



## **The Criminalization of Black and Brown Girls – Adversity, Abuse and the School-to-Prison Pipeline Resources**

**Prepared for Registrants of May 19, 2021, Zoom Program presented by National Coalition of 100 Black Women-Northern Virginia Chapter and Virginia Chapter, National Organization for Women (NOW)**

The **school-to-prison pipeline** is defined by Wikipedia as “the disproportionate tendency of minors and young adults from disadvantaged backgrounds to become incarcerated because of harsh school and municipal policies, as well as because of educational inequality. Many experts have credited factors such as school disturbance laws, zero tolerance policies and practices, and an increase in police in schools as creating this pipeline.” Another term, used in educational research, is “school-prison nexus”; this has been used to challenge the idea of a unidirectional pipeline that begins in schools in order to show that schools work within a web of institutions, policies and practices that funnel youth of color into prisons.

For girls and young women, the school-to-prison pipeline could be termed the “sexual abuse-to-prison pipeline,” a term used by the Human Rights Project for Girls, Georgetown Law Center on Poverty and Inequality, and Ms. Foundation for Women in their 2015 report, *The Sexual Abuse to Prison Pipeline: The Girls’ Story*. The term refers to the fact that many girls in the criminal justice system are victims of abuse. Black girls, in particular, experience high rates of exclusionary school discipline (ESD), often in response to violations that are considered minor or subjectively determined, such as dress code violations and defiance.

In the expectation that the push for criminal justice reform will continue, the National Coalition of 100 Black Women-Northern Virginia Chapter and the Virginia Chapter of NOW (the National Organization for Women) sponsored an educational program via Zoom on May 19, 2021. ***The focus was to make it clear that what is happening to girls***

***and young women – especially those who are Black and Brown –is different from what is happening to boys and should be recognized and addressed appropriately.***

According to experts, there are two main differences: first, girls are punished for “status” offenses such as truancy, substance abuse and running away that would not constitute crimes if they were older; and second, abuse – physical and sexual – is a major factor driving the behavior that brings girls into the criminal justice system.

However, both Black and Brown boys and girls in school face far more discipline by race and gender than other children in all six main categories: rates of suspension, expulsion, arrest, restraints, referral to law enforcement, and transfers to alternative schools for disciplinary reasons.

### **Previously Introduced Legislation That Would Benefit Youth (Adapted from Rise for Youth)**

Remove allocation of state dollars to support **local School Resource Officer programs** and reallocate those funds to school support staff positions

**Eliminate the valid court order exception** allowing judges to incarcerate status offenders

Allocate funding to convene a work group of Public Safety and Public Health Secretariats to facilitate the **move of the Department of Juvenile Justice to the Health Secretary**

Require that any juvenile community correctional center **be located close to the communities where the youth come from and house no more than 30 youth**

Prohibit children 15 and younger from **waiving right to counsel**

Provide for **expungement of juvenile records** for offenses that would be felony larceny if committed by an adult (currently retained under current law)

## **Racism & Sexism in the School-to-Prison Pipeline**

Black girls are

6 times more likely to be suspended than white female students

2 times more likely to receive corporal punishment than white female students

3 times more likely to receive 1 or more in-school suspensions than white female students

4 times more likely to be arrested than white female students

3 times more likely to be restrained than white female students

4x times more likely to be referred to law enforcement than white female students

Girls who were identified as Native American, as having ‘two or more races, as Hawaiian/Pacific Islander (HI/PI) and as Hispanic also had a higher risk of school discipline than white girls in almost every category. For all these groups, the risk was similar—but usually higher—than that of their boy counterparts.

(Source: Pushoutfilm.com, Discipline Data for Girls in US Public Schools, Department of Education office for Civil Rights, 2018)

## Other Issues That Need To Be Addressed

Recognize the **physical and sexual abuse of girls** underlying behavior issues

End disproportionate use of **suspension and expulsion** against students of color and those with disabilities

Stop incarcerating girls for running away from unsafe situations and for “unacceptable” behavior, ie, behavior that is not submissive

Recognize mental health crises and react appropriately rather than with policing

## Progress in Virginia

Source: <https://www.usnews.com/news/best-states/virginia/articles/2020-12-03/new-virginia-laws-seek-to-close-school-to-prison-pipeline>

- Two new laws enacted in 2020 seek to stop criminal punishments in elementary, middle and secondary schools. This could reduce students in the school-to-prison pipeline and give control of behaviors in school back to principals, who could decide what actions should be taken. Senate Bill 3 prevents students from being charged with disorderly conduct during school, on buses, or at school-sponsored events. Senate Bill 729 removes a requirement that school principals report student acts that constitute a misdemeanor to law enforcement. These are acts that may be considered misdemeanors, such as assault on school property, including on a bus or at a school-sponsored event. Senator Jennifer McClellan was patron of both bills.

McClellan said she was compelled to introduce these bills after looking at data released by the Center for Public Integrity in 2015 and seeing that Virginia led the nation in nearly three times the rate of referral of students to law enforcement. She then worked with the Legal Aid Justice Center to find trends in what kind of behaviors were being punished and whether there were discrepancies involving which students were being charged.

Source: <https://www.usnews.com/news/best-states/virginia/articles/2020-12-03/new-virginia-laws-seek-to-close-school-to-prison-pipeline>

- Some school districts are eliminating School Resource Officers. They include Charlottesville and Alexandria. Other school districts are discussing the option.

## **Speakers for May 19 Program**

**Cherice Hopkins** is Senior Counsel at Rights4Girls, a human rights organization committed to ending gender-based violence in the U.S., where she engages in advocacy to enhance the safety and well-being of young women and girls who have been pushed to the margins of our society—particularly young women and girls of color—and improve responses to those who have experienced violence. She is the co-author of several innovative reports including *Survivor Protection: Reducing the Risk of Trauma to Child Sex Trafficking Victims*. She is also a member of the faculty of the National Judicial Institute on Domestic Child Sex Trafficking. [cherice@rights4girls.org](mailto:cherice@rights4girls.org)

**Valerie Slater** is a juvenile justice attorney and executive director of the RISE for Youth organization advocating for the rights of youth and families facing justice system involvement or engaged with other systems charged with the care of Virginia's youth. Ms. Slater earned her Juris Doctor from the University of Richmond School of Law and her Bachelors from Colorado State University. She is a fierce advocate for children and brings to her work an unwavering commitment to strengthening youth and communities to lead the efforts to realize their visions for change. [Valerie@riseforyouth.org](mailto:Valerie@riseforyouth.org)

**Ta'Dreama McBride** is a 14-year-old freshman at Open High School in Richmond and a Youth Leader with RISE for Youth. She is an artist and a fierce advocate in the fight to end the school-to-prison pipeline. She is passionate about ending the stigma associated with addressing mental health in her community with a particular focus on youth. She is a changemaker challenging injustice through art and advocacy.

**Juandiego Wade** 's dedication to working with youth led him to run for Charlottesville City's first elected school board in 2006. He has been re-elected for four terms. On the school board, he has served on numerous committees, served as chair and vice chair, and also has held leadership positions at the state and national level, including serving as the president of the Virginia School Board Association in 2015. [grantwade93@gmail.com](mailto:grantwade93@gmail.com)

### **We are honored to have been co-sponsors with the following organizations:**

AAUW of VA \* Alexandria Commission for Women \* Arlington County Women's Commission \* Charlottesville NOW \* Clearinghouse on Women's Issues \* Coalition of Labor Union Women \* Delta Sigma Theta Sorority, Inc. – South Atlantic Region \* Fairfax County Board of Supervisors \* League of Women Voters of Virginia \* Legal Aid Justice Center \* Loudoun County Chapter, NOW \* NAACP-Arlington Branch #7047 \* National Council of Negro Women – Northern Virginia Section \* National Women's Political Caucus, VA Chapter \* Network NoVA \* Virginia Council on Women \* Virginia Democratic Women's Caucus \* Virginia Organizing \* Virginia Poverty Law Center

### **Recording Link:**

<https://youtu.be/dNSDMCl8F5Y>

## Resources for Study

### [Human Rights Project for Girls \(Rights4Girls\) \(Washington ...](#)

<https://nicic.gov/sources/human-rights-project-girls-rights4girls-washington-dc>

This resource, compiled by the U.S. Department of Justice, includes “The Sexual Abuse to Prison Pipeline: The **Girls'** Story” and “Trauma-Informed Policy and Practice for Disconnected Girls.” “The Sexual Abuse to Prison Pipeline: The **Girls'** Story” exposes the ways in which we criminalize **girls** – especially **girls** of color – who have been sexually and physically abused, and it offers policy recommendations to dismantle the abuse to prison pipeline.

### [The school-to-prison pipeline is getting worse for black and brown girls.](#)

<https://www.theguardian.com/commentisfree/2019/mar/...>

**Where our Girls at? The Misrecognition of Black and Brown girls in schools.** Lewis, A. E., & Lewis, D. G. (2017). Occasional Paper Series, 2017 (38). Retrieved from <https://educate.bankstreet.edu/occasionalpaper-series/vol2017/iss38/9>  
[Where our Girls at? The Misrecognition of Black and Brown girls in schools \(bankstreet.edu\)](#)

### [How Black Girls Get Pushed Out of School - The New York Times](#)

<https://www.nytimes.com/2020/04/04/us/politics/black-girls-school-racism.html>

April 4, 2020

A new documentary, “[Pushout: The Criminalization of Black Girls in Schools.](#)” takes [viewers](#) into the journeys of five black female students who have confronted, and overcome, the school “pushout” phenomenon, which is most often associated with black boys.

### [Pushout: The Criminalization of Black Girls in Schools ...](#)

<https://www.amazon.com/Pushout-Criminalization...>

Monique E. Morris’s account of the over-policing and **criminalization of black girls** is powerful and informative. *Pushout* exposes a world of confined potential and supports the rising movement to challenge the policies, practices, and cultural illiteracy that push countless students out of school and into unhealthy, unstable, and often unsafe futures.

### [Black Girls With Disabilities Are Disproportionately ...](#)

<https://www.msn.com/en-us/news/us/black-girls-with...>

Sept 17, 2020 · These injustices are the reason congresswoman Pressley introduced the Ending PUSHOUT Act, which would end the criminalization of Black and Brown girls.

[Tampa Bay Black and brown school-aged girls are \*\*disproportionally arrested, suspended, and incarcerated, says report\*\*](#)

[\*https://www.ctampa.com/news-views/local-news/...\*](https://www.ctampa.com/news-views/local-news/...)

March 24, 2021 · 19 **Black girls** were transferred to the adult system during the 2019-2020 period, including one **girl** in Hillsborough County. **Black girls** made up 83% of the 15 **girls** under the age of 10 arrested.

[\*\*Girlhood Interrupted: The Erasure of Black Girls' Childhood\*\*](#)

[\*https://www.law.georgetown.edu/poverty-inequality...\*](https://www.law.georgetown.edu/poverty-inequality...)

May 24, 2017 · Scholars have observed that **Black girls** are subject to adultification. Given established discrepancies in law enforcement and juvenile court practices that disproportionately affect Black girls, the perception of Black girls as less innocent and more adult-like may contribute to more punitive exercise of discretion by those in positions of authority, greater use of force, and harsher penalties.

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[\*\*BLACK GIRLS MATTER: Pushed Out, Overpoliced and Underprotected\*\*](#)

[\*https://www.atlanticphilanthropies.org/wp-content/...\*](https://www.atlanticphilanthropies.org/wp-content/...)

**Black Girls Matter: Pushed Out, Overpoliced, and Underprotected** seeks to increase awareness of the gendered consequences of disciplinary and push-out policies for **girls**.

[School-to-Prison Pipeline | American Civil Liberties Union \(aclu.org\)](#)

For most students, the pipeline begins with **inadequate resources in public schools**. Overcrowded classrooms, a lack of qualified teachers, and insufficient funding for "extras" such as counselors, special education services, and even textbooks, lock students into second-rate educational environments. This failure to meet educational needs increases disengagement and dropouts, increasing the risk of later court - involvement.

[How to start ending the school-to-prison pipeline – by an U.S. Educator Just Elected to the House ...](#)[\*https://www.washingtonpost.com/education/2021/02/...\*](https://www.washingtonpost.com/education/2021/02/...)Feb 03, 2021 ·

The **school-to-prison pipeline** – the disproportionality that exists in handing out school discipline in **schools** to Black and Brown students for **simple infractions** –**pushes kids out of classrooms and into our ever-growing system of mass incarceration.**

## School Resource Officers - Charlottesville

The Toronto Model (referred to by Charlottesville School Board Member Juandiego Wade, in May 19 Program)

<https://www.tdsb.on.ca/Leadership/Boardroom/Agenda-Minutes/Type/A?Folder=Agenda%2F20171115&Filename=171115+School+Resource+Off+3269+FINAL.pdf>

Charlottesville City School Board Powerpoint Presentation

<https://docs.google.com/presentation/d/1Pb50FdshnbqVWXhUpSnPgHL73n1vUqUt35QHoMAH-YM/edit#slide=id.p>

## School Resource Officers - Explanation

[What's the role of a school resource officer? In my school, I'm part of the fabric | PBS NewsHour](#)

[School resource officers: What are they and are they necessary? \(today.com\)](#)

[What Is the Job Description of a School Resource Officer? \(chron.com\)](#)

[School\\_Resource\\_Officers\\_2020.pdf \(justicepolicy.org\)](#)

[CTE - The Role of the School Resource Officer: SRO Definition - School Resource Officer Job Description \(jhu.edu\)](#)

[School Officer: A Job With Many Roles and One Big Responsibility - The New York Times \(nytimes.com\)](#)

[Frequently Asked Questions About School Resource Officers | Fairfax County Public Schools \(fcps.edu\)](#)

[Are School Resource Officers Part of the School-to-Prison Pipeline Problem? | US News Police Do Not Belong in Our Schools | Healthy Schools Campaign](#)

[What the Research Shows: The Impact of School Resource Officers – Chicago Lawyers' Committee for Civil Rights \(clccrul.org\)](#)

[Does more policing make middle schools safer? \(brookings.edu\)](#)