

Does the School to Prison Pipeline Exist in America for Minorities?

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Abstract

Why are male minorities incarcerated at higher rates than their white counterparts? People of color, specifically African-American and Latino youth living in underserved communities in the United States of America, encounter many obstacles which place these brilliant minds on the trajectory toward a school to prison pipeline. The school to prison pipeline refers to a system that affects students on the local, state and federal level which operates both directly and indirectly. Qualitative data alludes to a “machine” that has been constructed to maintain the present capitalistic class structure. Many sociological theories such as conflict race theory and conflict theory uncover how race and socioeconomic status directly correlate to pipeline elements such as harsh zero tolerance policies, poor learning environments and underfunded schools. If the existence of this pipeline is woven into the tapestry of American society, various social constructs such as race may reinforce disparities and perpetuate the “machine.”

Keywords: school-to-prison pipeline, education, conflict theory, race

Sociologist Oscar Lewis (2014) is noted for coining the sociological concept of a culture of poverty. After conducting research in both the United States and Mexico focusing specifically on the Latino population, Lewis concluded that poor citizens are excluded from the middle class mainstream which causes them to accept their fate and the harsh circumstances of poverty. Lack of exposure to creative possibilities and various perspectives can stifle the human spirit from excelling to greater highs and deeper depths. Furthermore, the culture of poverty asserts the development of fatalism and encourages immediate gratification. Lewis’s conclusion poses a deeper question; is there a system or *machine* that perpetuates the culture of poverty?

Underserved communities that typically consist of African-Americans and Latinos face unique challenges.

Many argue that these challenges create systems from an early age that perpetuate this cycle in underserved communities and feed the *machine*. The school to prison pipeline has dominated the research analyzing the societal aspects of disenfranchised people groups and the inequities within the school system such as underqualified teachers, harsh zero tolerance policies and social constructs that position young Latino and African-American youth on the pipeline trajectory. Schools in the United States take the position that the school must remove students who seemingly distract from the learning process. According to the American Civil Liberties Union (2015), the school to prison pipeline consists of “policies and practices that push our nation’s schoolchildren, especially our most at-risk children, out of the classrooms and into the juvenile and criminal justice systems; this

pipeline reflects the prioritization of incarceration over education” (American Civil Liberties, 2015, pg.1). Wilson (2014) acknowledges the United States consists of 5 percent of the world’s population, yet holds 25 percent of the world’s prisoners; a number that has quadrupled since 1980. A sociological analysis of various pipeline elements, social constructs and Marxism can help determine if a pipeline exists and what perpetuates the *machine*.

Social Construction of Race

Sociologists contend there is a clear distinction between the terms “ethnicity” and “race.” Often the terms race and ethnicity are used interchangeably, but there are stark differences between them. Ethnicity is based on common cultural factors such as language, history or religion. Race is understood as a socially defined classification based on actual or perceived biological differences between various people groups. Furthermore, on a biological level there is no such concept as a pure race. According to Ferris and Stein (2014), modern geneticists have discovered that all human beings, despite perceived racial group categories, are 99.9 percent genetically identical; there is approximately 15 percent variation in the remaining 0.01 percent. This is consistent with the sociological argument of race being a social construct.

From a Christian perspective, these modern findings also help solidify the intelligent design argument. This argument takes the position that all of creation, especially life on planet Earth, was constructed by an intelligent entity. An illustrative example for the intelligent design position is that of theologian and philosopher William Paley and his Teleological argument. Paley’s watchmaker analogy notes “that an interested person who found a watch in a field recognized attributes of design based upon a complicated interaction of parts, function and purpose” (Hickey, 2013, p.26). Paley was able to observe these same elements in the world, which suggests God is the creator of living things. Interestingly, this perspective is not new, as the first book of the Pentateuch asserts a worldly design by Yahweh, and philosophers such as Plato recognized design in the world (Hickey, 2013). In the case of race, the book of Genesis notes that God created one man, Adam; and from his ribs he created one woman, Eve. Through the lineage of Adam the earth was populated, meaning there is only one race

of people, the human race. It is the Christian position that humanity was created by God, a stance supported by the biological reality that all humans are 99.9 percent genetically identical.

Since race is a social construct, why is race important? Critical race theory explores the concept of race and its correlation to racial power, which is supported by culture and law. This theory evolved from the deficiency of Critical Legal Studies in the 1970s and refers to the social constructivist premise of race, while opposing systems that suppress people of color (Bell 2009). Critical race theorists contend that the term “race” is linked to power as people are “race-d” in order to maintain certain cultural, legal and social functions of capitalism within American society. In fact, “one key focus of critical race theorists is a regime of white supremacy and privilege maintained despite the rule of law and the constitutional guarantee of equal protection of the law” (Chayes et al., 2015). Having race-d people provides avenues for division. For example, article 1, section 2, clause 3 of the United States Constitution, also known as the 3/5th Compromise, notes that:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons (U.S. Const. art. I, & 2, 3 amend. XIV).

The method of counting certain people groups allowed white males to maintain their control and wealth and to solidify their power in America. More specifically, it provided the South with disproportionate federal government control and sustained slavery. Furthermore, by African-Americans being counted as less (3/5th human) than whites, and Native Americans being completely excluded unless they paid taxes, it further establishes that the law was not equal for all. The critique of whiteness is a major component of critical race theory, citing the need to dismantle the invisible advantages associated with white people. Interestingly, critical race theorists also discount the perception that race has an intrinsic meaning. This allows critical race theorists to oppose neutral rules which racially compartmentalize people of color (Chayes et al., 2015). Having established that race is a social construct used to maintain power structure and sup-

port the invisible advantages of whites, attitudes about nonwhites both unconsciously yet intentionally enforce implicit bias and social inequalities which are believed to be major elements of the school to prison pipeline.

Pipeline Elements

The school to prison pipeline depicts a system of school discipline policies, school socialization and low educational fulfillment by people of color. Often students in underserved communities are plagued with being unfairly placed in lower-level classes, encounter large amounts of underqualified or disengaged teachers, endure learning in over-crowded classrooms and attend schools in older buildings. After studying the qualitative data collected from conducting interviews with two students who attended David Star Jordan High School, located in the heart of Watts, a 2.12 square mile underserved yet culturally rich neighborhood in South Los Angeles, the power of the culture of poverty was apparent. They provided first-hand accounts of attending a school surrounded by housing projects, dominated by Teach for America instructors and inundated with the disciplinary demerit system. The correlation between existing sources and their accounts outlines major disparities within the American public school system. According to a David Star Jordan High School Alum, the disciplinary demerit system consists of seemingly arbitrary points assigned to students whose behavior, in the opinion of a teacher or school administrator, warrants correction. These points result in the student receiving detention or being barred from participating in certain extracurricular activities. Often a demerit is assigned to a student without documentation or formal notice. Furthermore, the disciplinary demerit system rules and regulations were not outlined to students (E. Rivera, personal communication, July 31, 2015).

Race influences educators' perceptions and is translated in their interactions with students. For example, research has shown that when an African-American student misbehaves in the same way as a white counterpart, the African-American student's punishment is often more severe (Sojoyner, 2013). In fact, according to the Department of Education, "Black children comprise 18 percent of preschoolers nationwide, but 48 percent of those receiving out-of-school suspensions; every day in America 16,244 public school students are expelled, and 6,191 of those are Black" (George, 2014, pg.1). Preju-

dice towards people of color is a major part of the school to prison pipeline. Black and Latino students tend to be perceived as being more aggressive and lacking impulse control. Sadly, "the American Psychological Association's study of discipline under the zero tolerance found that Black males were disproportionately impacted due to perceptions by school staff that they were more disruptive and aggressive than their peers" (George, 2014, pg.1). Given that these sentiments are formed about African-American and Latino students in the early life/preschool stage, pipeline elements continue to become stronger as they progressively move through the system.

By the time students of color enter elementary and middle school, many emotional components such as feelings of alienation and familial factors of poverty become taxing to a greater degree (George, 2014). Once these young people reach high school, their future reaches a major precipice: continue pushing through a broken education system which does not value their worth or give in to the culture of poverty and obtain street status. Many people in these environments acknowledge that street culture provides them with the family they don't have and gives them opportunities they can't foresee attaining legally. As one incarcerated youth shared, "when you're 14 and you're making \$4,000-5,000 in two days, school doesn't seem as important...I felt like as long as I had money I was safe—meaning I could do anything I wanted. It made me proud of myself" (Hatt, 2011, p.476). In the words of a Social Activist and City of Los Angeles Department of Cultural Affairs executive, "it's been a setup; if you constantly feed an underserved community it's going to breed crime and other types of activity" (R. Hooks, personal communication, August 2, 2015).

Pipeline Construction

Considering the premise that the pipeline has been a set-up, how has it been constructed? Pipeline construction began with President Nixon's War on Drugs. Nixon's advisor H.R. Haldeman recalls, "He [President Nixon] emphasized that you have to face the fact that the whole problem is really the Blacks; the key is to devise a system that recognizes this while not appearing to" (Alexander, 2011, p.44). Following suit, President Reagan signed "Executive Order 12368—Drug Abuse Policy Functions" in 1982, resulting in "large cash grants being made available to state and local law enforcement

agencies to encourage proliferation of the War on Drugs, which resulted in these agencies receiving special narcotics task forces, free training, and specialized equipment including helicopters, rifles, and grenade launchers” (Hatt, 2011, p.480). Interestingly, according to Hatt (2011), during this time anti-drug funds were simultaneously cut from the Department of Education, resulting in an \$11 million dollar loss for prevention programs. As a result, regular drug users are now far less likely to receive treatment for their addiction. It is evident that the War on Drugs places a heavy emphasis on punishment rather than rehabilitation. Moreover, “the prison story describes an institution that for the past 30 years, through War on Drug policies, has unfairly targeted low income, people of color to the point that a Black baby boy born in 2001 has a 1 in 3 chance of going to prison and a Latino boy has a 1 in 6 chance” (Chesney-Lind and Mauer, 2003). Harsh zero tolerance policies disproportionately affect people of color by pushing students out of the classroom and into situations where they are more likely to encounter the police.

Socioeconomic Status

Exposure to the school to prison pipeline is not only contingent upon laws and the social construction of race, it is also stabilized by a person’s socioeconomic status. Sociologists Ferris and Stein (2014) define socioeconomic status as a measure of a person’s position within a social class system; it is a combination of occupation, education, and income. Capitalistic societies such as the United States of America rank people according to their wealth, power and influence. In the United States social classes can be divided into several categories ranging from the upper class—the 1 percent of the population who controls the bulk of the wealth—to the underclass, who rely heavily on public or private assistance. To illustrate the disparity, Oman (2015) noted that in 2014, 85 wealthy individuals possessed more wealth than the poorest half of the world’s population, or more specifically, 3.5 billion people.

Minorities in the underclass, the working poor or lower middle class experience the elements of the school to prison pipeline. Because their wages are either low or nonexistent, they are forced to live in underfunded communities. Public schools are typically funded based on property taxes. As Kraft and Furlong (2010) contend, due to the considerable variability of property

taxes based on location, students from poor areas tend to receive a lower-quality education as school funding has a direct bearing on the quality received. Lower-performing schools tend to embody more pipeline elements, as “schools cannot hire well-qualified teachers and other staff, provide the needed books and supplies, make use of computers and other state-of-the-art technological resources, or even give students a clean and safe building in which to learn” (Kraft & Furlong, 2010, p.309). Moreover, the United States of America has one of the most inequitably funded school systems in the modern world (Kraft & Furlong, 2010).

Conflict Theory

German philosopher and political activist Karl Marx lived during the second half of the 19th century known as the Industrial Revolution. It was the embodiment of enormous change as people transitioned from the agricultural lifestyle to manufacturing positions in the city. This industrial shift promoted prosperity but resulted in new types of poverty, crime and illness. Capitalism or Classical economy is often called *laissez-faire*, meaning the government is hands-off. This type of economics is driven by competition and wealth through private ownership. In Marxism, a person’s socioeconomic status may be divided into two class struggles: the proletariat, meaning the worker, and the bourgeoisie, or owner.

Marx’s growing concern was that capitalism created a new type of economic relationship which seemed to encapsulate the only social relationship of importance. Furthermore, the detached aspects of the market created firm systems of social classes, which allowed the capitalists or bourgeoisie the opportunity to have major economic advantages while the workers or proletariat had none. Marx was certain that the chasm would continue to widen, grow and deepen within the fiber of society. Greed and exploitation are behavioral patterns of self-interest which globalization, the increasing connectedness of people and places due to technological advances, facilitates in our modern industrial economy. Söllner (2014) points out that institutional vacuums in the system of global governance allow corporations to cut their costs by using cheap labor and unethical environmental practices. Large corporations will build factories in countries where environmental and worker regulations are lax, which results in workers enduring unfair compensation and treatment as well as ecosystems be-

coming devastated. One of the most striking elements of capitalism is that workers become estranged from their own human nature.

Ferris and Stein (2014), note that conflict theory, or Marxism, is the understanding that society is perpetually in a state of conflict; conflict between social classes over wealth, power and class, and holds the belief that a new economic structure that redistributes wealth evenly in society will eliminate these social problems. Marxism also has a direct correlation to critical race theory, which asserts that race is a social construct used to maintain the power of white males just as conflict theory asserts that power is maintained through the economic inequality of capitalism. In the case of the school to prison pipeline, conflict theory reflects how wealth, power and control are the main drivers of the *machine*. Unequal wealth leads to poor quality education because school funding is dependent upon property taxes (Kraft & Furlong, 2010). If a community is overwhelmed with housing projects and its community members are in the lower socioeconomic ranks, schools in these communities will typically perform poorly. Likewise, its youth will continue to seek to obtain power and wealth through unconventional and illegal means.

Conclusion and Implications

Some solutions to clogging the pipeline include dismantling harsh zero tolerance policies while focusing on developing and reinforcing positive behaviors by creating learning environments where students are valued and able to explore other learning opportunities other than traditional linguistics and mathematics/logic. Wallace (1998), asserts that the arts represent other forms of intelligence such as interpersonal and intrapersonal intelligence. New learning models provide a positive avenue to change undesirable behaviors while ensuring students remain engaged in the learning process and develop other vital life skills. Perhaps applying new learning models like The Montessori Method of education for students to learn at their own pace may be of some benefit, rather than identifying them as slow learners or remediating them. The need for several education policy reforms, such as equitable school funding, more competitive compensation for teachers and ensuring students of color have access to the same educational opportunities as their white counterparts, is also worth exploring. As Wilson (2014) affirms, youth with at least one incarcer-

ated parent in the United States are five times more susceptible to end up in prison; these findings reveal that providing more funding for rehabilitation of prisoners can provide long-term multigenerational stability.

Many elements such as the social construction of race which sustains power for certain people groups and harsh zero tolerance policies which unfairly target people of color whose socioeconomic status is low, keeps the *machine* and culture of poverty moving forward. The pipeline is enforced by laws which seek to imprison citizens rather than rehabilitate them into society. A common theme in each section is that of wealth. Marx understood that capitalism exploits the poor to sustain the cycle. Given Marx's conflict theory, conflict will result in change as class consciousness can challenge many of the pipeline elements in America. Major disparities depict an elaborate pipeline which flows from many elements such as the environment, laws and perceptions; in order to dismantle the *machine* it must first be recognized.

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