

The School-to-Prison Pipeline's Role in Criminal Justice Reform

By Kyle Bacon

- Inadequately-resourced schools filled with overcrowded classrooms but void of fully equipped and supported teachers, counselors, special education services and textbooks.
- Punitive “zero-tolerance” policies that lead to suspensions, expulsions and contact with the juvenile justice system.
- Increased in-school police presence, often with limited youth-worker training, leading to countless school-based arrests.
- Alternative school environments for students who have been suspended or expelled with little or no educational accountability standards. Juvenile detention facilities with modest educational services.

Each of the aforementioned are well-documented checkpoints along the school-to-prison pipeline that thrust many of our underserved and under-supported young people down the track from school to jail. Students who are pushed along this pipeline often find it difficult to transition back to traditional schools where they can receive proper education and support. Throughout my career, I have worked with juvenile offenders, children and families impacted by incarceration, and students at risk of falling prey to systemic barriers. This space is where educational equity, social justice and civil rights policies intersect, and philanthropy has an important part to play.

I chose to engage in this work so that I could help actively address not only the issues, policies and systems that create the

school-to-prison pipeline, but also have a direct impact on the lives and communities affected by them. Organizations like those I have served in, that work to close the school-to-prison pipeline, rely on innovative partnerships and collaborative programming among local, state and federal stakeholders, including school districts, community-based intervention programs, nonprofits, government institutions and funders. Funding for schools and related educational programs is complex, but philanthropic funds are essential because they can support critical work in ways that government sometimes can not. Funders like the Charles Stewart Mott Foundation, the Annie E. Casey Foundation and the Schott Foundation for Public Education are already making important strides in supporting education,¹ but there remains a huge space for foundations to help close the school-to-prison pipeline.

There are some existing government-funded programs that provide a model for strategies that foundations might want to pursue. While working in Ohio, I saw firsthand the effects of Title I state and federal allocations that enabled local districts to provide in-school academic intervention for students falling behind academically.² Crucially, the students and families most at risk of falling into the pipeline or being pushed out of school were at the center of the process of change and the creation of corrective plans. One-on-one interventions, small group work targeting identified areas of necessary competency in collaboration with classroom teachers and school coun-

selors, and in-class instructional support are helping to fill the gaps many students face falling into.

There was much to celebrate from the academic gains and behavioral shifts this program facilitated, seen through analysis of grant feedback reporting data. However, it was clear that there still were groups of district students standing to benefit from additional support outside of school. Almost all of this subset of students had already had contact with the juvenile detention system. Unsurprisingly, and unfortunately, a majority of these students came from disinvested neighborhoods and were disproportionately non-white.

In my role as an academic interventionist for the Springfield City School District in Springfield, Ohio, I was tasked with providing supplemental academic services for a district partner – a second-chance residential program for juvenile offenders who were reentering the public school system. A majority of the residents who matriculated through this program had been suspended or expelled from school and had missed significant classroom instruction time and positive behavioral support structures. Intentional and coordinated efforts were needed to help redirect their academic and life trajectories. Progress required empathy, culturally appropriate content, careful consideration of learning differences, effective behavior management and positive discipline approaches and collaboration among counselors, teachers and justice system officials. Most importantly, my colleagues and I needed to meet the

students where they were in life and include their voices in the creation of a plan to get them where they needed to be. The cohorts of students who came to this program from juvenile detention centers had encountered many of the challenges listed previously. At times, “success” was hard to define and measure effectively.

I transitioned from doing academic intervention work in Ohio to preventive work with a national nonprofit organization. I had the opportunity to work with children and families impacted by incarceration or at risk of falling behind in school, which had the potential to lead them into the pipeline of contact with the prison system. We developed academic skill building, character building and future dream building programs for the students during after-school time in partnership with Title I schools in cities throughout the country. Localized work gave a snapshot of the school-to-prison pipeline issues but lacked clarity on what needed to be done and how to measure success. Working with national level organizations provided a different lens through which to see what is happening in different places and measure results beyond the district level. This provided a different partnership experience, in particular with government and philanthropy, to create, measure effectiveness and scale success.

One story of a student who was redirected from the pipeline highlights not only the risk factors that are so prevalent, but also how preventive supports can make a meaningful difference. This student self-identifies as a product of resilience. Throughout his life, he says he has been pulled, pressed, stretched and bent – but never broken. He experienced the foster care system early in life. He had a parent who suffered from mental illness, abused drugs and was incarcerated. He was so angry that his behavior led to him to be kicked out of school and placed in an alternative school where little didactic work was done.



CC images of students protesting and signing a petition to stop the school-to-prison pipeline by ACLU of Southern California.

His grandmother stepped in and took custody of him and his sister, providing an environment in which he could learn, grow, feel supported and protected and “just be a kid.” Moving to another new school, he was nervous that the other kids would make fun of him for being two grades behind. His grandmother enrolled him in a national program that provided social-emotional development and positive mentoring, and taught him to be accountable for his own learning. Ultimately, he was redirected from the pipeline, graduated from high school and is now in college. He exhibited resilience, grit and determination, all skills learned through innovative programming made possible through integrated work of the nonprofit sector, government and philanthropy. Now a young adult, he wrote to his mother in prison to forgive her for all the hurt he endured through her decisions. He is now ready to be an advocate for children who travel a path similar to his.

I have seen firsthand the impact that policy has on people’s lives, specifically in communities of color. Advocates must

continue to provide policy makers evidence and solutions based on culturally relevant data that move policy and advance necessary reforms, while also providing space and adequate supports for innovative and non-traditional initiatives and programming. Grantee organizations and frontline workers must continue to engage with federal policymakers, the Department of Justice and the Department of Education. We must continue providing young people diverse platforms to tell their stories and share insights on what change can and should look like. Institutional philanthropy is uniquely positioned to offer grantees flexible support that allows people doing work on the ground to respond with agility to confront ever-changing circumstances.

More work is still needed to ensure that some of our most at-risk young people, families and communities have the necessary supports and opportunities they need to thrive, just like the rest of American communities across the country.

The philanthropic community can and must be engaged as funders, thought partners and advocates with grantees and community stakeholders. Philanthropic funding is needed for this grassroots work to be effective through diversifying allies and building strong partnerships. This is a win-win for foundations, which stand to benefit from implementing high-yield social justice strategies. Research from NCRP shows that funding strategies like grassroots organizing and advocacy garners a return of \$115 for every dollar invested.³

Young professionals are answering the call to provide philanthropic support through organizations like Capital Cause that transform communities through collective giving. Their efforts are advancing social and criminal justice reform movements through intentional and strategic actions such as the Justice4 initiative. This group raises funds and awards micro-grants to organizations already engaged in the movement. *(continued on page 9)*

1. Fund advocacy and community organizing groups that build power among formerly incarcerated populations, their families and allies to dismantle private prisons and unpaid labor, as well as other criminal justice reform toward more just policing and sentencing.

2. Market our new normal. We need to pursue public education to combat the narrative of fear perpetuated by those with special interests.

3. Call out companies that include prison labor in their business models. Shareholder activism and divestment are powerful tools some foundations forget are at their disposal.

4. Put pressure on lawmakers to once again restrict prison labor.

Foundations cannot say they are interested in helping disadvantaged groups forge a path to equity while investing in the system that represents the biggest obstacle in their lives. It's time to decide just how serious we are about reducing injustice in America. ■

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Notes

1. "Criminal Justice Fact Sheet," NAACP, <http://www.naacp.org/pages/criminal-justice-fact-sheet>.
2. Abe Louise Young, "BP Hires Prison Labor to Clean Up Spill While Coastal Residents Struggle," *The Nation*, July 21, 2010, <http://www.thenation.com/article/bp-hires-prison-labor-clean-spill-while-coastal-residents-struggle>.
3. The War on Drugs and its disparate effects on communities of color is outside the scope of this essay, but is well-documented elsewhere. For more information, see Lawrence D. Bobo and Victor Thompson, "Unfair by Design: The War on Drugs, Race, and the Legitimacy

of the Criminal Justice System," *Social Research*, Vol. 73, No. 2, 2006, https://muse.jhu.edu/journals/social_research/summary/v073/73.2.bobo.html.

4. Criminal Justice Fact Sheet, NAACP, <http://www.naacp.org/pages/criminal-justice-fact-sheet>.
5. Greta Warber, "Shipwreck Shines Light on Historic Shift in Slave Trade," *National Geographic*, June 5, 2015, <http://news.nationalgeographic.com/2015/06/150605-shipwreck-slave-trade-south-africa-18th-century-brazil>.
6. "The Southern "Black Codes" of 1865–66," Constitutional Rights Foundation, <http://www.crf-usa.org/brown-v-board-50th-anniversary/southern-black-codes.html>.
7. Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776–1941* (Massachusetts: Cambridge University Press, 2008).
8. Heather Ann Thompson, "The Prison Industrial Complex: A Growth Industry in a Shrinking Economy," *New Labor Forum*, August 6, 2012, <http://newlaborforum.cuny.edu/2012/08/06/the-prison-industrial-complex>.
9. Mike Elk and Bob Sloan, "The Hidden History of ALEC and Prison Labor," *The Nation*, August 1, 2011, <http://www.thenation.com/article/hidden-history-alec-and-prison-labor>.
10. Caroline Winter, "What Do Prisoners Make for Victoria's Secret?" *Mother Jones*, July/August 2008, <http://www.motherjones.com/politics/2008/07/what-do-prisoners-make-victorias-secret>.
11. Elk and Sloan, op cit.
12. Alex Park, "Is the Gates Foundation Still Investing in Private Prisons?" *Mother Jones*, December 8, 2014, <http://www.motherjones.com/politics/2014/12/gates-foundation-still-investing-private-prisons>.
13. Booth Gunter, "Investigation, Lawsuit Expose Barbaric Conditions at For-Profit Youth Prison in Mississippi," *Southern Poverty Law Center*, May 2, 2012, <https://www.splcenter.org/news/2012/05/03/investigation-lawsuit-expose-barbaric-conditions-profit-youth-prison-mississippi>.

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Traditional philanthropic entities like the Ford Foundation and others have made shifts to the way they fund, providing greater flexibility for organizations engaged in issues like justice reform. And the government continues to partner with philanthropy and non-profits through efforts like My Brother's Keeper and collaborative work to provide the funding and support through the Department of Justice and Department of Education.

I recognized at an early age the value of education and of having the opportunities and support systems to realize my dreams relatively unencumbered. Each child, family and community deserves the same. From neighborhood blocks to national board rooms, and from local courthouses to the White House, I have had the opportunity to experience the impact that both strong and structurally-biased policy can have on the communities that depend on policy most for effective change. We are all better when we are all doing better. ■

Kyle Bacon has served at organizations working to close the school-to-prison pipeline for over 10 years.

Notes

1. Kevin Welner and Amy Farley, *Confronting Systemic Inequity in Education* (D.C.: National Committee for Responsive Philanthropy, October 2010) <http://www.ncrp.org/paib/education-philanthropy>.
2. See "Title I – Improving The Academic Achievement Of The Disadvantaged," U.S. Department of Education, <http://www2.ed.gov/policy/elsec/leg/esea02/pg1.html>.
3. Lisa Rangelhelli, *Leveraging Limited Dollars: How Grantmakers Achieve Tangible Results by Funding Policy and Community Engagement* (D.C.: National Committee for Responsive Philanthropy, January 2012) http://www.ncrp.org/?option=com_ixxocart&Itemid=41&p=product&id=66&parent=1.