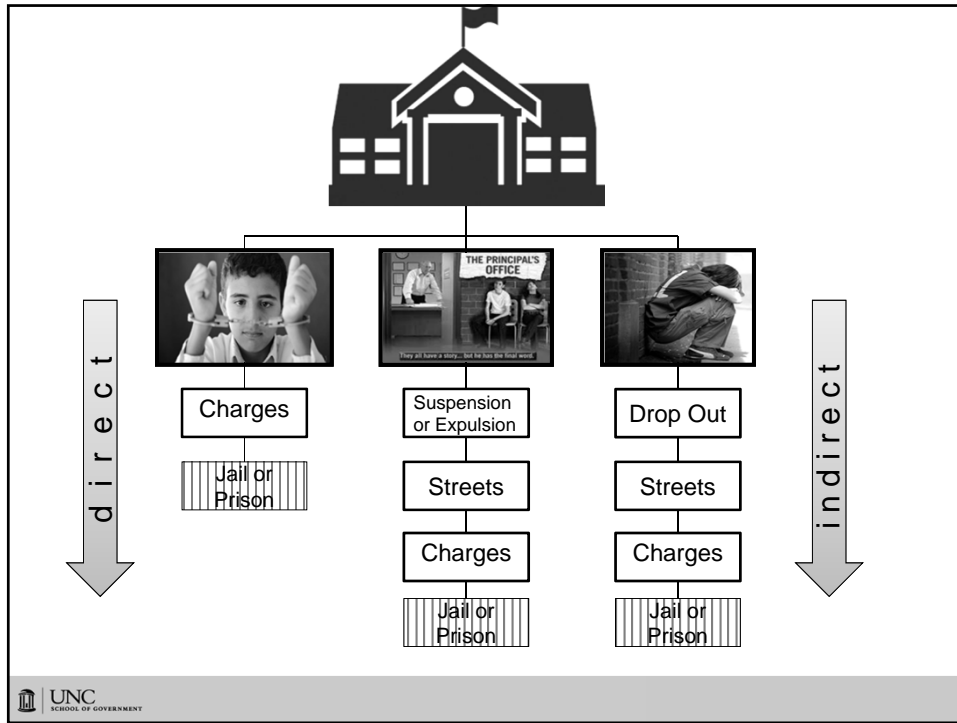


www.sog.unc.edu

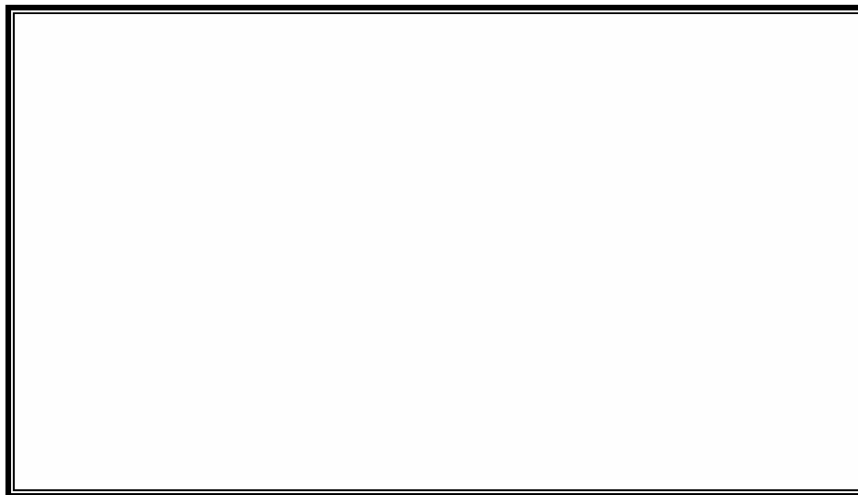
School to Prison Pipeline

- System of laws, polices, and practices that pushes students out of schools and into the juvenile and criminal justice systems.



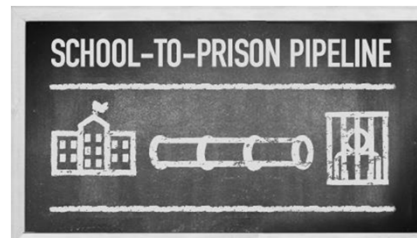


Documentary: North Carolina's School to Prison Pipeline



Contributing Factors

- Academic Failure
- Exclusionary Discipline
 - zero tolerance policies
 - suspension / expulsion
 - alternative education
- School Policing



Academic Failure

- Research shows connection between school failure and delinquency
 - Eugene Maguin & Rolf Loeber, Academic Performance and Delinquency, 20 Crime & Just. 145 (1996)
- Impacted by school resources
 - overcrowded schools
 - low teacher pay
 - NC is 41st in nation (2015)
 - low per pupil spending
 - NC is 46th in nation (\$8,620/student) (2014)
 - » National average (\$11,355/student)



Exclusionary Discipline

Zero Tolerance

- Mandatorily reported offenses [G.S. 115C-288(g)]
 1. Assault resulting in serious personal injury
 2. Assault involving use of a weapon
 3. Indecent liberties with a minor
 4. Kidnapping
 5. Possession of controlled substance
 6. Possession of firearm
 7. Possession of weapon
 8. Rape
 9. Sexual assault
 10. Sexual offense
- Discretionary referrals to JJS & CJS for minor infractions

Short-Term Suspension (2014-15)

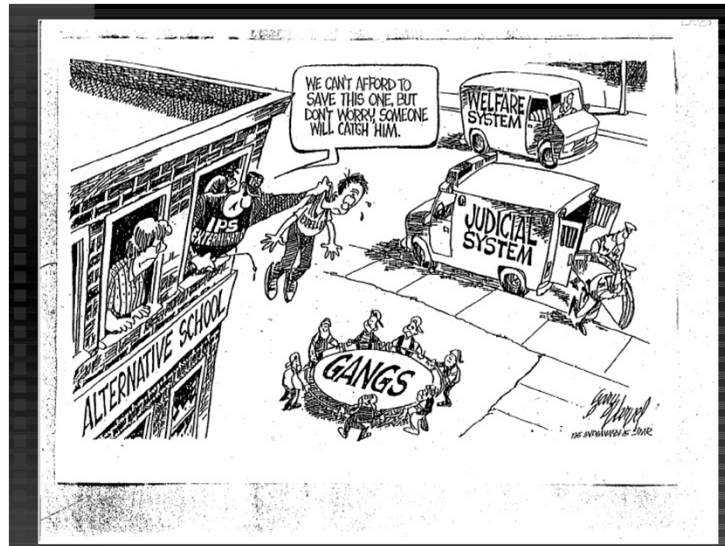
- Definition: 1-10 school days
- Total: 208,650
 - increase of 5.2% from the 2013-14 total of 198,254.
- Students: 113,974
- Average length: 3.01 school days
- Total school days missed: over 628,000
- Publicly-reported data doesn't include:
 - Bus suspensions
 - No data available even through public records requests
 - In-school suspensions
 - Total referrals to ISS - 207,944
 - Total school days lost - 343,257
- 1 in 9 high school students had at least 1 short-term suspension in 2014-2015



Long-Term Suspension (2014-15)

- Definition: 11 school days or more
- Total: 1,085
- Students: 1,045
- Average length: 72.4 school days
- Total school days missed: 78,549
- Alternative learning placements: 7027
 - disciplinary transfers do not count as long-term suspensions

Alternative Education



School Policing



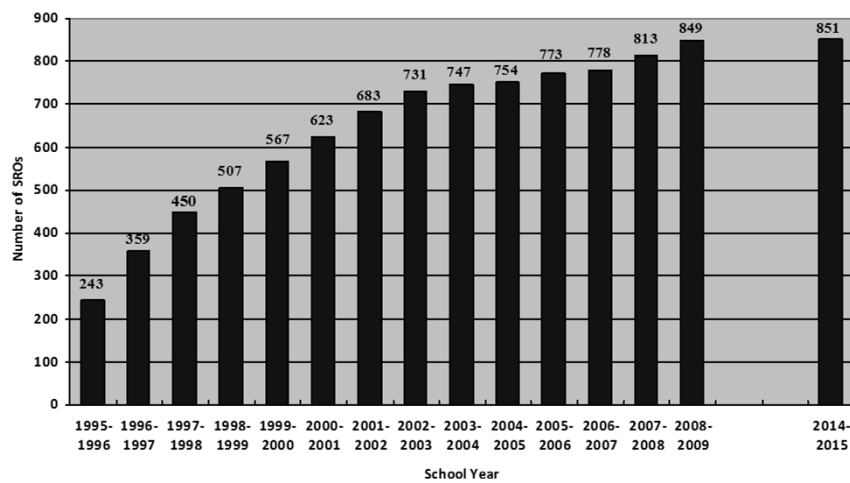
851 SROs in NC
(250% increase since 1996)



Source: <http://www.ncdps.gov/document/2015-north-carolina-school-resource-officer-census>



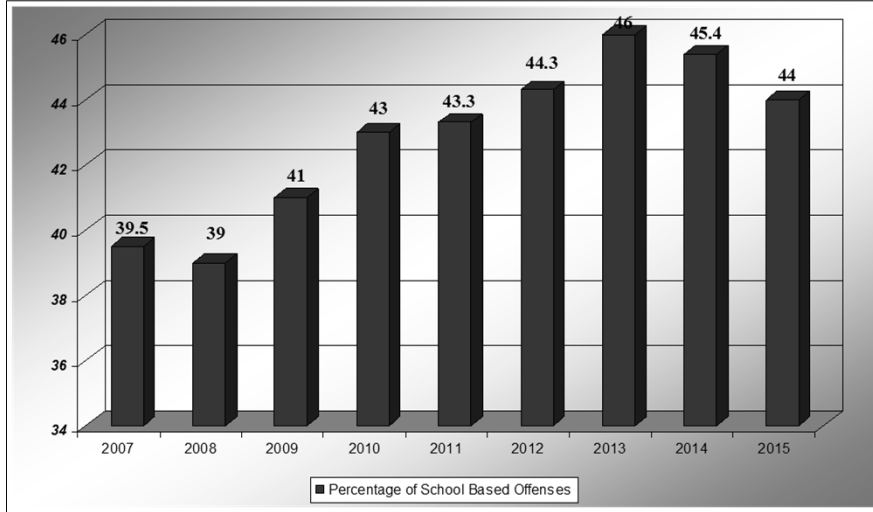
School Resource Officer Growth



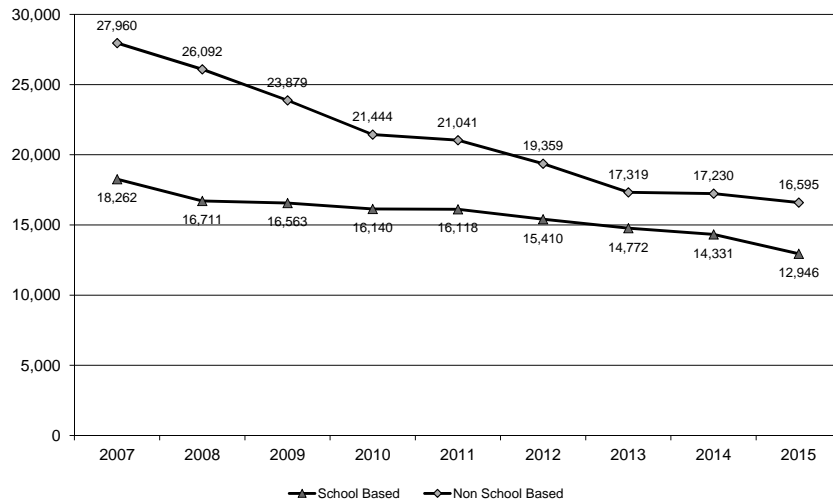
Data Source: NC SRO Census 2008-2009



School Based Offense Trends

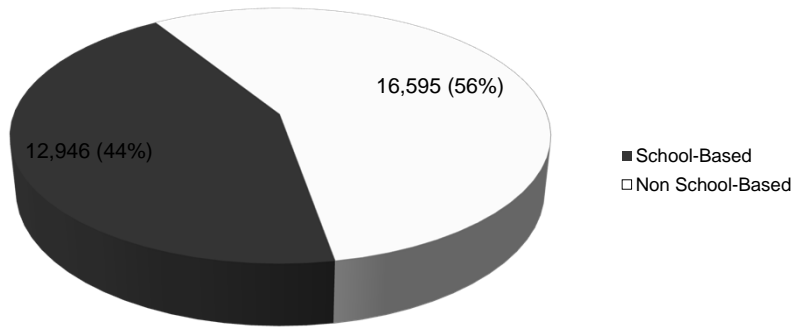


School Based Offense Trends



2015 School Based Offenses

School Based vs. Non-School Based Complaints: CY 2015

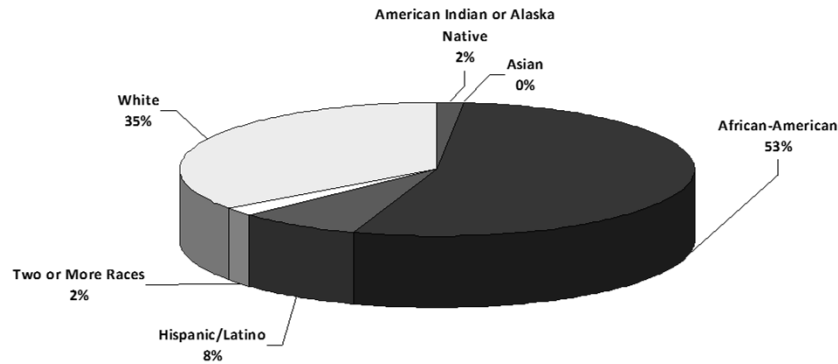


2014-2015 School Based Complaints by County

Complaint County	School Based Complaints		Non-School Based Complaints		Percentage of School Based Complaints Against African-Americans	Total Number of Complaints
	Count	Percent	Count	Percent		
Brunswick	375	70%	159	30%	36%	534
Burke	213	72%	82	28%	17%	295
Caldwell	143	72%	57	29%	22%	200
Duplin	94	76%	30	24%	49%	124
Harnett	347	72%	137	28%	55%	484
Lee	252	78%	72	22%	55%	324
Montgomery	63	83%	13	17%	30%	76
Pender	147	75%	48	25%	40%	195
Surry	193	71%	78	29%	14%	271
Warren	67	82%	15	18%	84%	82

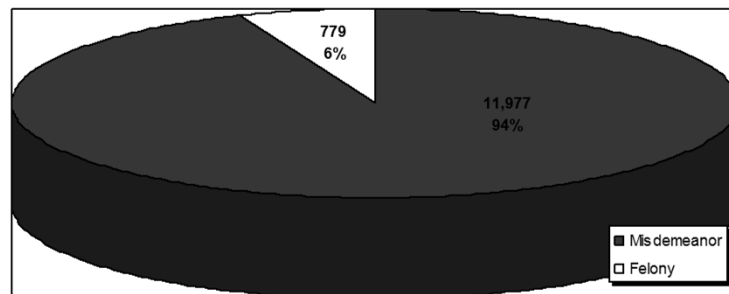


Statewide School Based Complaints by Race



2014-2015 School Based Complaints by Offense Type

14-33(a)	Simple assault	3,237
14-72(a)	Larceny - Misdemeanor	2,187
14-288.4(a)(6)	Disorderly Conduct at School	1,617



**Top 25
Delinquent
Complaints
FY 2015**

G.S.N.	Charged Delinquent Offense	Delinquent Complaints
14-33(a)	Simple assault	3,237
14-72(a)	Larceny - Misdemeanor	2,187
14-288.4(a)(6)	Disorderly Conduct at School	1,617
14-33(a)	Simple affray	1,245
14-54(a)	Breaking and or entering (f)	1,197
14-277.1	Communicating threats	1,040
14-127	Injury to real property	1,016
14-223	Resisting public officer	839
14-56	Break or enter a motor vehicle	788
14-71.1	Possess stolen goods / property (m)	719
14-160(b)	Injury to Personal Property in excess \$200	707
14-72(b)(2)	Larceny after breaking or entering	675
14-160	Injury to personal property	632
90-95(a)(3)	Simple possession schedule VI controlled substance	598
14-33(c)(4)	Assault government official / employee	555
14-269.2	Weapons on educational property / aid (m)	488
14-54(b)	Breaking or entering (m)	393
14-72.1	Shoplifting concealment goods	378
14-87	Robbery with dangerous weapon	322
14-33(c)(6)	Assault school employee / volunteer	320
14-27.5A	Sexual battery	318
90-95(a)(3)	Possess marijuana (Schedule VI Controlled Substance) up to 1/2 oz	316
90-113.22	Possess drug paraphernalia	315
14-269.2(d)	Possession of any bb/air gun, certain knives, brass knuckles, razors/blades (exclude shaving) fireworks, or any non-educational sharp-pointed instrument or tool on educational property is unlawful.	314
14-288.4(a)1	Disorderly Conduct by engaging in fighting or other violent conduct or in conduct creating the threat of imminent fighting or other violence	313
14-159.13	Second degree trespass	304
	Total	20,833



Consequences

- Increased suspension and expulsion
- Higher recidivism
 - 2 year recidivism rates:
 - 21% diverted youth
 - 42% 15 year olds
 - 49.3% 16 &17 year olds
- Criminal record (16+)
- Disparate impact
 - Minorities, males, disabled students
 - Black students
 - 25.9% of population
 - 56.7% short-term susp.
 - 55.5% short-term susp.
 - Disabled students
 - 12.8% of population
 - 24.4% short-term susp.
 - 22% long-term susp.

<http://nccalj.org/wp-content/uploads/2015/12/Comparative-Statistical-Profile-of-Young-Offenders-in-North-Carolina.pdf>



Loss of Foster Care

- Wake Co. foster child
- 3 weeks in jail for school bus fight
- School considered fight “minor infraction”
- SRO filed criminal charges
- Lost foster care placement
- Released upon guilty plea to disorderly conduct and communicating threats



Selena Garcia, 17 years old
March 2014

Solutions

- Prevention
 - PBIS, staff training, adequate school funding
- Intervention
 - Mentoring, counseling, special ed. services
- Alternatives
 - Diversion, in-school suspension, treatment
- Policy
 - Mandatory SRO training
 - School justice partnerships (Mecklenburg, New Hanover, Wake)

Resources

- Center for Juvenile Justice Reform (Georgetown)
 - <http://cjjr.georgetown.edu/certificate-programs/school-justice/>
- National Clearinghouse on Supportive School Discipline
 - <http://supportiveschooldiscipline.org>
- National Council of Juvenile and Family Court Judges
 - http://www.ncjfcj.org/sites/default/files/NCJFCJ_SchoolPathways_Guide_Final2.pdf
- NC Department of Public Instruction
 - <http://www.dpi.state.nc.us/>
- Youth Justice Project NC
 - <http://youthjusticenc.org/>
- U.S. Department of Education
 - <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>



Judge Elizabeth Trosch

JUDICIAL LEADERSHIP IN SCHOOL JUSTICE PARTNERSHIPS

