

Can Cities End the School-to-Prison Pipeline? Relentless Organizers Are Tallying Wins

“We have always said that this is a battle of imagination over incarceration.”



Ardell Shaw stands in front of the King County Family Justice Center. Photo by Alex Garland.



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More than two decades have passed since Ardell Shaw was imprisoned in a King County juvenile detention facility. But the memories of the musty air, the harsh winter cold, and the sludge in the facility’s basement are ever present—as is the memory of the isolation, the feeling that detention staff cared more about “caging” him than addressing the internal turmoil that had brought him there.

The movement's most vocal participants were from Seattle's communities of color.

“The whole time I was in juvenile, no one ever asked me what the problem was or why I was so angry,” Shaw says. “They never got down to the issue of why I was committing crimes.”

Shaw is all too familiar with the “school-to-prison pipeline,” shorthand for the way that policies tend to propel youth of color from the halls of education to the cells of incarceration. That’s why he’s dedicated much of his life to destroying it.

Raised by his 70-year-old grandmother due to an absentee father and drug-addicted mother, Shaw’s brushes with trouble began in elementary school, where he was repeatedly suspended for misbehavior, or “acting out” as he puts it. Suspensions led to expulsions, which led to time spent on street corners with “pimps and drug dealers.” By the time high school arrived, the classroom was nothing more than an occasional interlude from drugs, crime, and hustling. He estimates that he was incarcerated about 20 times as a teenager, and then, as an adult, spent 14 years in Monroe Correctional Complex on a drug conviction.

Today, at 45, Shaw has been out of the justice system for two years and works at Seattle’s Urban League, helping black youth as a life coach. He considers himself a rare survivor of the system.

But the King County Family Justice Center still plays a role in his life. The same dilapidated conditions that he experienced as an inmate eventually caught the attention of county officials, who determined the detention center building was beyond repair. In 2012, with a turnout of just under 39 percent, voters in King County, which includes the city of Seattle, approved a 9-year property tax increase to pay for the construction of a new facility. The building’s total price tag is expected to be more than \$210 million.

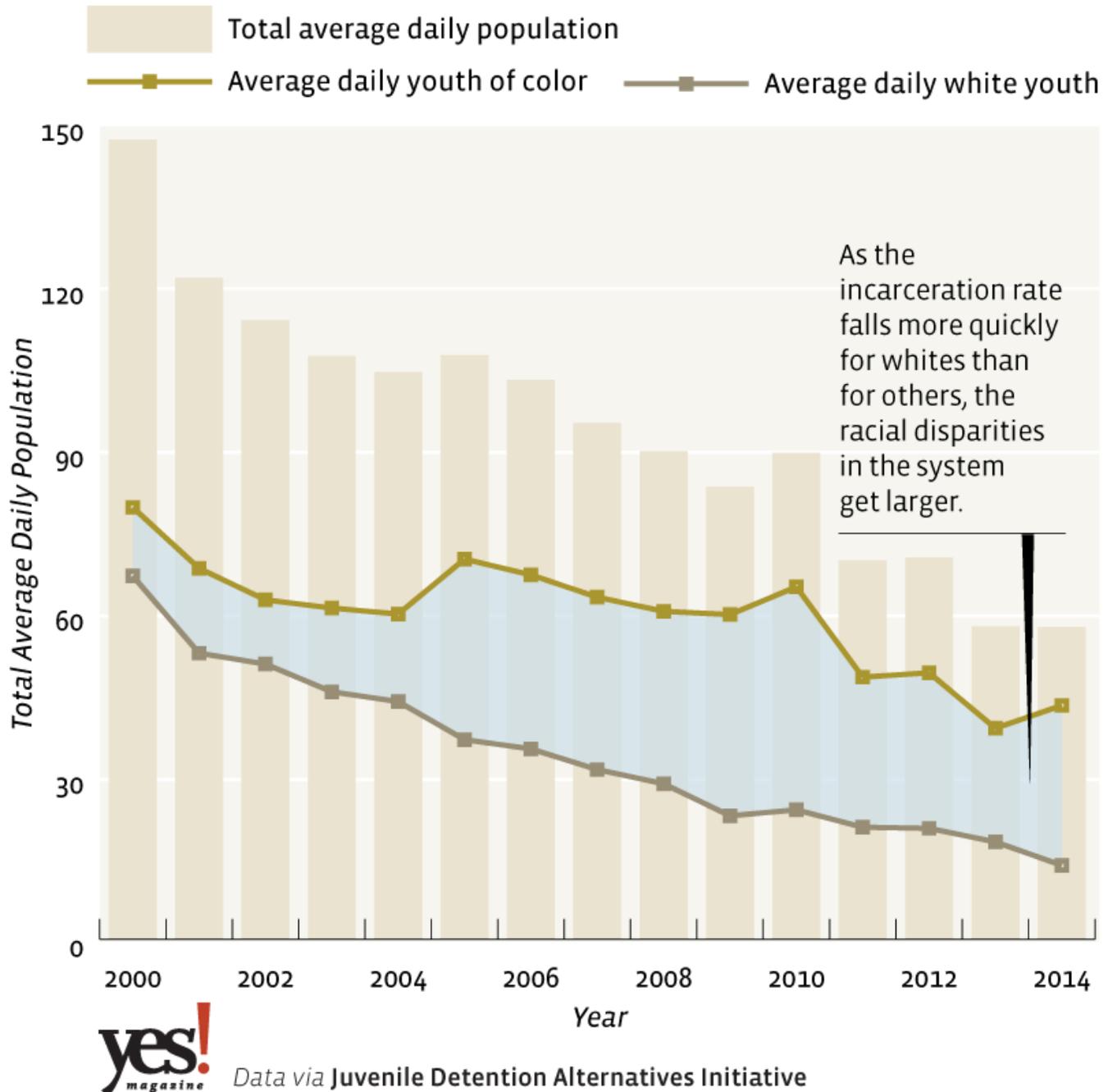
Shaw and others immediately objected to the project even before the vote, dubbing it a “new youth jail.” When “open house” meetings were held around the county a month after the vote, organizers mobilized intense opposition. They gathered a coalition of self-described youth-prison abolitionists, antiracist organizers, and clergy. Their efforts grew into three years of carefully orchestrated teach-ins on the harms of juvenile detention, fiery public forums, strategic protests, and—later—meetings with county officials.

Much more than money was at stake. The movement's most vocal participants were from Seattle's communities of color, who anticipated it would be their children who would end up inside its walls. And with good reason: Black youth in King County currently make up 50.7 percent of incarcerated youth, despite being less than 12 percent of the youth population at large. All people of color combined make up fully three-quarters of the average daily juvenile population in King County.

Those numbers are worse than national averages, which show African Americans making up about 40 percent of the incarcerated youth population and about 13 percent of the population at large. This is what activists and scholars term "disproportionality"—the overrepresentation of youth of color within the justice system.

As Number of Incarcerated Youth in King County Falls, Racial Disparities Widen

In every racial group, absolute numbers of incarcerated youth have declined. But they're falling more quickly for whites than for youth of color.



To some observers, the efforts of Shaw and other activists—part of a coalition known as the No New Youth Jail Movement—initially appeared quixotic, uncompromising, and a “waste of energy,” as one King County council member referred to it. But they

ultimately pressured the county to own up to its failure to create racial equity—and to change its policies in an effort to address the problem.

Specifically, officials committed to do something seldom achieved by a major U.S. county: to not only decrease the total number of incarcerated youth, but to reduce the racial inequities of the system at the same time.

By officials' own admissions, those policy changes would not have occurred without the work of people like Ardell Shaw.

Three years of action

The end game of the movement was not only to halt the construction of a new detention center. Organizers also wanted to put a stop to racial disproportionality. At the beginning, they barely registered on local officials' radar.

Much more than money was at stake.

“I felt that we did our due diligence and received community input,” says Pamela Jones, the director of the King County Youth Services Center. “There was obviously a vocal group who didn't believe that to be the case.”

The story's genesis is the county's proposal to replace the existing Youth Services Center with a new facility called the Children and Family Justice Center in 2008. The building, which like its predecessor includes detention facilities, was approved in 2012, with groundbreaking scheduled for the spring of 2016. While outcry ensued during the proposal period, opposition heated up after the approval when several local antiracist groups began to form the coalition that eventually became known as the No New Youth Jail Movement. The No New Jim Crow Movement—previously a reading group around Michelle Alexander's book *The New Jim Crow*—was there; so was WISH (Washington Incarceration Stops Here). But three groups funded by the Quaker affiliated American Friends Service Committee came to play pivotal roles: EPIC (Ending the Prison Industrial Complex); YUIR (Youth Undoing Institutional Racism) and European Dissent.



Demonstrators march against the planned detention center. Photo by Alex Garland.

It was the last three who took center stage over the past 18 months, organizing hundreds of people to flood the offices of elected officials with phone calls and letters and to gather at city and county meetings to speak out against the detention center. One such meeting saw them orchestrate a “people’s filibuster” which saw organizers flood the city council chambers to take turns reciting passages from civil right’s legend Angela Davis’ book *Are Prisons Obsolete?*, extending the meeting by several hours in an attempt to delay the approval of the construction contract with developer Howard S Wright.

Wright’s office became the site of a biblical re-enactment staged by Jenn Hagedorn and Claire West of European Dissent. The two led about 100 mostly white protesters to its main lobby, placed thousands of coins upon a large coffee table while startled staff looked on, and flipped it over in an ode to the Biblical description of Jesus Christ’s actions against the money lenders in the temple. West said the demonstration served to draw attention to one of the movement’s key messages, that money is being made on the backs of black children.

By February 2015, when the County Council voted to award the construction contract to Wright, activists had successfully raised awareness of the disparate incarceration rates among youth of color. A month later, in an effort to address that disparity, county officials announced they would no longer refer juveniles to criminal courts for “status offenses”—juvenile specific crimes including truancy, running away from home, or being late to class. Officials moved to “decriminalize” mental illness in youth, by referring them to programs instead of juvenile detention. They also announced that they would reduce the number of beds planned for the Family Justice Center’s detention facility from 144 beds to 112; the current Youth Services Center holds 212 beds.

More recently, in October, the City of Seattle passed a resolution, written primarily by members of EPIC, announcing the city’s goal of completely ending juvenile incarceration within its borders.

**Senait Brown
describes herself as
“born to organize.”**

City leaders acknowledge the challenge. “There are times that juveniles commit crimes like murder and rape that necessitate a separation from civil society for a time,” said City Council Member Tim Burgess, a former police officer. “But in most other cases we need to stop criminalizing youth.”

The city has also scheduled a mid-November vote to consider spending \$600,000 to develop alternatives to jailing youth, including restorative justice.

But for most of the activists involved in this issue, these victories are just the beginning.



Senait Brown addresses a crowd at a rally. Photo by Alex Garland.

“Oh, there is much more work to be done,” says Senait Brown, aged 30, who is one of the lead organizers for the group EPIC. She describes herself as “born to organize,” and says she began her work as an antipoverty activist in the greater Chicago area with a “class-based” analysis that she used to explain most of society’s ills, including incarceration. In other words, she believed social problems were driven largely by economic factors, with race playing only a marginal role.

It wasn’t until moving to Seattle five years ago to work for a poverty-alleviation nonprofit, and meeting the organizers who would eventually form the core of EPIC, that she began viewing social problems through a “racial lens,” seeing the unique ways that social problems affect people of color.

Brown, who divides her time between organizing for EPIC and four other community-advocacy groups, has been a staunch spokesperson for the No New Youth Jail movement. Over the past three years, her voice has traveled by megaphone or microphone at nearly every rally, protest, city meeting, and county hearing that addressed the building of the detention center.

“We have always said that this is a battle of imagination over incarceration,” she says. “What does it say about our representatives when they can’t come up with a better plan for those they represent than to put their children in prison?”

A shrinking system grows less equitable

King County's experience with racial disparities in juvenile incarceration is not unique.

Juvenile Detention Alternatives Initiative (JDAI) works with more than 250 counties nationwide, including King County, to decrease juvenile prison populations. The initiative was founded in 1992 as a response to what was then an astronomical growth in the United States' juvenile prison population.

The percentage of the incarcerated who are black has risen from 35 percent to nearly 60 percent.

Since that time, 83 percent of participating counties that have implemented JDAI's practices have reduced their juvenile detention populations. On average, those counties cut their daily populations of detained youth by 43 percent. That means that, on average, 3,173 fewer youth are incarcerated in the United States each day.

But the system still incarcerates youth of color at higher rates than white youth. In 2013, the most recent year for which national data was available from the Office of Juvenile Justice and Delinquency Prevention, 68 percent of all confined youth belonged to an ethnic minority, despite the fact that they comprise about 48 percent of the total youth population in the United States.

King County provides a clear example of what the problem looks like up close. Since 1998, when it joined JDAI's program, it has decreased its overall population of incarcerated youth by 70 percent. Its juvenile population fell from a daily average of 205 in 1998 to roughly 55 today.

The most significant policy change that led to the decrease, according to county officials, was a change in detention intake policies: Police officers are now required to call the detention center to determine whether confinement is necessary before bringing a young person there. Previously, police officers would drop off juveniles at King County detention center as they saw fit.

Today, King County has the second-lowest juvenile prison population of counties of equivalent size, according to JDAI.

"There are several counties around the country who would love to be where King County is at," says Young.

And while this has resulted in one of the lower youth incarceration rates in the U.S., the percentage of the incarcerated who are black has risen from 35 percent to nearly 60 percent during that time.

King County officials acknowledge the problem. In a March 2015 letter to the Seattle City Council, they wrote, “While we acknowledge success in reducing the overall use of secure detention, we must also face our failure.”

Dow Constantine, the county executive, has a plan to tackle that failure. And there are plenty of people who intend to hold him to his word.

The county’s plan

The county’s plan to end these disparities began with an announcement in late March when Constantine stated the county would no longer refer juveniles to criminal court for status offenses.

The county believes prosecuting minors for these offenses has contributed to disproportionality because so many of those charged with them are youth of color. Officials also recently passed legislation that stops charging juveniles for failure to pay the fare on county-operated public transportation.

The county has sought to form partnerships with community organizations, including with the gang-prevention group 180 Program, which attempts to intervene in the lives of troubled youth. And, in effort to elicit input on reducing youth detention and racial disparities within it from community members, the county put together a Juvenile Justice Equity Steering Committee, which includes former gang members and community organizers alongside judges and other county officials.



Dominique Davis is co-program director of a nonprofit that helps youth extricate themselves from gang life. Photo by Alex Garland.

Dominique Davis is one of the community members who sits on the committee. In his early 40s, he is the co-program director of the 180 Program, a gang-diversion nonprofit, and says he spent his early life in a “blur of pimping, gun play, and dope selling,” before making a reversal tantamount to the name of the program he now runs.

“Racism is strongly embedded in the institutions that house many of the decision-makers.”

Davis says he likes that the committee is attempting to focus on greater coordination among school, law enforcement, and county and city officials.

“People in power always want to criticize gang members and the black community for not coming together,” he says, “and yet it took a whole bunch of black people and former gang members to make our local officials commit to coming together and talking to each other.”

Both King County and the City of Seattle have signed onto a Statement of Shared Commitment to reduce disparities in juvenile justice and are working with local school districts within the county, including Seattle Public Schools, to implement restorative justice practices in place of expulsions and suspensions.

Importantly, the county will also begin providing training to security officials stationed on buses in the County on how to deal with adolescents, specifically those of color.

“I’d love (the training) to extend to every school, police station, and prosecuting attorney’s office,” says Dave Upthegrove, the King County council member who spearheaded that legislation.

Until it does, the county’s solutions may not meet their targets, said Rebecca Fix, a doctoral candidate in psychology at Auburn University and the author of a recent study on disproportionality. Fix, who has made the study of racial disparities in American society her life’s work since growing up in a segregated Milwaukee neighborhood, admires the county’s goals. But unless it provides training in racial issues to all individuals who work with youth, she says, the problem will not go away.

That’s because the problem is not simply procedural but involves the subjective perceptions of people who work with kids. “There are studies that show that Americans are going to see African Americans as more dangerous,” Fix says, referring to recent research by the U.S. Department of Justice. “They are going to look at an African American boy as more aggressive, even when you have a white child with the same behavior.”

To address the problem, she says decision-makers at every level of an adolescent’s progression should be provided with training that makes them conscious of any racial biases they may harbor.

“Juvenile incarceration is one of the largest public health crises we face.”

And that education needs to extend to every part of the system. “Racism is strongly embedded in the institutions that house many of the decision-makers who children come into contact with before this,” Fix says. “Even if we target the judge overseeing a juvenile’s case, well, there’s the teacher, the police officer, the judge, the prosecutor’s office.”

King County’s Chief Juvenile Judge, Wesley Saint Clair agrees.

“Until we have the courage to start dealing with issues of institutional racism, structural racism, and implicit bias, we will be having these same conversations over the next 150 years,” he said. “We must look to our partners in education, law enforcement, child welfare, [and] behavioral and medical health providers to participate in the conversation about implicit bias and undoing institutional racism.”

Other researchers focus on the economic roots of the problem.

“Juvenile incarceration is one of the largest public health crises we face, and it’s mostly a socio-economic issue,” says Linda Teplin, a professor of psychiatry and behavioral sciences at Northwestern University. She points to research showing that white youth tend to use drugs at higher rates than African American kids. But it’s the African American ones who are punished for drug offenses more often.

Higher parent incomes, she adds, also allow white children to navigate the justice system better than children of color, who often come from less affluent families.

“If you live on the South Side of Chicago you’re bereft of resources since we fund it by property taxes, versus being on the North Side,” she says.

Her solution: Focus on the education system, and radically alter how it’s funded.

While she is hopeful that King County can reduce its disproportionality, she points out schools in the area are funded in the same way as the rest of the country.

“(The United States) only does education correctly for a subset of the population. We can’t continue to do it only for one way, for one group and not the other.”

And while the county prides itself on some of the steps taken so far, its officials know these changes are incomplete without input and leadership from the most important collaborator: communities of color.

“Ultimately it can’t be white guys like myself, Mike O’Brien, and Tim Burgess who are attempting to figure this out,” says Dow Constantine.

“This system has to be destroyed”

For Shaw and Brown, Dow Constantine’s new commitments to racial justice are long overdue—but also need to be shared more widely by everyone whose work connects them to America’s juvenile justice system.

Despite the reforms King County has made, both organizers view the county’s actions somewhat dismissively as “concessions,” and continue to have doubts about the county’s sincerity. Their vision is of a county whose juvenile justice system has no trace of bias, and ultimately, no need to exist.

“We aren’t going to stop until there stops being a crisis of black and brown youth being caged, and being denied a larger destiny that they, and our community, can determine for ourselves,” Brown says.

Both she and Shaw frequently visit black prisoners who are serving decades-long sentences for crimes committed while still in their early teens.

As many of these prisoners discussed the lives that led to their incarceration, Shaw felt like he was hearing his own life replayed back to him.

“This system has to be destroyed,” he said, on the way back from one such visit.

At the meetings held every Thursday in Seattle’s Bethany Church with the growing contingent attracted to the No New Youth Jail Movement, Shaw, Brown, and others are still attempting to halt the construction of the juvenile justice center. Recently they drummed up community support in the form of a letter-writing campaign to ask the city of Seattle to deny the project a master land use permit.

For them, it continues to symbolize the failures of a system that incarcerates youth of color at higher rates than their white peers.



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